GAZE OF INDIA.
OCT. — DEC.
1883

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The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 42.} SIMLA, SATURDAY, OCTOBER 20, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Simla, the 19th October, 1883.

No. 17.—His Excellency the Viceroy and Governor General has been pleased to accept the resignation by the Hon'ble D. G. Barkley of his office of Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations.

No. 18.—The following Statute is published for general information:—

46 VICT., CHAPTER 6.

An Act to provide, during twelve months, for the Discipline and Regulation of the Army.

[26th April, 1883.]

Whereas the raising or keeping a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by Her Majesty and this present Parliament, that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of Her Majesty's Crown, and that the whole number of such forces should consist of one hundred and thirty-seven thousand six hundred and thirty-two men, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within Her Majesty's Indian possessions:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in Her Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the Government of Her Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet nevertheless it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert Her Majesty's service, or are guilty of

crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow :

44 & 45 Vict., c. 58.

And whereas the Army Act, 1881, will expire—

(a) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April one thousand eight hundred and eighty-three ; and

(b) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, on the thirty-first day of July one thousand eight hundred and eighty three ; and

(c) Elsewhere, whether within or without Her Majesty's dominions, on the thirty-first day of December one thousand eight hundred and eighty-three :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

1. This Act may be cited as the Army (Annual) Act, 1883.

Army Act (44 & 45 Vict., c. 58) to be in force for specified times.

2. (1) The Army Act, 1881, shall be and remain in force during the periods hereinafter mentioned, and no longer, unless otherwise provided by Parliament ; that is to say,

(a) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand eight hundred and eighty-three to the thirtieth day of April one thousand eight hundred and eighty-four, both inclusive ; and

(b) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, from the thirty-first day of July one thousand eight hundred and eighty-three to the thirty-first day of July one thousand eight hundred and eight-four, both inclusive ; and

(c) Elsewhere, whether within or without Her Majesty's dominions, from the thirty-first day of December one thousand eight hundred and eighty-three to the thirty-first day of December one thousand eight hundred and eighty-four, both inclusive;

and the day from which the Army Act, 1881, is continued in any place by this Act is in relation to that place referred to in this Act as the commencement of this Act.

44 & 45 Vict., c. 58.

(2) The Army Act, 1881, while in force shall apply to persons subject to military law, whether within or without Her Majesty's dominions.

44 & 45 Vict., c. 58.

(3) A person subject to military law shall not be exempted from the provisions of the Army Act, 1881, by reason only that the number of the forces for the time being in the service of Her Majesty, exclusive of the marine forces, is either greater or less than the number hereinbefore mentioned.

Prices in respect of billeting. 44 & 45 Vict., c. 58.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act, 1881, the prices specified in the schedule to this Act.

Amendments of Army Act, 1881.

Amendment of s. 46 (3) of 44 & 45 Vict., c. 58, as to power of commanding officer.

4. Whereas the words hereinafter mentioned in section forty-six of the Army Act, 1881, are superfluous, inasmuch as the offence therein mentioned is an aggravated offence of drunkenness, and it is expedient to omit the same : Be it therefore enacted as follows :—

In section forty-six of the Army Act, 1881, the words "was guilty of drunkenness after being warned for duty, or unless he" shall be omitted from the third sub-section.

Amendment of s. 80 (4) of 44 & 45 Vict., c. 58, as to attestation paper.

5. Whereas by section eighty of the Army Act, 1881, provision is made with respect to the recording of the answers of a recruit in an attestation paper to the questions put to him, and with respect to the signing and attesting of the attestation paper, and doubts have arisen with respect to the application of the said section to duplicates of such paper if duplicates are required by the regulations of a Secretary of State under Part II of the said Act, and it is expedient to remove such doubts : Be it therefore enacted as follows :—

There shall be added to section eighty of the Army Act, 1881, after the sixth sub-section the following enactment :—

(7.) Where the regulations of a Secretary of State under this part of this Act require duplicate attestation papers to be signed and attested, this section shall apply to both such duplicates, and in the event of any amendment of an attestation paper the amendment shall be made in both of the duplicate attestation papers.

Amendment of s. 94 of 44 & 45 Vict., c. 58, as to justices of the peace for the purpose of enlistment.

6. Whereas by the second sub-section of section ninety-four of the Army Act, 1881, it is enacted that an officer while subject to military law shall not act as a justice of the peace for the purpose of the attestation of soldiers :

And whereas militiamen can be attested before any officer as well as before a justice of the peace, and it is expedient to make provision for the attestation of soldiers before officers : Be it therefore enacted as follows :—

In section ninety-four of the Army Act, 1881, the words "an officer in the United Kingdom or elsewhere, if authorised in that behalf under the regulations of a Secretary of State also," shall be inserted before the words "every person exercising the office of a Magistrate" in the first sub-section; and the second sub-section shall be omitted.

Amendment of s. 145 (2) of 44 & 45 Vict., c. 58, as regards the liability of a soldier to maintain his wife and children.

7. Whereas under section one hundred and forty-five of the Army Act, 1881, it is provided that in the case either (a) of an order or decree made for payment by a soldier either of the cost of the maintenance of his wife or child, or of any bastard

child, or of the cost of any relief given to his wife or child, by way of loan, being sent to a Secretary of State, or (b) of it appearing to the satisfaction of a Secretary of State that a soldier has deserted or left in destitute circumstances, without reasonable cause, his wife or any of his legitimate children under fourteen years of age, the Secretary of State may order a sum therein mentioned to be deducted from the daily pay of such soldier, and to be appropriated in the first case in liquidation of the sum adjudged to be paid by such order or decree, and in the second case towards the maintenance of such wife or children:

And whereas it is expedient to make it obligatory on the Secretary of State to make the order in such cases: Be it therefore enacted as follows:—

In section one hundred and forty-five of the Army Act, 1881, the words "Secretary of State shall order" shall be substituted for the words "Secretary of State may order" in the second sub-section.

Amendment of s 172 of 44 & 45 Vict., c. 58, respecting provisions as to warrants and orders of military authorities.

8. Whereas it is expedient to make further provision respecting the validity of orders of military authorities for the detention in custody of persons subject to military law when on boardship: Be it therefore enacted as follows:—

There shall be added to section one hundred and seventy-two of the Army Act, 1881, after the fourth sub-section the following enactment:—

(5.) Where a military convict, or a military prisoner, or a person who is subject to military law and charged with an offence, is a prisoner in military custody, and for the purpose of conveyance by sea is delivered on board a ship to the person in command of the ship or to any other person on board the ship acting under the authority of the commander, the order of the military authority which authorises the prisoner to be conveyed by sea shall be a sufficient authority to such person, and to the person for the time being in command of the ship, to keep the said prisoner in custody and convey him in accordance with the order, and the prisoner while so kept shall be deemed to be kept in military custody.

Amendment of s. 175 (1) of 44 & 45 Vict., c. 58, as to officers subject to military law.

9. Whereas in section one hundred and seventy-five of the Army Act, 1881, which declares what persons shall be subject to military law as officers, the first sub-section is as follows:—

(1). "Officers of the regular forces on full pay, and if not otherwise subject to military law, officers of the staff of the army, and officers employed on military service under the orders of an officer of the regular forces:"

And whereas, having regard to the terms of the Royal Warrant regulating the pay and promotion of the army, doubts have arisen with respect to the construction of the above enactment, and it is expedient to remove such doubts: Be it therefore enacted as follows:—

In section one hundred and seventy-five of the Army Act, 1881, the words "officers of the regular forces on the active list, within the meaning of any Royal Warrant for regulating the pay and promotion of the regular forces, and officers not on such active list who are employed on military service under the orders of an officer of the regular forces, who is subject to military law" shall be substituted for the first sub-section (above recited).

Amendment of s. 182 of 44 & 45 Vict., c. 58, as to warrant officers.

10. Whereas by section one hundred and eighty-two of the Army Act, 1881, power is given to a court-martial to sentence a warrant officer to be suspended from rank, pay and allowances, or any of them, and injustice may arise if a warrant officer is sentenced to a suspension in any one of such cases, and not in all of them, and it is expedient to prevent the same;

And whereas by the same section power is given to a court-martial to sentence a warrant officer to be transferred to a corps in the same arm or branch of the service, and in the same regimental rank as that in which he served immediately before his transfer to be warrant officer, and such power is unnecessary, as the power to order such transfer is by section eighty-three of the same Act vested in the competent military authority: Be it therefore enacted as follows:—

In section one hundred and eighty-two of the Army Act, 1881, the words "or any of them" shall be omitted after the words "rank and pay and allowances" in the second sub-section.

In section one hundred and eighty-two of the Army Act, 1881, the words "or to be transferred to a corps in the same arm or branch of the service and in the same rank as that in which he served immediately before his transfer to be warrant officer" shall be omitted from the second sub-section.

Printing of amendments.

11. In all copies of the Army Act, 1881, which may be printed after the commencement of this Act the words by this Act directed to be substituted for other words shall be printed therein in lieu of the latter words, and the words directed by this Act to be added shall be added thereto, and the words directed by this Act to be omitted shall be omitted therefrom.

Schedule.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where hot meal furnished.	Two pence halfpenny per night.
Hot meal as specified in Part I of the second Schedule to the Army Act, 1881.	One shilling and one penny halfpenny each.
Where no hot meal furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Four pence per day.
Ten pounds of oats, twelve pounds of hay and eight pounds of straw per day for each horse.	One shilling and nine pence per day.
Lodging and attendance for officer	Two shillings per night.

Note.—An officer shall pay for his food.

D. FITZPATRICK,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 18th October 1883.

No. 1542.—The services of Mr. G. Godfrey, B.C.S., are placed at the disposal of the Chief Commissioner of Assam.

No. 1544.—His Excellency the Governor General is pleased to confer the privilege of private entrée to Government House upon Raja Rajendra Narayan Deb, Bahadur.

ESTABLISHMENTS.

The 15th October 1883.

No. 206.—*Appointment.*—Lieutenant-Colonel C. H. Grace, Deputy Commissioner, 2nd Class, in the Central Provinces, to be Deputy Commissioner, 1st Class, with effect from the 8th September 1883, the date of the retirement of Major-General E. M. Playfair.

The 16th October 1883.

No. 209.—Major the Hon'ble Sir Evelyn Baring, K.C.S.I., C.I.E., R.A., resigned his seat as an Ordinary Member of the Council of the Governor General of India on the afternoon of the 28th August 1883.

CENSUS.

The 16th October 1883.

No. 108.—The services of Mr. W. C. Plowden, late Census Commissioner for India, are replaced at the disposal of the Government of the North-Western Provinces and Oudh, with effect from the 1st ultimo.

JUDICIAL.

The 15th October 1883.

No. 1379.—The services of Lieutenant G. H. Watson, of the 25th Punjab Native Infantry, are placed temporarily at the disposal of the Government of the Punjab for employment as Officiating Cantonment Magistrate.

EDUCATION.

The 16th October 1883.

No. 330.—The services of Mr. K. Deighton, B.A., on special duty with the Education Commission, are replaced at the disposal of the Government of the North-Western Provinces and Oudh, with effect from the afternoon of the 13th October.

The 18th October 1883.

No. 334.—*Erratum.*—In Home Department Notification No. 208, dated the 1st June 1883, *for* "Moulvi Muhammad Sami-id-la Khan" *read* "Moulvi Muhammad Sami-ullah Khan."

A. MACKENZIE,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 18th October, 1883.

No. 2445 *G.*—With reference to Foreign Department Notification No. 1851 G., dated the 23rd July, 1883, the recognition of the appointment by the Government of India of Mr. Henry Furrer, as Acting Vice-Consul for Austria and Hungary, at Aden, has been confirmed by Her Majesty's Government.

No. 2448 *G.*—With reference to Foreign Department Notification No. 1854 G., dated the 23rd July, 1883, the recognition of the appointment by the Government of India of Mr. Paul Masotti, as Acting Consul for Belgium, at Bombay, has been confirmed by Her Majesty's Government.

GENERAL.

No. 2442 *G.*—Rae Bishen Sarup, Deputy Magistrate at Kekri, is appointed to hold charge of the current duties of the office of Assistant Commissioner of Merwara, with effect from the 19th September, 1883, and during the absence on privilege leave of Lieutenant T. C. Pears.

C. GRANT,
Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 19th October 1883.

No. 3887.—In exercise of the powers conferred by Section 8 of the Indian Stamp Act, 1879, the Governor General in Council has reduced to annas eight the stamp duty payable under Article 50 (*b*), Schedule I, appended to the said Act on a Power-of-Attorney required in suits or proceedings under the Presidency Small Cause Courts Act, 1882.

No. 3894.

ORDER—By the Government of India, Department of Finance and Commerce.

Read the following :—

[**To be substituted for the original Appendix C.**]

REVISED.

APPENDIX C.

FINANCE AND REVENUE ACCOUNTS FOR 1881-82.

ACCOUNT OF MUNICIPALITIES

FOR

1881-82.

ACCOUNT OF MUNICIPALITIES FOR 1881-82.

Receipts.	India.	Central Provinces.	British Burmah.	Assam.	Bengal.	North-Western Provinces and Oudh.	Punjab.	Madras.	Bombay.	TOTAL.
	£	£	£	£	£	£	£	£	£	£
alance in hand at the close of last year—										
)-posits	72	27,617	272	1,389	17,684	5	10,000	5,965	14,474	800,707
ctual Municipal Balance	4,754		111,246		217,577	59,753	95,314	19,379	215,206	
A.—MUNICIPAL TAXES.										
ctroi	9,975	64,997	...	...	...	171,079	214,532	...	243,044	503,627
ssessed Taxes— (e.g., Conservancy Cess, Licenses on Trades, &c., in the following details).										
rrear collections for the previous year ...	176	2,295	2,025	...	1,987	864	...	1,726	9,607	251,237
ollections for the current year	476		13,458	...	114,411	14,596	1,467	26,838	61,311	
enalties	...	...	...	...	504	42	17	551	15	1,129
ax on Houses and Lands	290	2,443	29,614	2,045	182,472	6,219	10,378	77,309	130,904	441,704
ax on Vehicles	...	31	4,410	68	24,206	1,112	259	11,753	31,402	82,746
ax on Animals	27	...	...	63	6,816	139	271		2,189	
ther Taxes, Tolls, &c.	41	2,249	2,461	2,180	111,267	2,039	...	58,040	13,656	191,933
B.—MISCELLANEOUS RECEIPTS.										
ealizations under special Acts	...	...	2,940	...	6,901	5,283	...	464	1 264	16,852
roceeds of Land, &c.	2	...	...	265	1,392	2,106	3,285	1,156	8,127	16,633
ncome derived from Markets, &c.— Rents, fees, sale of refuse, &c.)	694	2,230	27,816	1,000	18,646	8,020	9,239	9,343	25,571	102,559
onservancy and road cleaning— Fees, sale proceeds of night-soil, street refuse, &c.)	65	...	251	...	4,129	6,652	6,623	3,433	6,699	27,852
unicipal Fines	223	611	1,077	266	5,988	1,689	1,677	3,249	4,465	19,245
undries— Rents of Municipal lands, Government Grants, Receipts from Public Gardens, &c.)	3,910	40,867	59,697	2,903	87,150	35,358	20,979	30,303	129,661	410,828
TOTAL REVENUE ...	15,879	115,723	143,779	8,790	565,869	255,198	268,727	224,165	608,215	2,266,345
C.—DEBT.										
oans	3,200	...	36,700	...	60	1,050	16,902	45	10,550	68,507
eposits— Contractors, salaries unpaid, &c.)	4	...	6,392	...	20,284	...	2	11,588	29,862	68,122
dvances	155	..	9,159	...	18,226	477	1	15,331	459,919	503,268
TOTAL RECEIPTS £	19,238	115,723	196,020	8,790	604,439	256,725	285,632	251,129	1,168,546	2,906,242
GRAND TOTAL £	24,064	143,340	307,538	10,179	839,700	316,483	390,946	276,473	1,398,226	3,706,949

Disbursements.										
A.—General Establishment.										
ffice Establishment, Inspection, Honorary Magistrates' Establishment, &c.	603	2,030	9,484	533	28,206	5,622	11,231	12,632	31,887	102,228
ollection of Municipal Taxes (Establishment, purchase of account books and paper, money boxes, repair to outposts, &c.)	739	7,446	3,525	1,379	26,462	23,398	17,821	6,797	33,025	120,592
B.—Public Safety.										
ire (Establishment, purchase of fire-engine, buckets, repairs, &c.)	3	...	3,328	...	4,158	152	107	309	5,820	13,967
ighting (Establishment, purchase of lamps, oil, repairs, &c.)	326	140	4,522	3	32,611	5,253	2,796	9,362	40,038	95,051
olice (Establishment, purchase of clothing, lanterns, &c., repairs to outposts, &c.)	1,075	11,500	15,709	1,130	86,774	59,478	46,276	13,399	43,806	279,147
C.—Public Health.										
uildings and other works—										
Erection of slaughter-houses, latrines, &c.) ..	182	...	11,881	219	2,853	3,260	18,302	7,238	16,758	60,793
epairs (to market, dispensary, &c.)	97	...	2,240	.	6,151	477	6,302	2,862	5,460	23,589
aintenance of Medical Institutions—										
Dispensary Establishment, purchase of medicines, &c.)	206	3,083	6,037	97	11,196	7,135	18,477	20,033	11,907	89,133
accination (Establishment)	103		481	30	1,259	1,282	801	1,673	2,283	
ater-Works (Establishment, repairs) ...	...	18,805	111,666	294	60,306	2,913	5,654	1,458	61,440	262,056
oad-watering (Establishment, purchase of water-carts, repairs, &c.)	25	91	2,714	19	9,774	2,954	7,637	708	12,957	36,909
oad cleaning (Establishment, purchase and repair of dust bins, &c.)	9	18,064	10,861	...	33,970	5,082	3,789	3,436	18,199	397,722
onservancy (Establishment, repairs, purchase of carts, dry earth, land for burying night-soil, &c.)	1,781		6,777	1,195	60,961	41,171	31,504	52,234	100,389	
Refunds, &c., of fines or over-assessment ...	2	...	...	..	1,556	128	498	...	514	2,698
Remissions of cess	...	...	...	..	709	...	.	...	336	1,045
rainage Works (Establishment, repairs) ...	44	393	15,553	609	89,777	13,045	7,853	2,762	55,352	190,388
ther measures—										
(a) Markets and Slaughter-houses (Establishment, contingencies)	1,498	20,400	3,759	374	5,674	15	1,794	4,224	13,968	63,226
(b) Public Garden (Establishment, purchase of seeds, repair of well, purchase of bullocks, &c.)			1,271			3,789	6,460			
D.—Public Instruction.										
Contributions to Schools	530	3,342	3,956	37	2,585	5,873	14,061	9,608	11,219	51,211
E.—Public Convenience.										
ublic Works (Establishment)	100	11,937	6,066	...	86,432	2,993	2,020	2,779	6,869	392,846
New Works	4,125		8,110	2,062		18,697	11,197	31,853	75,839	
Repairs	849		10,615	68		3[illegible],133	20,002		56,170	
urvey of land	...	...	.	..	29	305	316	52	1,714	2,146
ther charges (Printing, rewards, &c.)... ...	2,095		1,119	...	13,787	5,608	12,276	22,218	76,313	133,716
Total Expenditure . . £	14,392	97,321	210,334	8,349	570,520	213,763	252,874	205,857	685,383	2,318,793
Carried over ....£	14,392	97,321	210,334	8,349	570,520	213,763	252,874	205,857	685,383	2,318,793

ACCOUNT OF MUNICIPALITIES FOR 1881-82—*concluded.*

DISBURSEMENTS—*contd.*	India.	Central Provinces.	British Burma.	Assam.	Bengal.	North-Western Provinces and Oudh.	Punjab.	Madras.	Bombay.	TOTAL.
	£	£	£	£	£	£	£	£	£	£
Brought over ...	14,392	97,321	210,334	8,319	570,520	213,763	252,874	205,837	685,383	2,318,793
F.—DEBT.										
ns (instalments payable during the year) ...	...	3,589	5,295	...	31,948	3,797	3,000	3,450	20,726	71,805
nterest ... ... { Last year .	...	427 (Last year and Current year)	56	...	190	...	..	...	7,658	140,574 (Last year and Current year)
nterest ... ... { Current year ...	...		5,210	...	72,956	1,592	6,000	6,694	40,361	
osits (salaries attached, contractors, &c.) ...	73	...	386	...	19,935	11	...	9,127	29,319	59,151
ances (on account of Departmental Works, &c.) ...	402	...	10,917	...	20,807	192	...	20,845	467,877	521,040
TOTAL DISBURSEMENTS ...	14,867	101,337	262,228	8.319	716,356	249,355	261,874	215,673	1,251,324	3,111,363
ng Balance— Deposits	2,097	42,303 (Deposits and Actual Municipal Balance)	6,268	1,830 (Deposits and Actual Municipal Balance)	16,814	67,128 (Deposits and Actual Municipal Balance)	10,000	6,775	22,107	5,95,586 (Deposits and Actual Municipal Balance)
Actual Municipal Balance	6,100		39,042		166,530		119,072	24,025	124,795	
GRAND TOTAL ...	24,064	143,340	307,578	10,179	839,700	316,483	390,946	276,473	1,398,226	3,706,949

ORDERED, that the foregoing be published in the *Gazette of India* for general information.

The following addendum to the Codes of the Financial Department is published for general information :—

No. 3897.

P. & A. A. C.

PAGE 260.

Section 5.

Insert the following as Note (2) under this Section :—

NOTE (2).—This Section does not apply in the case of appointments made under Section 34 in consequence of the absence of an officer on privilege leave : the allowances authorised in that Section are admissible for the first 30 days of an officer's absence on privilege leave to any officer acting in two or more offices at one time in consequence of the leave. It applies, however, to cases coming under Section 36.

No. 3905.—Privilege leave for one month, beginning on the 18th October 1883, having been granted to Mr. E. Rule, Comptroller of Indian Treasuries, Mr. T. H. Biggs has been appointed to officiate as Comptroller of Indian Treasuries during Mr. Rule's absence. Mr. Biggs received charge of the duties of the said appointment from Mr. Rule after noon on the 5th October 1883.

D. M. BARBOUR,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 19th October, 1883.

APPOINTMENTS.

No. 556.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Secretary of State for India :—

Lieutenant Alfred Bassett Pritchard, Somersetshire Light Infantry, Officiating Wing Officer, 39th Native Infantry,—27th October, 1881.

No. 557.—VOLUNTEER CORPS—

Northern Bengal Volunteer Rifle Corps.

Lieutenant-Colonel Wellesley Campbell, Bengal Infantry, to be Major-Commandant, *vice* Colonel H. H. Stansfeld, resigned.

FURLOUGH AND LEAVE.

No. 558.—The undermentioned officer is granted furlough out of India, with the necessary subsidiary leave :—

Lieutenant-Colonel (Brevet Colonel) T. J. Watson, Bengal S. C., Commandant, 9th Bengal Cavalry, (p. a.) for two years, under rule IX of the regulations of 1868.

No. 559.—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India :—

Lieutenant-Colonel C. R. Matthews, Bengal S. C., (m. c.) for six months.

Major R. S. Thompson, Bengal S. C., (m. c.) for one month.

Major H. O. Cumberlege, General List, Infantry, (p. a.) for 15 days.

Captain A. S. McRae, Bengal S. C., (p. a.) for four months.

Surgeon-Major R. G. Mathew, (p. a.) for one month.

Sub-Conductor C. Lightening, Commissariat Department, (m. c.) for 184 days.

LONDON GAZETTE.

No. 560.—The following extracts are published for general information :—

"London Gazette," dated the 14th September, 1883, page 4509.

"INDIA OFFICE;
14th September, 1883.

Her Majesty has approved of the following promotions among the Officers of the Staff Corps and Indian Military Services, made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major Edward George Wace. Dated 1st July, 1883.

Major Henry Warde Webster. Dated 26th July, 1883.

To be Majors.

Captain Edwin Henry Hayter Collen. Dated 1st July, 1883.

Captain Henry Affleck Graves. Dated 16th July, 1883.

Captain James Bird Hutchinson. Dated 17th July, 1883.

BENGAL ARMY.

Infantry.

To be Colonel.

Lieutenant-Colonel and Brevet Colonel Patrick Wheeler. Dated 18th July, 1883.

* * * *

BREVET.

To be Colonel.

Lieutenant-Colonel Woodburn Francis Bartleman, Bengal Infantry. Dated 20th July, 1881.

ERRATA.

* * * *

In the *London Gazette* of the 29th June, 1883, delete the heading *Madras Cavalry* above the Brevet promotion of Major A. R. Kenney-Herbert."

"London Gazette," dated the 18th September, 1883, page 4584.

"WAR OFFICE;
Pall Mall, 18th September, 1883.

MEMORANDA.

* * * *

The undermentioned Deputy Commissaries and Honorary Captains, Bengal Establishment, to have the honorary rank of Major on retirement :—

Henry Edward Mitchell. Dated 16th September, 1882 (since deceased).

Henry Smith. Dated 16th September, 1882.

Lawrence Lesmond. Dated 16th September, 1882.
James Murray. Dated 16th September, 1882.
Thomas Shanahan. Dated 1st October, 1882.
John Walshe. Dated 1st December, 1882.
John Halliday. Dated 21st December, 1882.
Charles Dodge. Dated 22nd December, 1882.
John Copeland. Dated 6th January, 1883.

The undermentioned Assistant Commissaries and Honorary Lieutenants, Bengal Establishment, to have the honorary rank of Captain on retirement. Dated 16th September, 1882 :—

Robert John Baldwin.
David Marshall.
Thomas Scott."

PENSIONS.

No. 561.—Honorary Lieutenant and Assistant Commissary Michael Moloney, Public Works Department, is transferred to the pension establishment.

PROMOTIONS.

No 562.—The following promotions are made, subject to Her Majesty's approval :—

BENGAL STAFF CORPS.

To be Major.

Captain Walter Hailes,—16th October, 1883.

To be Captain.

Lieutenant Alfred Montanaro,—14th October, 1883.

No. 563.—ORDNANCE DEPARTMENT—

Store-Sergeant James Toohey to be Sub-Conductor, on probation, *vice* Sub-Conductor J. Penfold, seconded, with effect from the 30th August, 1883.

No. 564.—NATIVE ARMY—

12th Native Infantry.

Jemadar Ramadhar Panday to be Subadar, *vice* Suddanund Sookul, invalided,—10th April, 1883.
Jemadar Kurrum Shah to be Subadar, *vice* Chundermund Ditchit, invalided,—1st September, 1883.
Havildar Rampersad Doobay to be Jemadar, *vice* Ramadhar Panday, promoted,—10th April, 1883.
Havildar Hajee Shah to be Jemadar, *vice* Kurrum Shah, promoted,—1st September, 1883.

REWARDS.

No. 565.—ORDER OF BRITISH INDIA—

His Excellency the Governor General in Council is pleased to admit the undermentioned Native officers to the 1st and 2nd Classes of the Order of British India from the dates specified :—

BENGAL.

To the 1st Class, with the title of "Sirdar Bahadur."

Ressaldar-Major Mahomed Kazim Khan, "Bahadur," 3rd Bengal Cavalry, *vice* Subadar-Major Durriao Sing, "Sirdar Bahadur," deceased,—18th January, 1883.
Ressaldar Mirza Abdulla Khan, "Bahadur," 10th Bengal Lancers, *vice* Ressaldar-Major Ghulam Nuxbund Khan, "Sirdar Bahadur," Honorary Aide-de-Camp to the Viceroy, deceased,—20th January, 1883.

To the 2nd Class, with the title of "Bahadur."

Ressaldar and Woordie-Major Murdan Ali Khan, 12th Bengal Cavalry, *vice* Ressaldar-Major Mahomed Kazim Khan, "Bahadur," promoted,—18th January, 1883.
Subadar-Major Nundh Singh, 14th Native Infantry, *vice* Ressaldar Abdulla Khan, "Bahadur," promoted,—20th January, 1883.
Subadar Oomed Ali, 39th Native Infantry, *vice* Jemadar Gurja Sing, "Bahadur," deceased,—4th March, 1883.
Subadar-Major Mahaboola Khan, 44th Native Infantry, *vice* Subadar Gunness Sing, "Bahadur," deceased,—7th April, 1883.
Subadar Bulbhudder Naigee, 5th Goorkha Regiment, Aide-de-Camp to the Viceroy, *vice* Subadar Chutterbhooj Awasti, "Bahadur," deceased,—8th April, 1883.

MARINE DEPARTMENT.

No. 50.—The services of Assistant Engineer George Murray, Indian Marine, are dispensed with.

G. CHESNEY,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 16th October 1883.

No. 231.—The following Assistant Engineers, 2nd Grade, appointed by the Secretary of State for India in Council from the Royal Indian Engineering College who have gone through their practical training in England are posted as follows :—

To Madras.

Mr. J. F. Somers-Eve.
" F. W. Ashpitel.
" J. Inglis.

To Bengal.

Mr. A. E. Silk.
" H. Barlow.
" H. Phillips.
" E. B. Le Pelley.
" H. O. Walling.

To North-Western Provinces and Oudh.

Mr. G. Wylie.
" C. C. S. Clark.
" H. C. Sanders.
" P. L. Rooper.

To Punjab.

Mr. R. Douglas.
" R. P. Russell.
" R. W. Rowland.
" L. H. Butcher.

To Central Provinces.

Mr. B. Chirnside.

To State Railways.

Mr. W. J. Weightman.
" J. C. Mills.
" L. A. Light.
" S. G. Batten.
" W. D. Burrow.
" C. S. Killick.
" J. A. A. Wallace.
" G. F. Thompson.

No. 232.—The following students of the Royal Indian Engineering College who have been appointed by Her Majesty's Secretary of State for India as Assistant Engineers, 2nd Grade, are posted as follows for the purpose of undergoing a course of practical training for one year:—

To Bengal.

Mr. W. B. Starkey.
„ T. H. Clowes.
„ H. H. Green.

To Central Provinces.

Mr. A. Rowland.

To State Railways.

Mr. H. S. Jones.
„ H. McMillan.
„ J. N. A. Eaton.

No. 234.—Major L. Conway-Gordon, R.E., Deputy Accountant General and *ex-officio* Under Secretary to the Government of India, is placed on special duty under the Director General of Railways, with effect from the 16th September 1883.

No. 235.—Mr. W. C. L. Floyd, Executive Engineer, 2nd Grade, sub. *pro tem.*, Railway Branch, is appointed Officiating Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta.

No. 236.—Lieutenant G. K. Scott-Moncrieff, R.E., Assistant Engineer, 1st Grade, Railway Branch, is transferred from the office of the Consulting Engineer to the Government of India for Guaranteed Railways, Lucknow, to the Establishment under the Director General of Railways.

The 18th October 1883.

No. 237.—Mr. G. Cowper, Executive Engineer, 4th Grade, temporary rank, Railway Branch, is transferred from the Establishment under the Director General of Railways to that under the Government of Madras, for employment on the Vizagapatam-Raipur Railway Surveys.

Mr. W. Michell, Assistant Engineer, 1st Grade, Railway Branch, is transferred from the Establishment under the Government of Madras to that under the Director General of Railways.

No. 238.—The services of Lieutenant-Colonel K. A. Jopp, R.E., Executive Engineer, 1st Grade, Deputy Consulting Engineer to the Government of India for Guaranteed Railways at Calcutta, are placed at the disposal of the Government of Madras, for employment as Deputy Consulting Engineer for Railways.

Major W. Sedgwick, R.E., Executive Engineer, 2nd Grade, Railway Branch, Acting Manager and Superintendent of Way and Works of the Tirhoot State Railway, is, on relief, appointed Deputy Consulting Engineer to the Government of India for Guaranteed Railways at Calcutta, *vice* Lieutenant-Colonel K. A. Jopp, R.E., transferred.

The 19th October 1883.

No. 239.—Mr. F. L. Dibblee, Executive Engineer, 1st Grade, Railway Branch, is transferred from the Establishment under the Government of Bombay to that under the Government of Madras, for employment as Engineer-in-Chief of the Nellore-Tirupati Railway Survey.

No. 240.—Colonel J. H. M. Shaw-Stewart, R.E., Consulting Engineer for Railways to the Government of Madras, is transferred from the Establishments under the Government of India to the Establishment under the Government of Madras, with effect from date of Major-General Sankey's resignation of his appointment in the Public Works Department of that Presidency.

No. 241.—Major-General J. G. Medley, R.E., Chief Engineer, Class I, and Consulting Engineer to the Government of India for Guaranteed Railways, Lahore, who vacates his appointment under the operation of Public Works Department Notification No. 293, dated 3rd September 1880, is reappointed to the Department as Chief Engineer, Class I, and retains the same appointment.

No. 242.—The services of Lieutenant H. H. Barnet, R.E., Assistant Engineer, 2nd Grade, Railway Branch, are placed at the disposal of the Military Department.

TELEGRAPH.

The 16th October 1883.

No. 233.—The Right Hon'ble the Secretary of State for India in Council has been pleased to appoint the undermentioned passed students of the Royal Indian Engineering College to the Telegraph Department in India, as Assistant Superintendents, 4th Grade:—

Mr. H. E. Chappel.
„ A. E. Shawe.

W. S. TREVOR, *Colonel, R.E.*,
Secy. to the Govt. of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 20, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 4th October, 1883, and is hereby promulgated for general information:—

ACT No. XVI OF 1883.

An Act for the protection of Inventions exhibited in the Exhibitions of India.

WHEREAS it is expedient that such protection as is hereinafter mentioned should be afforded to the inventors of new manufactures who are desirous of exhibiting them at Exhibitions to be held in India; It is hereby enacted as follows:—

Short title.

1. *(1)* This Act may be called the Protection of Inventions Act, 1883;

Commencement.

(2) And it shall come into force at once.

Act to be read with Act XV of 1859.

2. It shall be read with, and taken as part of, Act XV of 1859 (*for granting exclusive privileges to inventors*).

Inventions exhibited when to be deemed new though publicly used or made publicly known.

3. If, within six months from the time of the opening of an Exhibition, a person, being the inventor and exhibitor of any manufacture exhibited at that Exhibition, petitions the Governor General in Council, under Act XV of 1859, for leave to file a specification of his invention, the circumstance that the invention has at any time after the opening of the Exhibition been publicly used or made publicly known shall not prevent the invention being deemed to have been at the time of presenting the petition a new invention for the purposes of the said Act.

Meaning of term "Exhibition."

4. In this Act, "Exhibition" means the International Exhibition to be held in the years one thousand eight hundred and eighty-three and one thousand eight hundred and eighty-four at Calcutta, and any Exhibition to be held in India which the Governor General in Council may, on the application of any persons desirous of holding the Exhibition, by notification in the *Gazette of India*, declare to be, in the judgment of the Governor General in Council, calculated to promote Indian art or industry, and to prove beneficial to the mercantile, agricultural or industrial classes of Her Majesty's subjects in India.

D. FITZPATRICK,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 4th October, 1883, and is hereby promulgated for general information:—

ACT No. XVII OF 1883.

An Act to amend the Native Passenger Ships Act, 1876.

WHEREAS it is expedient to amend the Native Passenger Ships Act, 1876, with a view to provide for the better regulation of the passenger-traffic between British India and ports in the Red Sea; It is hereby enacted as follows:—

VIII of 1876.

Short title.

1. *(1)* This Act may be called the Native Passenger Ships Act, 1883; and

Commencement.

(2) It shall come into force on such day as the Governor General in Council directs by notification in the *Gazette of India.*

VIII of 1876.

Addition to section 11 of the Native Passenger Ships Act, 1876.

2. After clause (*e*) of section eleven of the Native Passenger Ships Act, 1876, the following clause shall be added:—

"(*ee*) in the case of any ship sailing to any port in the Red Sea, that she is propelled principally by steam, and, if she is carrying more than one hundred passengers being Natives of Asia or Africa, that she has on board a medical officer licensed in accordance with rules made under this Act."

Substitution of new section for section 26 of same Act.

3. For section twenty-six of the same Act the following section shall be substituted:—

Bond where ship clears for port in Red Sea.

"26. In the case of every ship sailing from any port in British India to any port in the Red Sea, the officer whose duty it is to grant a port clearance for any such ship shall not grant the clearance unless and until the owner, agent or master of the ship and two sureties resident in British India have executed in favour of the Secretary of State for India in Council a joint and several bond, for the sum of Rs. 5,000, conditioned—

"(*a*) that the ship shall touch at Aden on the outward voyage and there obtain a clean bill of health, and shall do the same on the homeward voyage if the ship continues to carry more than sixty passengers; and

"(*b*) that the master and medical officer (if any) of the ship shall comply with on the outward voyage, and also on the homeward voyage if the ship continues to carry more than sixty passengers, the provisions of this Act and of such rules relating to ships sailing between ports in British India and ports in the Red Sea as the Governor General in Council may, from time to time, make under section forty-six."

Amendment of section 27 of same Act.

4. In section twenty-seven of the same Act, for the word "thirty" the word "sixty" shall be substituted.

Addition to section 28 of same Act.

5. To section twenty-eight of the same Act the following words shall be added:—"and the authority empowered to grant the same may refuse to grant a bill of health in the case of any ship on board of which the requirements of the rules made under section forty-six are not complied with."

Addition of new sections after section 28 of same Act.

6. After section twenty-eight of the same Act the following sections shall be added:—

Certain ships to carry medical officer.

"28A. Every ship sailing from or to any port in British India to or from any port in the Red Sea and carrying more than one hundred passengers being Natives of Asia or Africa shall have on board a medical officer licensed in accordance with rules made under this Act.

Certain ships to be propelled by steam.

"28B. Every ship sailing from or to any port in British India to or from any port in the Red Sea shall be propelled principally by steam.

Power for Local Government to direct medical inspection of passengers.

"28C. *(1)* The Local Government may, from time to time, direct that no passenger shall be received on board any ship or any ship of a specified class sailing from any port in British India to any port in

the Red Sea unless and until he has been inspected, at such time and place as the Local Government may fix in this behalf, by a medical officer to be appointed by the Local Government in this behalf.

"(2) If, in the opinion of the officer making an inspection under this section, a passenger is suffering from any dangerously infectious or contagious disease, the passenger shall not be permitted to embark."

Addition of new sections after section 38 of same Act.

7. After section thirty-eight of the same Act the following sections shall be added:—

Penalty on master or medical officer of certain ships disobeying rules.

"38A. If the master of any such ship as is referred to in section twenty-seven, or any medical officer in charge of any such ship, wilfully breaks, or omits or neglects to obey, any rule with regard to those ships made under section forty-six, he shall be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

Penalty on master of certain ships sailing without medical officer.

"38B. If any ship sailing from or to any port in British India to or from any port in the Red Sea and carrying more than one hundred passengers has not on board a medical officer as required by section 28A, the master of the ship shall be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

Penalty on owner and master of certain ships not propelled by steam.

"38C. If any ship sailing from or to any port in British India to or from any port in the Red Sea is not principally propelled by steam, the owner and master shall each be punished with fine which may extend to five hundred rupees, or with imprisonment which may extend to three months, or with both.

Penalty on master receiving passenger in contravention of section 28C.

"38D. If the master of any ship, while a direction under section 28C is in force, knowingly receives on board his ship any person in contravention of that section or of the direction, he shall be punished with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees for each person so received, or with both."

Additions to section 46 of same Act.

8. After clause (b) of section forty-six of the same Act the following clause shall be added:—

"(bb) the licensing and appointment of medical officers in cases where they are required, under this Act, to be carried;"

and after clause (e) of the same section the following clauses shall be added:—

"(ee) the functions of the master, medical officer (if any) and other officers of the ship during the voyage;

"(eee) the access of intermediate or between decks passengers to the upper deck."

New section added to same Act.

9. To the same Act the following section shall be added, namely:—

Power to exempt ship from provisions of Act.

"50. The Local Government may, from time to time, with the previous sanction of the Governor General in Council, for any special reason and subject to such conditions as it thinks fit, exempt any ship or class of ships from any provision of this Act."

D. FITZPATRICK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 11th October, 1883, and is hereby promulgated for general information :—

ACT No. XVIII OF 1883.

An Act to amend the Cattle-trespass Act, 1871.

WHEREAS it is expedient to amend the Cattle-trespass Act, 1871; It is hereby enacted as follows :— I of 1871.

Power for Local Government to transfer functions of District Magistrate or Local Government to local authority and direct that surplus receipts be credited to local fund.

1. The Local Government may, from time to time, by order notified in the local official Gazette—

(a) transfer to any local authority, within any part of the territories under its administration in which the Cattle-trespass Act, 1871, is in operation, all or any of the functions of the Local Government or the Magistrate of the district under that Act, within the local area subject to the jurisdiction of the local authority ; or I of 1871.

(b) direct that the whole or any part of the surplus accruing in any district under section eighteen of that Act shall be placed to the credit of such local fund or funds as may be formed for any local area or local areas comprised in that district;

and may, from time to time, in like manner, cancel any order made under this section.

Definitions.

2. In this Act—

"local authority" means any body of persons for the time being invested by law with the control and administration of any matters within a specified local area; and

"local fund" means any fund under the control or management of a local authority.

D. FITZPATRICK,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 12th October, 1883, and is hereby promulgated for general information:—

ACT No. XIX OF 1883.

An Act to consolidate and amend the law relating to loans of money by the Government for agricultural improvements.

WHEREAS it is expedient to consolidate and amend the law relating to loans of money by the Government for agricultural improvements; It is hereby enacted as follows:—

Short title.

1. *(1)* This Act may be called the Land Improvement Loans Act, 1883.

Local extent. Commencement.

(2) It extends to the whole of British India, but shall not come into force in any part of British India until such date as the Local Government, with the previous sanction of the Governor General in Council, may, by notification in the local official Gazette, appoint in this behalf.

XXVI of 1871.

Acts XXVI of 1871 and XXI of 1876 repealed.

2. *(1)* The Land Improvement Act, 1871, and Act XXI of 1876 *(an Act to amend the Land Improvement Act, 1871,)* shall, except as regards the recovery of advances made before this Act comes into force and costs incurred by the Government in respect of such advances, be repealed.

(2) When in any Act, Regulation or notification, passed or issued before this Act comes into force, reference is made to either of those Acts, the reference shall, so far as may be practicable, be read as applying to this Act or the corresponding part of this Act.

"Collector" defined.

3. In this Act, "Collector" means the Collector of land-revenue of a district, or the Deputy Commissioner, or any officer empowered by the Local Government by name or by virtue of his office to discharge the functions of a Collector under this Act.

Purposes for which loans may be granted under this Act.

4. *(1)* Subject to such rules as may be made under section ten, loans may be granted under this Act, by such officer as may, from time to time, be empowered in this behalf by the Local Government, for the purpose of making any improvement, to any person having a right to make that improvement, or, with the consent of that person, to any other person.

(2) "Improvement" means any work which adds to the letting value of land, and includes the following, namely:—

(a) the construction of wells, tanks and other works for the storage, supply or distribution of water for the purposes of agriculture, or for the use of man and cattle employed in agriculture;

(b) the preparation of land for irrigation;

(c) the drainage, reclamation from rivers or other waters, or protection from floods or from erosion or other damage by water, of land used for agricultural purposes or waste-land which is culturable;

(d) the reclamation, clearance, enclosure or permanent improvement of land for agricultural purposes;

(e) the renewal or reconstruction of any of the foregoing works, or alterations therein or additions thereto, and

(f) such other works as the Local Government, with the previous sanction of the Governor General in Council, may, from time to time, by notification in the local official Gazette, declare to be improvements for the purposes of this Act.

Mode of dealing with applications for loans.

5. *(1)* When an application for a loan is made under this Act, the officer to whom the application is made may, if it is, in his opinion, expedient that public notice be given of the application, publish a notice, in such manner as the Local Government may, from time to time, direct, calling upon all persons objecting to the loan to appear before him at a time and place fixed therein and submit their objections.

(2) The officer shall consider every objection submitted under sub-section *(1)*, and make an order in writing either admitting or overruling it:

Provided that, when the question raised by an objection is, in the opinion of the officer, one of such a nature that it cannot be satisfactorily decided except by a Civil Court, he shall postpone his proceedings on the application until the question has been so decided.

Period for repayment of loans.

6. *(1)* Every loan granted under this Act shall be made repayable by instalments (in the form of an annuity or otherwise) within such period from the date of the actual advance of the loan, or, when the loan is advanced in instalments, from the

date of the actual advance of the last instalment, as may, from time to time, be fixed by the rules made under this Act.

(2) The period fixed as aforesaid shall not ordinarily exceed thirty-five years.

(3) The Local Government and Governor General in Council, in making and sanctioning the rules fixing the period, shall, in considering whether the period should extend to thirty-five years or whether it should extend beyond thirty-five years, have regard to the durability of the work for the purpose of which the loan is granted, and to the expediency of the cost of the work being paid by the generation of persons who will immediately benefit by the work.

Recovery of loans.

7. *(1)* Subject to such rules as may be made under section ten, all loans granted under this Act, all interest (if any) chargeable thereon, and costs (if any) incurred in making the same, shall, when they become due, be recoverable by the Collector in all or any of the following modes, namely:—

(*a*) from the borrower—as if they were arrears of land-revenue due by him;

(*b*) from his surety (if any)—as if they were arrears of land-revenue due by him;

(*c*) out of the land for the benefit of which the loan has been granted—as if they were arrears of land-revenue due in respect of that land;

(*d*) out of the property comprised in the collateral security (if any)—according to the procedure for the realization of land-revenue by the sale of immoveable property other than the land on which that revenue is due:

Provided that no proceeding in respect of any land under clause (*c*) shall affect any interest in that land which existed before the date of the order granting the loan, other than the interest of the borrower, and of mortgagees of, or persons having charges on, that interest, and, where the loan is granted under section four with the consent of another person, the interest of that person, and of mortgagees of, or persons having charges on, that interest.

(2) When any sum due on account of any such loan, interest or costs is paid to the Collector by a surety or an owner of property comprised in any collateral security, or is recovered under sub-section *(1)* by the Collector from a surety or out of any such property, the Collector shall, on the application of the surety or the owner of that property (as the case may be), recover that sum on his behalf from the borrower, or out of the land for the benefit of which the loan has been granted, in manner provided by sub-section *(1)*.

(3) It shall be in the discretion of a Collector acting under this section to determine the order in which he will resort to the various modes of recovery permitted by it.

Order granting loan conclusive on certain points.

8. A written order under the hand of an officer empowered to make loans under this Act granting a loan to, or with the consent of, a person mentioned therein, for the purpose of carrying out a work described therein, for the benefit of land specified therein, shall, for the purposes of this Act, be conclusive evidence—

(*a*) that the work described is an improvement within the meaning of this Act;

(*b*) that the person mentioned had at the date of the order a right to make such an improvement; and

(*c*) that the improvement is one benefiting the land specified.

Liability of joint borrowers as among themselves.

9. When a loan is made under this Act to the members of a village-community or to any other persons on such terms that all of them are jointly and severally bound to the Government for the payment of the whole amount payable in respect thereof, and a statement showing the portion of that amount which as among themselves each is bound to contribute is entered upon the order granting the loan and is signed by each of them and by the officer making the order, that statement shall be conclusive evidence of the portion of that amount which as among themselves each of those persons is bound to contribute.

Power to make rules.

10. The Local Government, with the previous sanction of the Governor General in Council, may, from time to time, by notification in the local official Gazette, make rules consistent with this Act to provide for the following matters, namely:—

(*a*) the manner of making applications for loans;

(*b*) the officers by whom loans may be granted;

(*c*) the manner of conducting inquiries relative to applications for loans, and the powers to be exercised by officers conducting those inquiries;

(*d*) the nature of the security to be taken for the due application and repayment of the money, the rate of interest at which, and the conditions under which, loans may be granted, and the manner and time of granting loans;

(*e*) the inspection of works for which loans have been granted;

(*f*) the instalments by which, and the mode in which, loans, the interest to be charged on them and the costs incurred in the making thereof, shall be paid;

(*g*) the manner of keeping and auditing the accounts of the expenditure of loans and of the payments made in respect of the same; and

(*h*) all other matters pertaining to the working of the Act.

Exemption of improvements from assessment to land-revenue.

11. When land is improved with the aid of a loan granted under this Act, the increase in value derived from the improvement shall not be taken into account in revising the assessment of land-revenue on the land:

Provided as follows:—

(1) Where the improvement consists of the reclamation of waste-land, or of the irrigation of land assessed at unirrigated rates, the increase may be so taken into account after the expiration of such period as may be fixed by rules to be framed

by the Local Government with the approval of the Governor General in Council.

(2) Nothing in this section shall entitle any person to call in question any assessment of land-revenue otherwise than as it might have been called in question if this Act had not been passed.

III of 1877.

Act III of 1877 amended.

12. (1) In the Indian Registration Act, 1877, section 17, clause (l), for the word "certificates" the words "orders granting loans" shall be substituted.

(2) In the same Act, section 58, for the words "a certificate" the words "an order" shall be substituted.

(3) In the same Act, section 89, first clause,—

(a) for the words "a certificate" the words "a loan," and

(b) for the words "such certificate" the words "his order,"

shall be substituted.

D. FITZPATRICK,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 12th October, 1883, and is hereby promulgated for general information:—

ACT No. XX OF 1883.

THE PANJÁB DISTRICT BOARDS ACT, 1883.

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CHAPTER I.

PRELIMINARY.

CHAPTER II.

OF THE LOCAL RATE ON LAND.

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OF DISTRICT AND LOCAL BOARDS.

An act to make better provision for Local Self-government in the Districts of the Panjáb.

WHEREAS it is expedient to amend the law in force in the territories administered by the Lieutenant-Governor of the Panjáb for the levy and expenditure of rates on land; and

Whereas it is also expedient to provide for the constitution of district boards and local boards in those territories, and to define and regulate the powers to be exercised by those boards;

It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title.

1. *(1)* This Act may be called the Panjáb District Boards Act, 1883.

Extent.

(2) It shall extend only to the territories for the time being administered by the Lieutenant-Governor of the Panjáb; and

Commencement.

(3) It shall come into force in each district on such date as the Local Government, by notification, directs.

Repeal of Act V of 1878.

2. From the date on which this Act comes into force in any district, the Panjáb Local Rates Act, 1878, shall be repealed throughout that district. But all rates imposed, sums credited to the Local Government, and notifications published under that Act, shall, so far as may be, be deemed to have been respectively imposed, credited and published under this Act.

Definitions.

3. In this Act, unless there is something repugnant in the subject or context,—

(1) "Land" means land assessed to the land-revenue, and includes land whereof the land-revenue has been wholly, or in part, released, compounded for, redeemed or assigned.

(2) "Land-revenue" includes trini or grazing-dues levied for grazing on Government lands under section 48 of the Panjáb Laws Act, 1872.

(3) "Landholder" means any person responsible for the payment of the land-revenue, if any, assessed on land. It also includes the proprietor of land the land-revenue of which has been wholly, or in part, released, compounded for, redeemed or assigned.

(4) "Annual value" means—

(a) double the land-revenue for the time being assessed on any land, whether the assessment is leviable or not; or

(b) where the land-revenue has been permanently assessed, or has been wholly or in part compounded for or redeemed, double the amount which, but for such permanent assessment, composition or redemption, would have been leviable; or

(c) where no land-revenue has been assessed, double the amount which would have been assessed if the average village-rate had been applied:

Provided that, in any tract in which, under the settlement for the time being in force, the improvement of the land due to canal irrigation has been excluded from account in assessing the land-revenue, and a rate has been imposed in respect of such improvement, that rate shall be added to the land-revenue for the purpose of computing the annual value.

(5) "Financial year" means the year commencing on the first day of April.

(6) "Prescribed day" means such day as the Local Government may, from time to time, prescribe.

(7) "Notification" means a notification published in the official Gazette.

Panjáb District Boards Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 4-11.)

(8) "Notified" means notified in the official Gazette.

(9) "Deputy Commissioner" means the Deputy Commissioner of a district, and includes any officer specially appointed by the Local Government to perform the functions of a Deputy Commissioner under this Act.

Powers exercisable from time to time.

4. All powers conferred by this Act may be exercised from time to time as occasion requires.

CHAPTER II.

OF THE LOCAL RATE ON LAND.

The local rate.

5. *(1)* All land shall be subject to the payment of a rate, to be called the local rate, not exceeding one anna for every rupee of its annual value.

(2) The proportion which the local rate shall bear to the annual value of land shall, except as provided in sub-section (3), be fixed for each district by the Local Government by notification.

(3) The Local Government may, by notification, delegate to the district board, subject to such restrictions or conditions as it thinks fit, its powers under sub-section (2), and may, by notification, cancel or vary any such notification.

Road, school and post cesses to merge in the rate.

6. From such date as may be notified in respect of each district by the Local Government, all authorized rates and cesses for the maintenance of roads, schools and the district-post shall merge in and become part of the local rate, and no rate or cess other than the local rate shall be thereafter leviable for those purposes.

Liability for local rate.

7. The landholder shall be liable for the local rate subject to the following provisoes, namely :—

(1) where the landholder pays the land-revenue in kind to any assignee of revenue or any village-headman, the assignee of revenue or village-headman shall be liable for the payment of the local rate instead of the landholder, and no demand shall be made by any such assignee or village-headman on the landholder in respect of the payment of the rate ; and

(2) where the Government has, under any lease current at the time when this Act comes into force, paid the local rate on trini, it shall continue to pay the rate during the currency of the lease.

Power to recover a share of the rate from occupancy-tenant.

8. When a local rate is payable by a landholder in respect of lands held by a tenant with a right of occupancy holding at a favourable rent, the landholder may realize from the tenant a share of the rate, bearing the same proportion to the whole rate as the excess of the annual value over the rent paid by the tenant bears to half the annual value.

Appropriation of proceeds of local rate.

9. Four-fifths of the net proceeds of the local rate levied in each district, after deducting the expenses of collection, shall, except as provided in section 68, be allotted to the district board established for that district under this Act.

The remaining one-fifth shall be carried to the credit of the Local Government, and may—

(a) be allotted by that Government to any district board established under this Act ; or

(b) be applied by that Government to provide in the territories to which this Act extends, or any part thereof, for any of the matters on which district boards may expend the funds at their disposal under this Act :

Provided that the Local Government may direct that the whole or any portion of the net proceeds of the local rate levied within the limits of any municipality or military cantonment, after deducting the expenses of collection, shall be carried to the credit of the municipal fund, or made available for the purpose of public improvement in the cantonment or for carrying out therein any rules made under section 25 of the Cantonments Act, 1880, as the case may be. III of 1880.

CHAPTER III.

OF DISTRICT AND LOCAL BOARDS.

A.—Constitution of District and Local Boards.

Establishment of district and local boards.

10. *(1)* The Local Government shall, by notification, establish a district board for each district.

(2) The Local Government may, by notification, establish a local board or local boards within the limits of any district, and may cancel or vary any such notification.

(3) A district board shall have authority throughout the district for which it is established, and a local board shall have authority throughout such portion of the district in which it is established, as the Local Government may, by notification, direct :

Provided that a board shall not have authority over any portion of a district which is for the time being included in a military cantonment or a municipality.

Number and appointment or election of members.

11. *(1)* A district board or local board shall consist of such number of members, not less than six, as the Local Government may fix in this behalf.

(2) The members may be appointed by the Local Government either by name or by official designation, or may be elected in accordance with rules made by the Local Government under this Act, or some may be appointed and some elected, as the Local Government directs :

Provided that—

(a) when the Local Government has directed that all or any proportion of the members shall be elected, it shall not thereafter direct that they shall be appointed, unless a majority of the electors declare that they so desire, or the Governor General in Council, for some reason affecting the public interests, sanctions the direction ;

(b) except with the approval of the Governor General in Council, or unless salaried officers of the Government are elected, not less than two-thirds of the members of every board shall be persons other than salaried officers of the Government ; and

(c) not less than one-half of the members of the board shall be landholders in the district.

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(Chapter III.—Of District and Local Boards—Sections 12-20.)

(3) When, under a direction issued under sub-section (2), any places on a board are required to be filled by election, and a sufficient number of members is not elected, the Local Government may fill those places by appointment.

Term of office of members.

12. (1) A member of a district board or local board, when appointed by virtue of an office, shall, unless and until the Local Government otherwise directs, continue to be a member of the board while he continues to hold that office.

(2) The term of office of all other elected and appointed members respectively of a district board or local board shall be fixed by the Local Government by rules made under this Act, and may be so fixed as to provide for the retirement of members by rotation, but shall not exceed three years.

(3) An outgoing member shall, if otherwise qualified, be again eligible for election or appointment.

Resignation of members.

13. A member of a local board or of a district board may resign by notifying in writing his intention to do so to the Local Government; and, on the acceptance by the Local Government of such resignation, the member shall be deemed to have vacated his office.

Powers of the Local Government as to removal of members.

14. The Local Government may remove any member of a district board or local board—

(a) if he refuses to act, or becomes incapable of acting, or is declared insolvent, or is convicted of any such offence, or subjected by a Criminal Court to any such order, as implies, in the opinion of the Local Government, a defect of character which unfits him to be a member;

(b) if he has been declared by notification to be disqualified for employment in the public service;

(c) if he, being a member of a local board, without an excuse sufficient in the opinion of the Local Government, neglects for more than three consecutive months to be present at the meetings of that board, or, being a member of the district board, without such sufficient excuse, neglects for more than six consecutive months to be present at the meetings of that board;

(d) if his continuance in office is, in the opinion of the Local Government, dangerous to the public peace or order; or,

(e) when he is a salaried officer of the Government, if his continuance in office is, in the opinion of the Local Government, unnecessary or undesirable.

Filling of casual vacancies.

15. (1) When the place of an elected member of a local board or district board becomes vacant by the resignation or removal of the member or by his death, a new member shall be chosen in accordance with the rules made by the Local Government under this Act to fill the place:

Provided that the Local Government may direct in any such case that the vacancy shall be left unfilled.

(2) When the place of a member of a local board or district board appointed by name becomes vacant as aforesaid, the Local Government may, if it thinks fit, appoint a new member to fill the place.

(3) A person chosen or appointed under this section to fill a casual vacancy shall hold office until the person whose place he fills would regularly have gone out of office, and shall then go out of office, but shall be again eligible for election or appointment.

Incorporation of district boards.

16. Every district board shall be a body corporate by the name of the district board of its district, and shall have perpetual succession and a common seal, with power to acquire and hold property, both moveable and immoveable, and, subject to any rules made by the Local Government under this Act, to transfer any such property held by it, and to contract and do all other things necessary for the purposes of its constitution, and may sue and be sued in its corporate name.

Time for district and local boards coming into existence.

17. The several district boards and local boards constituted under this Act shall come into existence at such time as the Local Government may, by notification, fix in this behalf.

Chairman.

18. (1) A member of every district board or local board shall be elected or appointed to be chairman of the board, and shall hold office for such term, not exceeding three years, as the Local Government may, by a rule made under this Act, fix.

(2) The Local Government shall determine, as regards each board or as regards any class of boards, whether the chairman shall be a person appointed by virtue of his office or by name or be elected.

Vice-chairman.

19. (1) A district board or local board may elect one of its members to be vice-chairman.

(2) A vice-chairman so elected shall hold office for such term as the board may, by rule, fix.

B.—Duties of District and Local Boards.

Duties of district board.

20. (1) The following matters shall, subject to such exceptions and conditions as the Local Government may make and impose, be under the control and administration of each district board within the area subject to its authority:—

(a) the management of all property vested in the district board;

(b) the construction, repair and maintenance of public roads and other means of communication;

(c) the establishment, management, maintenance and visiting of public hospitals, dispensaries, saráis and schools, and the construction and repair of all buildings connected with these institutions;

(d) the training of teachers and the establishment of scholarships;

(e) the supply, storage and preservation from pollution of water for drinking, cooking and bathing purposes; and

(f) the planting and preservation of trees.

Panjab District Boards Act, 1883.
(Chapter III.—Of District and Local Boards—Sections 21-26.)

(2) The Local Government may direct that any of the following matters shall, subject to such exceptions and conditions as it may make and impose, be under the control and administration of a district board within the area subject to its authority:—

(g) the management of any property vested in Her Majesty;

(h) the establishment, maintenance, visiting and management of markets, rest-houses, encamping-grounds and other public institutions, and the construction and repair of all buildings connected with these institutions;

(i) the construction and repair of embankments, and the supply, storage and control of water for agricultural purposes;

(j) the preservation and reclamation of soil, and the drainage and reclamation of swamps;

(k) the construction, repair and maintenance of famine preventive works, and the establishment and maintenance of such relief-works, relief-houses and other measures in time of famine or scarcity as may be entrusted to the charge of the board by the Local Government;

(l) the registration of births, marriages and deaths;

(m) fairs and agricultural shows and industrial exhibitions;

(n) the establishment and management of pounds, including, where the Cattle-trespass Act, 1871, is in force, such functions of the Local Government and the Magistrate of the district under that Act as may be transferred to the board by the Local Government;

I of 1871.

(o) the management of such public ferries as may be entrusted to the charge of the board under section 7 A of the Northern India Ferries Act, 1878, as amended by this Act;

XVII of 1878.

(p) any other local works or measures likely to promote the health, comfort, convenience and interests of the public or the agricultural or industrial prosperity of the country; and

(q) any other matters which the Local Government may declare to be fit and proper matters to be taken under the control and administration of the board.

(3) The Local Government may cancel or modify any direction given by it under sub-section (2).

(4) A district board shall, so far as the funds at its disposal permit, make due provision for all matters placed under its control or administration by or under this section.

Duties of local board.

21. (1) The Local Government, or, subject to the control of the Local Government, a district board, may direct that, within the area subject to the authority of a local board, any matter placed under the control and administration of the district board by or under section 20 shall be transferred to the control and administration of the local board.

(2) A local board, as the agent of, and subject to the control of, the district board, shall, so far as the funds at its disposal permit, make due provision for all matters transferred to its control and administration under sub-section (1).

(3) It shall be the duty of the district board to enforce the responsibility imposed on a local board by sub-section (2).

Limits on expenditure of local board.

22. Except as otherwise provided by this Act, a local board shall not incur expenses or undertake liabilities to any amount exceeding the limit imposed by the district board of its district.

Power for district board to provide for performance of duty in default of local board.

23. (1) If a local board makes default in the performance of any duty imposed on it by or under this Act, the district board may, by order in writing, fix a period for the performance of the duty.

(2) If the duty is not performed within that period, the district board may appoint some person to perform it, and may provide for the expenses of, and incidental to, its performance out of the funds appropriated to or for the purposes of the local board.

C.—Joint Committees.

Joint committees.

24. A district board may concur with any other district board, or with any municipal committee or with any cantonment authority, or with more than one such board, committee or authority, in appointing, out of their respective bodies, a joint committee for any purpose in which they are jointly interested, and for delegating to any such joint committee any power which might be exercised by either or any of the boards, committees or authorities concerned, and in framing or modifying regulations as to the proceedings of any such joint committee, and as to the conduct of correspondence relating to the purpose for which the joint committee is appointed.

D.—Conduct of Business.

Record and publication of proceedings.

25. (1) Minutes of the proceedings at each meeting of a district or local board shall be drawn up and recorded in a book to be kept for the purpose, and shall be signed by the chairman of the meeting or of the next ensuing meeting, and shall be published in such manner as the Local Government may, from time to time, direct, and shall, at all reasonable times and without charge, be open to the inspection of any inhabitant of the district who pays any rate or tax under this Act.

(2) A copy of every resolution passed by a local board at a meeting shall, within three days from the date of the meeting, be forwarded to the district board and to the Deputy Commissioner.

(3) A copy of every resolution passed by a district board at a meeting shall, within three days from the date of the meeting, be forwarded to the Deputy Commissioner.

Power to make rules as to business and affairs.

26. Every district board, and every local board with the sanction of the district board, may make rules as to—

(a) the time and place of its meetings and the manner in which notice of meetings shall be given;

(b) the conduct of proceedings at meetings and the adjournment of meetings;

(c) the custody of the common seal and the purposes for which it shall be used;

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(Chapter III.—Of District and Local Boards—Sections 27-32.)

(d) the division of duties amongst its members;

(e) the powers to be exercised by sub-committees or members to whom particular duties have been assigned;

(f) the persons by whom receipts shall be granted for money received under this Act;

(g) the duties, appointment, leave, suspension and removal of the officers and servants of the board;

(h) the term for which the vice-chairman shall hold office, and

(i) other similar matters:

Provided that every rule made under this section must be consistent with this Act and with any rules made by the Local Government under this Act, and shall be published in such manner as the Local Government may direct.

E.—Officers and Servants.

Employment of officers and servants.

27. *(1)* Subject to the provisions of this Act and to any rules which may be made under this Act in this behalf, every district board may employ and pay such officers and servants as may be necessary and proper for the efficient execution of its duties and of the duties of the local boards acting under it:

Provided that if, at any time, in the opinion of the Deputy Commissioner,—

(a) the number of persons employed by a board under this section, or the remuneration assigned by the board to those persons, or to any of them, is excessive, or

(b) any such person is unfit for his employment,

the board shall, on the requirement of the Deputy Commissioner, reduce the number, or remuneration, of those persons, or, as the case may be, dismiss the unfit person.

(2) The board may appeal against any requirement under this section to the Commissioner of the division, whose decision shall be final.

Pensions of Government officials serving boards.

28. In the case of a Government official, a district board may—

(1) if his services are wholly lent to it, contribute to his pension or gratuity and leave-allowances in accordance with the rules of the Government Civil Pension and Leave Codes for the time being in force; and

(2) if he devotes only a part of his time to the performance of duties in behalf of the board, contribute to his pension or gratuity and leave-allowances in such proportion as may be determined by the Government.

Pensions of servants of boards.

29. In the case of an officer or servant, not being a Government official referred to in section 28, a district board may—

(1) grant him leave-allowances and, if he is employed under the district committee when this Act comes into force and not entitled to pension, or if his monthly pay is less than ten rupees, a gratuity; and

(2) if empowered in this behalf by the Local Government—

(a) subscribe in his behalf for pension or gratuity and leave-allowances under the rules of the Government Civil Pension and Leave Codes for the time being in force; or

(b) purchase for him from the Government or otherwise an annuity on his retirement:

Provided that no pension, gratuity, leave-allowance or annuity shall exceed the sum to which, under the Government Civil Pension and Leave Codes for the time being in force, the servant would be entitled if the service had been service under the Government.

F.—Taxation and Finance.

Powers of taxation conferred on district boards.

30. Subject to any general rules or special orders which the Governor General in Council may make in this behalf, a district board may impose, in manner prescribed by section 31, such taxes as may be approved by the Local Government:

Provided that no such tax shall be imposed in respect of any property subject to the local rate.

Procedure in imposing taxes.

31. *(1)* A district board may resolve, at a meeting, convened and constituted in such manner as the Local Government may prescribe, to propose the imposition of any tax under section 30.

(2) When a resolution has been passed under sub-section *(1)*, the board shall publish a notice defining the class of persons or description of property proposed to be taxed, the amount or rate of the tax to be imposed and the system of assessment to be adopted.

(3) Any person likely to be directly affected by the proposed tax, and objecting to the same, may, within thirty days from the publication of the notice, send his objection in writing to the board; and the board shall, at a meeting convened and constituted as aforesaid, take his objection into consideration.

(4) If no objection is sent within the said period of thirty days, or if the objections received, having been considered as aforesaid, are deemed insufficient, the board may submit its proposals to the Local Government, with the objections (if any) which have been sent in and with its decision thereon.

(5) The Local Government, on receiving proposals under sub-section *(1)*, may sanction the same, or refuse to sanction them, or return them to the board for further consideration.

(6) When the proposals of a district board in respect of a tax have been sanctioned by the Local Government, the board may, at a meeting convened and constituted as aforesaid, direct the imposition of the tax in accordance with those proposals:

Provided that, in giving such direction, the board shall fix a date not less than one month from the date of the meeting on which the tax shall come into force.

(7) Every direction under sub-section *(6)* shall be notified, and the notification shall be conclusive evidence that the tax has been imposed in accordance with law.

Reduction and abolition of tax.

32. The Local Government may, by notification, and the district board may, with the sanction of the Local Government, by a resolution passed at a meeting

Panjáb District Boards Act, 1883.
(Chapter III.—Of District and Local Boards—Sections 33-39.)

convened and constituted as the Local Government may prescribe, abolish or reduce any tax imposed under sections 30 and 31.

Levy of fees.

33. With the previous sanction of the Local Government, or of such officer as the Local Government may authorize in this behalf, a district board or local board may fix and levy school-fees and fees for the use of, or benefits derived from, any of the works specified in section 20, clauses (c), (e), (h), (i) and (j), and fees at fairs, agricultural shows and industrial exhibitions held under its authority.

Additional funds to be provided by the Government.

34. When the control and administration of any matter is by or under this Act transferred to a district board, and at the time of the transfer the cost of that control and administration is defrayed from provincial revenue, the Local Government shall, from time to time, allot to the district board such funds, or place at the disposal of the board such sources of income, as may, in the opinion of the Local Government and of the board, be sufficient for maintaining the control and administration of the said matter in the state of efficiency existing at the date of transfer.

District fund.

35. There shall be formed for each district a fund, to be called the district fund, and there shall be placed to the credit thereof—

(a) the balance (if any) of the allotments made for the district under section 7 of the Panjáb Local Rates Act, 1878, and of the road and school cesses, which may be available for expenditure in the district on the day on which the district board comes into existence;

V of 1878.

(b) all proceeds of rates allotted to the district board under section 9;

(c) the proceeds of all taxes imposed in the district under sections 30 and 31;

(d) the amount of all fees levied by the district board or by local boards in the district under section 33;

(e) all funds allotted to the district board and the income arising from all sources of income placed at its disposal under section 34;

(f) all rents and profits accruing from property vested in the district board or managed by the district board or a local board in the district;

(g) all sums contributed to the fund by Government or by any committee, board or private person;

(h) all sums received by the district board or by a local board in the district in the discharge of functions exercised by it under this Act; and

(i) the proceeds of all sources of income which the Local Government may order to be placed at the disposal of the district board:

Provided that the Local Government may revoke any order made under clause (i).

Vesting, custody and investment of district fund.

36. (1) The district fund shall be vested in the district board, and the balance standing at the credit of the fund shall be kept in the Government treasury or sub-treasury or in the bank in which the Government treasury business has been made over, unless the Local Government in any cases otherwise permits.

(2) Subject to such rules as the Governor General in Council may make in this behalf, the district board may, with the previous sanction of the Local Government, invest any portion of the district fund in securities of the Government of India or such other securities as the Governor General in Council may approve in this behalf, and vary such investments for others of the same nature, or dispose of them. The income resulting from the securities, and the proceeds of the sale of the same, shall be credited to the district fund.

Application of district fund.

37. (1) The district fund shall be charged with the payment of the expenses of the district-post, the payment of the expenses of pauper lunatics sent to public asylums from the area under the authority of the district board, the expenses incurred in auditing the accounts of the district boards and local boards, and such portion of the cost of the Provincial Departments for education, sanitation, vaccination, medical relief and public works as may be held by the Local Government to be equitably debitable to the district board in return for services rendered to the board by those Departments.

(2) Subject to the charges specified in sub-section (1), and to such rules as the Local Government may make with respect to the priority to be given to the several duties of the board or otherwise, the district fund shall be applicable to the payment, in whole or in part, of the charges and expenses incidental to the matters specified in sections 20, 27, 28 and 29, and to the provision of grants-in-aid to educational and medical institutions, within the area subject to the authority of the district board, and, with the sanction of the Commissioner, outside that area when such application of the fund is for the benefit of the inhabitants of that area.

Works or undertakings benefiting several districts.

38. In the case of works or undertakings which benefit more districts than one, when the district boards cannot agree, the Commissioner or Commissioners of the division or divisions, or, when the districts are in different divisions and the Commissioners cannot agree, the Local Government, may determine what proportion of the expenses of the work or undertaking shall be borne by each of the district funds of the districts benefited thereby; and such proportion shall be payable out of the several district funds accordingly.

Annual estimates of income and expenditure of district boards.

39. (1) Every district board shall appoint a finance committee consisting of not less than three of its members.

(2) Every district board shall, on or before a prescribed day in each year, hold a meeting at which the finance committee shall submit to the board an estimate of the income and expenditure of the board for the next financial year, in such form as the Local Government may, by a rule made under this Act, prescribe.

(3) The board shall consider the estimate, and may provisionally approve of it with or without modification.

(4) The board shall, on or before a prescribed day, cause copies of the estimate, as provisionally

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(Chapter III.—Of District and Local Boards—Sections 40-45.)

approved by it, to be sent to the Deputy Commissioner.

(5) The Deputy Commissioner shall, on or before a prescribed day, signify in writing to the board his approval or disapproval of the estimate. When he disapproves of the estimate, he shall state the nature of his objection. The board shall then consider the matter, and either modify the estimate, so as to remove the objection, or refer it through the Deputy Commissioner to the Commissioner of the division. If the Commissioner concurs in the objection, he shall make such modification in the estimate as may, in his judgment, be necessary to remove the objection in whole or in part. If he does not concur in the objection, he shall pass the estimate, and his order shall be final and binding on the board.

(6) When the Deputy Commissioner has signified his approval of an estimate, or the board has modified an estimate so as to remove the Deputy Commissioner's objections, or when the Commissioner has passed orders as provided in sub-section (5), no expenditure which is not provided for in the estimate as approved or modified shall be incurred during the year to which the estimate relates without the previous sanction of the Deputy Commissioner.

(7) When the Deputy Commissioner is a member of the district board, the Commissioner and the Local Government shall take the place of the Deputy Commissioner and the Commissioner respectively for the purposes of this section.

Accounts of district boards.

40. Accounts of the receipts and expenditure of every district board shall be made up periodically to such days and in such form as the Local Government prescribes, and shall be examined and audited as soon as may be after they are so made up by such persons as the Local Government appoints in this behalf.

Estimates and accounts of local boards.

41. (1) Every local board shall submit annually to the district board of its district, on or before such date as the district board may appoint in this behalf, a statement of the requirements, and an estimate of the probable expenditure, of the local board for the coming financial year, and shall submit, as often as the district board may require, accounts of its receipts and expenditure.

(2) The district board shall signify in writing to the local board its approval or disapproval of an estimate submitted under this section, and powers similar to those conferred on the Deputy Commissioner and Commissioner by section 39, clauses (5) and (6), shall be exercised, in regard to the estimate, by the district board and the Deputy Commissioner, or (when the Deputy Commissioner is a member of the district board) the Commissioner, respectively:

Provided that, during the currency of any financial year, the Deputy Commissioner may sanction transfers of provision within the estimate finally approved, when inconvenience or undue delay would be caused by a previous reference to the district board.

(3) The district board shall make arrangements, subject to the approval of the Deputy Commissioner, for the examination and audit of accounts submitted to it under this section, and may arrange for the publication of such accounts.

Inspection of estimates and accounts.

42. Every district board shall cause a copy of every annual estimate provisionally or finally approved under section 39, and of every account made up under section 40, to be kept at its office; and any person paying rates or taxes under this Act may, at all reasonable times, inspect any such estimate or account without payment of any fee.

Publication of abstract of accounts.

43. A statement of the accounts of a district board for each financial year, showing the income of the district fund under each head of receipt, the charges for establishment, the works undertaken, the sums expended on each work, and the balance, if any, of the fund remaining unspent at the end of the year, shall be prepared by the board in such form as the Local Government prescribes; and an abstract of the same shall be published in the English and Vernacular official Gazettes, or in such other manner as the Local Government may direct.

G.—Control.

Control of Commissioner and Deputy Commissioner over boards and joint committees.

44. (1) The Commissioner of the division, or the Deputy Commissioner of the district when he is not a member of the district board, may—

(a) enter on and inspect, or cause to be entered on and inspected, any immoveable property within the limits of the division or district respectively occupied by any local board, district board or joint committee, or any work in progress within those limits under the direction of any such board or committee;

(b) by order in writing call for and inspect any document in the possession or under the control of any such board or committee having authority within those limits;

(c) by order in writing require any such board or committee to furnish such statements, accounts, reports and copies of documents relating to the proceedings or duties of the board or committee, as he may think fit to call for; and

(d) record in writing, for the consideration of any such board or committee, any observations he may think proper in regard to the proceedings or duties of the board or committee.

(2) If any difference of opinion arises between officers exercising the powers conferred by sub-section (1), it shall be referred—

(a) if it arises between two or more Deputy Commissioners in the same division, to the Commissioner; and

(b) if it arises between two or more Deputy Commissioners in different divisions or between two or more Commissioners, to the Local Government;

and the decision thereon of the Commissioner or of the Local Government, as the case may be, shall be final.

Power to suspend action.

45. The Commissioner of the division or the Deputy Commissioner of the district may, by order in writing, suspend, within the division or district respectively, the execution of any resolution or order of a district board or local board or joint committee, or prohibit the

Panjáb District Boards Act, 1883.
(Chapter III.—Of District and Local Boards—Sections 46-54.)

doing of any act within the said limits which is about to be done, or is being done, in pursuance of or under cover of this Act, if, in his opinion, the resolution, order or act is in excess of the powers conferred by law, or the execution of the resolution or order, or the doing of the act, is likely to lead to a breach of the peace, or to cause injury or annoyance to the public or to any class or body of persons.

Extraordinary powers of Deputy Commissioner in case of emergency.

46. (*1*) In cases of emergency, the Deputy Commissioner may provide for the execution of any work, or the doing of any act, which a district board or local board is empowered to execute or do, and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing the work or of doing the act shall be forthwith paid by the district board.

(*2*) If the expense is not so paid, the Deputy Commissioner may make an order directing the person having the custody of the balance of the district fund to pay the expense, or so much thereof as is, from time to time, possible, from that balance in priority to all other charges against the same.

Power to provide for performance of duties in case of default of board.

47. (*1*) When the Commissioner, after due enquiry, is satisfied that a district board has made default in performing any duty imposed upon it by or under this Act, he may, by an order in writing, fix a period for the performance of that duty, and, if it is not performed within the period so fixed, he may appoint some person to perform it, and may direct that the expense of performing it shall be paid, within such time as he may fix, by the board to that person.

(*2*) If the expense is not so paid, the Commissioner may make an order directing the person having the custody of the balance of the district fund to pay the expense, or so much thereof as is, from time to time, possible, from that balance in priority to all other charges against the same.

Power to invest other officers with power of control.

48. When the control and administration of any public work is by or under this Act transferred to a district board, and at the time of the transfer the cost of that control and administration is defrayed from provincial revenue, the Local Government may invest any officer with respect to that work with the powers of a Commissioner under section 44 or section 47, or with the powers of a Deputy Commissioner under section 46.

Report of action under preceding sections.

49. When the Commissioner makes any order under section 45 or section 47, he shall forthwith forward to the Local Government, and when the Deputy Commissioner makes any order under section 45 or section 46, or an officer empowered under section 48 makes any order under section 46 or section 47, he shall forthwith forward to the Commissioner, for submission to the Local Government, a copy of the order, with a statement of the reasons for making it, and with such explanation, if any, as the board or committee concerned may wish to offer. The Local Government may thereupon confirm, modify or rescind the order.

Powers of Local Government and its officers over boards.

50. (*1*) It shall be the duty of the Local Government and of all Commissioners and Deputy Commissioners acting under its orders to require that the proceedings of district boards and local boards shall be in conformity with law and with the rules in force thereunder.

(*2*) The Local Government may exercise all powers necessary for the purpose of sub-section (1), and may, amongst other things, by order in writing, annul any proceeding which it considers not to be in conformity with law and with the said rules.

(*3*) The Commissioner of the division and the Deputy Commissioner of the district may, within their jurisdiction, for the same purpose, exercise such powers as may be conferred upon them by rules made in this behalf by the Local Government.

Power of Local Government to supersede in case of incompetency, persistent default or abuse of powers.

51. If a district board or local board is not competent to perform, or persistently makes default in the performance of, the duties imposed on it by or under this or any other Act, or exceeds or abuses its powers, the Local Government may, with the previous approval of the Governor General in Council, by notification, in which the reasons for so doing shall be stated, declare the board to be superseded:

Provided that, in case of public emergency, the notification may be issued without the previous approval of the Governor General in Council, but shall be immediately reported to the Governor General in Council and shall be subject to his orders.

Consequences of supersession.

52. When a district board or local board is superseded under section 51, the following consequences shall ensue:—

(*a*) All members of the board shall from the date of the notification vacate their offices as such members:

(*b*) All powers and duties of the board may, until the board is re-constituted, be exercised and performed by such person as the Local Government appoints in that behalf:

(*c*) Where a district board is superseded, all property vested in it shall, until it is re-constituted, vest in Her Majesty.

Constitution of new board, and transfer of functions of superseded local boards.

53. (*1*) When a district board is superseded, the Local Government shall, as soon as in its judgment conveniently may be, constitute another district board in its place.

(*2*) When a local board is superseded, the Local Government may either constitute another local board in its place, or transfer its functions to the district board or, by a notification under section 10, to any other local board.

Disputes.

54. (*1*) If any dispute, for the decision of which this Act does not otherwise provide, arises between two or more boards constituted under this Act, or between a municipal committee or cantonment authority and any such board, the matter shall be referred—

(*a*) to the Deputy Commissioner if the local authorities concerned are in the same district;

Panjáb District Boards Act, 1883.
(Chapter III.—Of District and Local Boards—Sections 55-59.)

(*b*) to the Commissioner or Commissioners of the division or divisions if the local authorities concerned are in different districts; and

(*c*) to the Local Government if the local authorities concerned are in different divisions and the Commissioners of those divisions cannot agree.

(*2*) The decision of the authority to which any dispute is referred under this section shall be final

(*3*) If, in the case mentioned in clause (*a*), the Deputy Commissioner is a member of one of the boards or committees concerned, his functions under this section shall be discharged by the Commissioner.

(*4*) "Local authority" in this section means a district board, local board, municipal committee or cantonment authority.

Power of the Governor General in Council and the Local Government to make rules.

55. So far as may be consistent with the provisions of this Act—

(1) the Governor General in Council may—

(*a*) make general rules or special orders for the regulation of taxation under section 30; and

(*b*) make rules regulating the powers of district boards to make, vary and dispose of investments;

(2) the Local Government may, for any district or local board, or any class of such boards, make rules for—

(*c*) dividing boards into classes, and fixing the powers of boards of each class;

(*d*) determining the mode and time of appointment or election of members of boards, the term of office, allowances (if any), and the qualifications and disqualifications of such members, and the qualifications and disqualifications of voters, and generally for regulating all elections under this Act;

(*e*) regulating the powers of boards to transfer property;

(*f*) regulating the powers of boards to contract and do other things necessary for the purposes of their constitution and the mode of executing contracts;

(*g*) determining the intermediate offices, if any, through which correspondence between boards or members of boards and the Local Government or its officers shall pass;

(*h*) determining the language in which business shall be transacted;

(*i*) the employment, payment, suspension and removal of officers and servants under section 27;

(*j*) the apportionment of the district fund between the general purposes of the district and the purposes of particular parts of the district;

(*k*) the application of district funds;

(*l*) the form of estimates of income and expenditure under section 39,

(*m*) the form of accounts and the manner of periodical audit under section 40;

(*n*) the publication of abstracts of accounts under section 43;

(*o*) the preparation of plans and estimates for works which are to be partly or wholly constructed at the expense of boards, and as to the authority by which, and the conditions subject to which, such plans and estimates may be sanctioned;

(*p*) the powers of supervision to be exercised by Commissioners and Deputy Commissioners under section 50;

(*q*) the conduct of proceedings of boards, including the fixing of a quorum, the appointment or election of a chairman, and the term of office of a chairman and vice-chairman;

(*r*) the appointment and payment of auditors of the accounts of boards; and

(*s*) the guidance of district boards when suits or other proceedings are intended to be or have been instituted by or against them in Civil Courts; and

(*t*) generally determining the relations between district boards and local boards, and guiding boards and Government officers in all matters connected with the carrying out of the provisions of this Act.

All such rules and alterations of rules shall be notified, and no rules or alteration of rules under clause (2) (*d*) shall come into operation until three months after they have been notified.

H.—Regulations.

Power to make regulations.

56. (*1*) Every district board or local board empowered in this behalf by the Local Government may make regulations for carrying out all or any of the purposes of this Act.

(*2*) A regulation made under this section shall not have effect until it has been confirmed by the Local Government and published in such manner and for such time as the Local Government may direct.

Penalty for infringement of regulations.

57. (*1*) In making any regulation under section 56, a board may direct that a breach of the same shall be punished with fine which may extend to fifty rupees, and, in the case of a continuing breach, with a further fine which may extend to five rupees for every day during which the breach is continued after he has been convicted of such breach.

(*2*) In default of payment of any fine imposed under this section, the defaulter shall be liable to simple imprisonment for a term which may extend to eight days.

Prosecutions.

58. (*1*) Prosecutions under this Act for breach of regulations may be instituted by any board, or by any person authorized by the board in this behalf.

(*2*) A Judge or Magistrate shall not be deemed to be within the meaning of section 555 of the Code of Criminal Procedure a party to, or personally interested in, any case under this section merely because he is a member of the board. X of 1882.

I.—Supplemental and Exceptional Provisions.

Liability of members of boards.

59. Every person shall be liable for the loss, waste or misapplication of any money or other property belonging to the district board, if such loss, waste, or misapplication is a

Panjáb District Boards' Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 60-69.)

direct consequence of his neglect or misconduct while a member of a local board or of the district board, and a suit for compensation for the same may be instituted against him in such Court as the Local Government directs, by the district board with the sanction of the Commissioner, or by the Secretary of State for India in Council.

Procedure for making rules and regulations.

60. (*1*) The Local Government, before making any rules under section 55 or section 67, and a district or local board, before making any regulations under section 56, shall publish, in such manner as the Local Government may deem sufficient for giving information to persons interested, a draft of the proposed rules or regulations, together with a notice specifying a date on or after which the draft will be taken into consideration; and shall, before making the rules or regulations, receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

(*2*) Every such rule or regulation shall be published in the official Gazette in English and in such other language as the Local Government directs, and such publication shall be conclusive evidence that the rule or regulation has been made as required by this section.

Acquisition of land.

61. Where any land is required for the purposes of this Act, the Local Government may, at the request of a district board, proceed to acquire it under the provisions of the Land Acquisition Act, 1870; and, on the payment by the board of the compensation awarded under that Act, and of the charges incurred by the Government in connection with the proceedings, the land shall vest in the board.

X of 1870.

Penalty on member, officer or servant being interested in contracts made with a board or joint committee.

62. (*1*) If any member, officer or servant of a district or local board or joint committee appointed under this Act is, otherwise than with the permission in writing of the Commissioner, directly or indirectly interested in any contract made with that board or joint committee, he shall be deemed to have committed an offence under the Indian Penal Code, section 168.

XLV of 1860.

(*2*) A person shall not, by reason of being a shareholder in, or a member of, any incorporated or registered company, be held to be interested in any contract entered into between the company and a board or committee; but he shall not take part in any proceedings of the board or committee relating to any such contract.

Saving for Act XI of 1879.

63. Nothing in this Act shall affect the Local Authorities Loans Act, 1879.

XI of 1879.

General powers of Local Government and Commissioners.

64. In all matters connected with this Act, the Local Government shall have and exercise over Commissioners and Deputy Commissioners, and Commissioners shall have and exercise over Deputy Commissioners, the same authority and control as they respectively have and exercise over them in the general and revenue administration.

Contracts of local committees.

65. Every contract entered into, whether in its own name or in the name of the Government, by the committee appointed in a district under section 11 of the Panjáb Local Rates Act, 1878, may be enforced by and against the district board constituted for that district under this Act, in like manner as it might have been by and against the committee if this Act had not been passed.

V of 1878.

Government officers serving under committees to continue under board.

66. A Government officer employed under the committee appointed in a district as aforesaid at the time when a district board comes into existence for the district under section 17 of this Act shall be deemed to be similarly employed by the board, and shall not be dismissed from that employment without the sanction of the Local Government.

Power of Local Government to except local area from operation of Act.

67. (*1*) If the circumstances of any district or part of a district are, in the opinion of the Local Government, such that all or any of the provisions of this chapter are unsuited thereto, the Local Government may, by notification in the official Gazette, except the district or part from the operation of those provisions; and thereupon those provisions shall not apply to the excepted district or part until again applied thereto by a like notification.

(*2*) While any notification under this section is in force, the Local Government may make rules to provide for any matter dealt with by the provisions to which the notification applies.

Committee to be constituted for district wholly excepted from Act.

68. When a district is excepted, under section 67, from all the provisions of this chapter, a committee shall, except where the Local Government for special reasons otherwise directs, be constituted for the control and administration in that district of the matters mentioned in section 20, or of such of them as the Local Government may, from time to time, specify; and the Local Government shall, from time to time, determine the manner in which the members of the committee shall be appointed and removed, define the functions and authority of the committee, and place at its disposal, subject to such control as the Local Government thinks fit,—

(*a*) the balance standing at the credit of the district fund at the time when the district is excepted or, as the case may be, the balance of the allotments made for the district under section 7 of the Panjáb Local Rates Act, 1878, and of the road and school cesses, which may be available for expenditure in the district at that time;

V of 1878.

(*b*) all proceeds of rates which but for the district being excepted would be allotted to the district board under section 9 of this Act; and

(*c*) such other sources of income mentioned in section 35 of this Act as the Local Government thinks fit:

Provided that not less than one-half of the members of the committee shall be persons who own landed property or reside or carry on trade or business in the district and are not servants of the Government.

Power to direct that Act XX of 1856 shall cease to be in force.

69. (*1*) When any local area in which Act XX of 1856 (*an Act to make better provision for the appointment and maintenance of Police Chaukidárs in Cities, Towns, Stations,*

Panjáb District Boards Act, 1883.
(Chapter V.—Amendment of the Northern India Ferries Act, 1878—Sections 70-79.)

Suburbs and Bázárs in the Presidency of Fort William in Bengal) is in force is included in any local area over which a district board established under this Act has authority, the Local Government may, by notification, direct that that Act shall cease to be in force in the local area so included, and that every pancháyat constituted under that Act for that local area shall cease to exist.

(*2*) When a direction is issued under this section in respect of any local area in which the said Act XX of 1856 is in force, the amount, if any, then available under section 36 of that Act for purposes of improvement in that local area shall be expended therein by the Deputy Commissioner for such purposes.

CHAPTER IV.

SUPPLEMENTAL PROVISIONS AS TO TAXATION.

Recovery of rates.

70. All rates and taxes imposed under this Act, and all arrears of such rates and taxes, may be recovered as if they were arrears of land-revenue.

Local rate or tax how to be assessed and collected.

71. (*1*) The Local Government may, by notification, determine the persons by whom the local rate or any tax imposed under this Act shall be assessed and collected, and make rules for the assessment and collection of the rate or tax, and direct in what manner persons employed in the assessment or collection shall be remunerated.

(*2*) The provisions of section 60 shall apply to all rules made under this section.

Appeals.

72. (*1*) In matters connected with the assessment and collection of any rate or tax leviable under this Act, an appeal shall lie from the order of any person authorized under this Act to make assessments or collections to such person as the Local Government appoints:

Provided that the appeal shall be presented within 30 days from the date of the order.

(*2*) The order passed on an appeal under this section shall be final.

Instalments of rates and taxes.

73. (*1*) The Local Government may, by notification, prescribe by what instalments and at what times any rate or tax leviable under this Act shall be payable:

Provided that every instalment of the local rate leviable under section 5 shall be payable with an instalment of the land-revenue.

(*2*) In any local area subject to the authority of a district board the Local Government may, by notification, delegate to the board, subject to such conditions as it thinks fit, its powers under this section.

Power of Local Government to exempt from taxation.

74. The Local Government may, by notification, remit or reduce any rate or tax imposed under this Act, or exempt any person or class of persons, or any description of property, wholly or in any part from liability to any such rate or tax, and cancel any such remission, reduction or exemption.

Power to direct measurements.

75. When measurements are necessary for the assessment of the local rate or of any tax imposed under this Act, the Local Government may, by notification, direct such measurements to be made.

Suits relating to rates and taxes under this Act cognizable by Courts having cognizance of suits for rent.

76. Suits for the recovery from co-sharers, tenants or others of any sum on account of any rate or tax imposed under this Act, and suits on account of illegal exaction of any such rate or tax, or for settlement of accounts connected therewith, shall, unless the Local Government otherwise directs, be cognizable by the Courts which for the time being have cognizance of suits for rent due on land.

Confirmation and recovery of existing rates.

77. All rates for the maintenance of roads, schools or the district-post, for the payment of which provision has been made in any settlement-record previous to the passing of this Act, or which have been habitually levied by Government, shall be deemed to have been and to be legally imposed, and to have been and to be legally recoverable as if they were arrears of land-revenue payable directly to Government and due on the land in respect of which they are payable.

CHAPTER V.

AMENDMENT OF THE NORTHERN INDIA FERRIES ACT, 1878.

Amendment of the Northern India Ferries Act.

78. After section 7 of the Northern India Ferries Act, 1878, the following shall be inserted, namely:— XVII of 1878.

Management of ferries may be vested in committees and boards.

"7A. The Local Government may direct that any public ferry, wholly or partly within the area subject to the authority of a district board or local board in any district in the territories under the administration of the Lieutenant-Governor of the Panjáb, shall be managed by that board, and may further direct that all or any part of the proceeds from such ferry be paid into the district fund; and thereupon such ferry shall be managed, and such proceeds or part thereof shall be paid, accordingly."

Further amendment.

79. In section 6 of the same Act, after the words "section seven," and in section 17 of the same Act, after the words "section seven" where they first occur, the following shall be inserted, namely:—"and section 7A."

D. FITZPATRICK,
Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 20, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 4th October, 1883, and was referred to a Select Committee:—

No. 21 of 1883.

A Bill to amend the Legal Practitioners Act, 1879, and the Indian Stamp Act, 1879.

WHEREAS it is expedient to amend the Legal Practitioners Act, 1879, in manner in this Act appearing; (XVIII of 1879.)

And whereas it is also expedient to amend the Indian Stamp Act, 1879, in so far as it relates to the duty chargeable on the enrolment of legal practitioners; (I of 1879.)

It is hereby enacted as follows:—

Short title. 1. (*1*) This Act may be called the Legal Practitioners Act, 1883; and

Commencement. (*2*) It shall come into force at once.

Amendment of section 4 of Act XVIII of 1879. 2. In section 4 of the Legal Practitioners Act, 1879, for the words "as an advocate on the roll of the Chief Court of the Panjáb" the words "under section 41 of this Act" shall be substituted. (XVIII of 1879.)

Addition of a proviso to section 13 of same Act. 3. To section 13 of the same Act the following proviso shall be added:—

"Provided that in any case in which the party on whose behalf any such pleader as aforesaid is retained is—

(*a*) a pardánashín woman, or

(*b*) unable for any sufficient cause to instruct the pleader in person,

the High Court shall not suspend or dismiss the pleader because he has taken instructions from a relative of the party deputed by him or her to instruct the pleader."

New section substituted for section 41 of same Act. 4. For section 41 of the same Act the following section shall be substituted, namely:—

"41. (*1*) A High Court not established by Royal Charter may, from time to time, with the previous sanction of the Local Government, make rules as to the qualifications and admission of proper persons to be advocates of the Court, and, subject to such rules, may enrol such and so many advocates as it thinks fit. (Power for certain High Courts to enrol advocates.)

(*2*) Every advocate so enrolled shall be entitled to appear for the suitors of the Court and to plead or to act, or to plead and act, for those suitors, according as the Court may by its rules determine, and subject to those rules.

"(*3*) The High Court may dismiss any advocate so enrolled or suspend him from practice:

"(*4*) Provided that an advocate shall not be dismissed or suspended under this section unless he has been allowed an opportunity of defending himself before the High Court which enrolled him, and, except in the case of the Chief Court of the Panjáb, unless the order of the High Court dismissing or suspending him has been confirmed by the Local Government."

New section added to same Act. 5. To the same Act the following section shall be added, namely:—

"42. Act I of 1846 (*for amending the law regarding the appointment and remuneration of pleaders in the Courts of the East India Company*) and Act XX of 1853 (*to amend the law relating to pleaders in the Courts of the East India Company*) are repealed." (Repeal of Acts I of 1846 and XX of 1853.)

Amendment of Schedules I & II of Act I of 1879. (Duty on enrolment of advocates.) 6. In Article 27 of Schedule I of the Indian Stamp Act, 1879, the words "in exercise of powers conferred on such Court by letters patent," and in clause (*a*) of Article 11 of Schedule II of the same Act, the words "established by Royal Charter" are repealed. (I of 1879.)

STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to amend the Legal Practitioners Act, 1879, in certain respects in which experience has shown that the existing law is defective.

2. Section 13 of the Legal Practitioners Act, 1879, contains a provision that the High Court may suspend or dismiss any pleader who takes instructions in any case except from the party on whose behalf he is retained, or from a private servant of such party, or from some person who is the recognized agent of such party within the meaning of the Code of Civil Procedure. It has been brought to the notice of the Government that the practical operation of this provision is in certain cases attended with inconvenience to litigants and pleaders. In litigation in which pardánashín women are concerned, instructions must often, as a matter of necessity, be given through their near relatives. Again, there are cases in which male litigants, who have not the means of employing private servants, are unable from various causes, such as physical incapacity or old age, to instruct their pleaders in person. In such cases it seems right to allow the relatives of the litigants to instruct pleaders on their behalf. Section 3 of the Bill accordingly adds a proviso to section 13 of the Act enabling pleaders to take instructions from a relative of the party deputed by him or her to instruct the pleader when the party is a pardánashín woman or unable for any sufficient cause to instruct the pleader in person.

3. Under the Legal Practitioners Act, 1879, an advocate not ordinarily practising in his own province must, if he wishes to practise in such a province as the Central Provinces, for example, where the Judicial Commissioner has at present no power of enrolling advocates, first enrol himself as a pleader. As this state of the law is felt by certain persons to be a grievance, a new section has been added to the Act, empowering all High Courts not established by Royal Charter to enrol advocates as the Chief Court of the Panjáb is at present empowered to enrol them. As the power of suspension or removal would, except in the case of the Panjáb Chief Court, be vested in a single officer if it were conferred absolutely on the High Court, it has been thought well to make every order by any High Court, other than the Panjáb Chief Court, suspending or removing an advocate subject to confirmation by the Local Government.

4. The new section 42, which section 5 of the Bill adds to the Act, provides for the repeal of Acts I of 1846 and XX of 1853 in all places to which that section may be extended. The Madras High Court has noticed that these Acts have not as yet been expressly repealed in that Presidency, though a great portion of the Legal Practitioners Act, 1879, has been brought into operation there. These Acts are, it is believed, already repealed in all the provinces to which the Legal Practitioners Act, 1879, extends *proprio vigore;* but it is possible that they may be still unrepealed in some of the other provinces to which that Act has either already been or may hereafter be extended under the power conferred by its first section. The new section 42, taken with the first section of the Legal Practitioners Act, will enable the Local Government of any such province to repeal these Acts if still in force in it.

5. Lastly, section 6 of the Bill amends article 27 of schedule I and article 11 of schedule II of the Indian Stamp Act, 1879, by omitting the words which confine their operation to advocates of the chartered High Courts. As section 41 of the Legal Practitioners Act, 1879, empowers the Chief Court of the Panjáb to enrol advocates, and as the Bill will confer similar powers on the other non-chartered High Courts, the words in question are, as represented by the North-Western Provinces High Court, out of place, so far as advocates are concerned, and should therefore be omitted.

C. P. ILBERT.

The 19th September, 1883.

D. FITZPATRICK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 10th October, 1883, and was referred to a Select Committee :—

No. 22 OF 1883.

A Bill to amend the Indian Ports Act, 1875.

WHEREAS it is expedient to amend section 47 of the Indian Ports Act, 1875, so as to provide that the pensions or gratuities (if any) of persons employed in any port under that Act shall be charged to the Port Fund account of the port; It is hereby enacted as follows :—

XII of 1875.

Amendment of section 47 of the Indian Ports Act, 1875.

1. In the fourth paragraph of section 47 of the said Act, for the words "All expenses, including the pay and allowances of all persons upon the establishment of the port" the words "All expenses, including the pay, allowances, pensions and gratuities (if any) of all persons employed in the port" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

IT has recently been ruled by the Government of India in the Finance Department that service in establishments paid from port funds managed by the Government is qualifying service for pension, provided that the port fund pays for such service. It has now been brought to notice by the Government of Bombay that section 47 of the Indian Ports Act, 1875, which regulates the accounts of port-dues, does not authorize provision for pensioning employés either by investment of part of the port funds, or by the purchase of pensions from Government, or otherwise. As it seems to the Government that, when it administers a port fund, it should have the power of ordering the payment of pensions out of that fund, the present Bill, which modifies section 47 of the Indian Ports Act so as to give the Government the desired powers, has been prepared.

C. P. ILBERT.

The 10th October, 1883.

D. FITZPATRICK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 10th October, 1883 :—

No. 23 OF 1883.

A Bill to give effect to certain unregistered instruments of partition relating to immoveable property in the Madras Presidency, and to remove doubts as to the titles conferred thereby.

WHEREAS it is expedient to give effect to certain unregistered instruments of partition relating to immoveable property in the Madras Presidency, and to remove doubts as to the titles conferred thereby; It is hereby enacted as follows :—

Certain unregistered instruments of partition to have same force and effect as registered instruments.

1. Notwithstanding anything contained in any Act to the contrary, instruments of partition relating to immoveable property in the Madras Presidency, which have been executed before the passing of this Act and have not been registered, shall have the same force and effect as if they had been registered under the law in force at the time when they were executed :

Provided that this Act shall not—

(a) apply to any unregistered instrument of partition which has been superseded by an instrument of partition duly registered, or

(b) affect the title of a transferee in good faith of property, whether he has or has not had notice of an unregistered instrument of partition relating to that property, or

(c) affect any right established by a final decree of a Court of competent jurisdiction.

Compensation to person deprived of right owing to transfer under section 1, clause (b).

2. When any person to whom any right has accrued on the partition or any person claiming under that person has by any such transfer as is mentioned in section one, clause (b), been deprived of any right created by the partition, he shall be entitled to recover compensation in damages from any sharer who has joined in the transfer or, if the sharer is dead, from the assets, if any, in the hands of the heirs of the sharer :

Provided that suit be brought within three years after the date on which this Act comes into force or within three years from the date of the transfer, if the transfer is made after this Act come into force.

STATEMENT OF OBJECTS AND REASONS.

SECTION 17 of the Registration Act, XX of 1866, relates to instruments of which the registration is compulsory, and section 18 to instruments of which the registration is optional.

2. Clause (7) of the latter section includes "Instruments of Partition" among other instruments. The High Court at Madras, shortly after the passing of the Act, recorded an extra-judicial opinion that partition-deeds relating to immoveable property were governed by section 18 of the Act, and that their registration was therefore optional. This opinion was promulgated and acted upon.

3. The Act of 1866 was repealed by the Registration Act, VIII of 1871, which, however, reproduced clause (7), section 18 of the former Act; but the Act of 1871 was in turn repealed by the Registration Act, III of 1877. Section 18 of this Act revised the list of documents the registration of which was optional, and partition-deeds have been omitted from the list.

4. The Madras High Court now says that, of late, grave doubts have been entertained as to the correctness of the opinion recorded by it in the matter of the registration of partition-deeds referred to above, and recommends that, in view of the serious consequences to persons who may have acted on the opinion of the Court, and of the dissensions which may be excited in families by the disturbance of such arrangements, resort should be had to legislation to quiet titles. The High Court further suggests that such legislation should take the form of the present Bill. Under these circumstances, the Government of India deems it the most fitting course to accept the proposals of the High Court without modification, and accordingly the present Bill has been prepared.

C. P. ILBERT.

The 11th October, 1883.

D. FITZPATRICK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 16th OCTOBER 1883.

GENERAL REMARKS.—Rain continues to fall generally in the Madras Presidency and Mysore, and the condition of the unirrigated crops has much improved. Excessive rain has slightly injured the crops in the Nasik and Ahmednagar districts in the Bombay Presidency; but more rain is wanted for rice in some of the southern districts. The river maintains a low level in Sind where the weather is unusually warm. There has been no rain in Guzerat, but, excepting rice which has failed in parts, the crops there continue to do well. Heavy rain has caused slight damage to the *kharif* in Hyderabad, but the crops there and in the Berars are generally good. There has been little rain in Central India and Rajputana, but the weather is seasonable and prospects fair.

In Burma and Assam the rainfall has been general and favourable, and the rice crop promises well. In Bengal the fall continues light and partial, and, except in the north and east, the later rice crops on high lands have suffered considerably from the break, which is now beginning to affect the crops on the low lands as well. Rain is also needed in parts of the Central Provinces for rice, but prospects are generally favourable. Clear weather has prevailed during the week over the North-Western Provinces and Oudh and Punjab, where rain is much wanted for *rabi* sowings.

Harvesting of *kharif* crops continues in Southern India, and has been nearly completed in the Northern Provinces. *Rabi* operations are also in general progress, except in Bengal, the North-Western Provinces and Oudh, and the Punjab, where they are delayed for want of rain.

Prices are rising in Bengal, fluctuating in the Punjab, and generally stationary elsewhere.

The public health continues fair.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Madras—(Oct. 17th)		
Bellary ...	2·01 (average of five stations).	Standing crops wet, generally good. Dry crops need much more rain. Harvest gingelly in parts, yield below average.
Kurnool ...	2·09 (average of nine stations).	Standing crops fair, but damaged a little by excessive rain. Harvest *cholum*, *sajja*, and indigo, yield half to three-fourths. Cattle-disease in five taluks.
Ganjam ...	1·10 (average of nine stations).	Standing crops generally thriving. One death from cholera at Berhampore.
Kistna ...	·94 (average of eight stations).	Standing crops generally good. *Cholum* in two taluks suffering from grub. *Cumboo* harvested, yield below half. Small-pox, guinea-worm, and cattle-disease in parts.
Chingleput (Madras) ...	1·20 (average of eleven stations).	Standing crops reviving in three taluks, elsewhere good. Harvest *kar*, paddy, &c., yield one-fourth. Small-pox and cattle-disease slight in parts.
Coimbatore ..	3·11 (average of sixteen stations).	Standing crops benefited by recent rain. Harvest paddy and dry crops in parts, yield average. Cholera in Karur, 17 deaths. Fever slight in two taluks.
Tanjore ...	1·65 (average of twelve stations).	Standing crops generally good. Harvest paddy, *cholum*, *ragi*, *cumboo*, and *varagu*, yield below average. Eight deaths from cholera.
Madura ...	1·84 (average of eight stations).	Standing crops fair. Harvest paddy in parts, yield average. Cholera slight in parts of Dindigul taluk.
Malabar ...	2·67 (average of thirteen stations).	Harvesting first crop nearly over. Second crop cultivation progressing in all taluks. Small-pox in nine taluks; fever and cattle-disease slight in parts.
Travancore ...	3·568	Harvesting over. Cultivation progressing. Fever prevails. *General Remarks.*—General prospects good.
Bombay—(Oct. 17th)		
Kurrachee ...	No rain	Weather sultry. River at Kotri on 15th 7 feet 7 inches against 9 feet 11 inches on same date last year. Fever in 10 talukas, cattle-disease in two talukas. Rats doing some damage in Mirpur Botoro and Shahbandar talukas. Harvesting commenced in places. Wheat, red rice, and *bajri* in Kurrachee 26, 28 and 34, in Kotri 32 and 32, in Tatta 24, 30 and 36, and in Mirpur Botoro 22, 28 and 32 lbs. per rupee, respectively.
Hyderabad ...	......	*Kharif* harvesting continues. *Rabi* operation in progress. River has fallen 1 foot 4 inches since last week and was 2 feet 4 inches lower on 15th instant than on some date last year. Weather unusually hot night and day. Fever in seven, small-pox in three, and cattle-disease in four talukas. Wheat 25, *bajri* 40, *juari* 50, red rice 26, and white rice 22 lbs. per rupee.
Ahmedabad ...	......	Reaping of *bajri* and *juari* progressing, other crops healthy. Fever in some talukas. *Bajri* 28½ and wheat 25 lbs. per rupee.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Bombay—*contd.*		
Baroda ...	No rain	Slight cholera in Naosari, Gandevi, and Songad mahals; small-pox in Pisnagar. Cattle-disease in Harif mahal of Kadi division. Rice crop almost failed in Kadi division. Harvesting of *bajri* commenced in some places. Prices—*bajri* 28 and rice 23 lbs. per rupee.
Surat ...	No rain	Cutting of rice, *nagli*, and grass commenced; other crops healthy. Cattle-disease in Olphad. Cholera in Chikhli 6 cases, 4 deaths, in Bulsar 14 cases, 7 deaths, and in Pardi 65 cases, 16 deaths. Destruction of locusts in Bulsar, Walad and Pardi carried on vigorously. *Juari* 42 and *nagli* 43 lbs. per rupee.
Nasik ...	Rain continues with breaks.	Cotton, *bajri*, *urd*, and *mung* have suffered from heavy rain. Locusts doing damage in places. Cholera in Kalwan taluka, 12 attacks, 7 deaths. Cattle-disease in Niphad taluka. *Bajri* 31, wheat 28, and rice 22 lbs. per rupee.
Colaba (Bombay) ...	Slight rain on 11th; total of week ·24.	Total rainfall to date 80·12, being 10·40 above average. Abnormal temparature 0° to 2° warm. Vapour in air excessive, except on 14th when it was defective. Abnormal wind easterly. Thunder and lightning daily, except on 13th.
Poona ...	Rain throughout the district.	*Bajri* 41 and *juari* 50 lbs. per rupee, in Poona *bajri* 34 and *juari* 43.
Ahmednagar ...	Rain maximum at Nevasa 3·0 and minimum at Rahuri, ·08.	Damage caused to the *kharif* crop by excessive and incessant fall of rain is estimated to be on an average about 4 annas; *kharif* crop is being harvested in Parner, Kopergaon, Sangamner, and Akola talukas. Sowing of *rabi* is in progress throughout the district. Cattle-disease prevails to a slight extent in Kopergaon. Cholera 29 attacks, 16 deaths. *Bajri*—maximum 57 lbs. in Jamkhed, minimum 39 in Sangamner. *Juari*—maximum 72 in Shrigonda and minimum 51 in Akola.
Sholapur ...	·52	Total rainfall 37·24. *Kharif* in good condition, *bajri* being reaped in places. Cholera case 1 fatal *Juari* 65 and *bajri* 52 lbs. per rupee.
Dharwar ...	Rain at all stations except Mugud and Nargund; maximum being at Gadag 3·58 and minimum at Dharwar ·22; Karajgi, 3·50; Ranibennur, 3·0; Hubli, Navalgund, and Mundargi nearly 2·0; elsewhere less than 1·0.	Crops reviving, but heavy rain required for rice. Cotton sowing almost finished and wheat, gram, and other *rabi* crops being sown. Slight ague in Dharwar and Hangal, and cattle-disease in three talukas. Prices stationary.
Kanara ...	Karwar, 1·85; Kumpta, 5·23; Sirsi, 1·06; Hallial, 1·32.	Total rainfall 138·40. Small-pox continues in Hanawar and Sidapur. Rice harvest continues on coast. Pepper growing. Common rice in Karwar 12½ seers and in district average 15 seers per rupee.
Rajkot ...	·34	Total rainfall 27·97. General health feverish. Weather very hot and muggy. *Bajri* 29 and *juari* 35 lbs. per rupee.
		General Remarks.—River still falling in Sind. Crops generally good, but slightly damaged by excessive rain in Nasik and Ahmednagar, and by locusts in Tanna, Colaba, and Satara. *Kharif* harvest and *rabi* sowing in progress in most districts. More rain wanted in parts of Dharwar, Kaladgi, and Belgaum. Cholera, fever, and cattle-disease continue in several places.
Bengal—(Oct. 17th)		
Chittagong ...	3·16	Weather rather seasonable. Prospects favourable. Rain has done good to standing crops. Prices steady. Cattle-disease ceased.
Dacca ...	1·70	*Ashini* paddy being harvested; cutting of jute nearly completed; *amun* blossoming. Prospects good.
24-Pergunnahs (Calcutta)	·71	Early crops nearly all harvested. Prospects of rice crop in low lands still favourable. A heavy downpour of rain required. Prices stationary. Health of people generally good.
Moorshedabad ...	·22	Weather hot and sultry, with cool mornings. Paddy is fast drying up from want of rain.
Rajshahye ...	1·41; very slight local showers.	A large part of *amun* crop lost. Public health fair.
Burdwan ...	·74; Cutwa, ·05; Culna, ·53.	Rainfall insufficient. Prospects bad. Health fair; a few cases of cholera reported.
Rungpore ...	*Nil*	Weather hot. Prospects of crops fair, but rain much wanted. Fever prevalent.
Bhagalpur .	*Nil*	Prospects not favourable; rice on high lands has suffered much, on low lands it has also sufferred. Price of rice has risen. No moisture for *rabi* sowings.
Purneah ...	*Nil*	Prospects of rice on high lands damaged by want of rain, rest fair. Rain wanted for *rabi* ploughing. Common rice 18 seers per rupee with rising tendency. Fever prevails.
Patna ...	*Nil*	Paddy much suffering for want of rain. Reaping of *bhadoi*-crops well nigh completed; sugarcane and cotton promising still. Cholera still reported from Behar sub-division.
Durbhunga ...	*Nil*	Weather very hot. Prospects are alarming; for want of rain crops must suffer seriously. Prices rising.
Hazaribagh ...	*Nil*	Weather warm and seasonable. Crops already suffered a great deal for want of rain. Outturn will be poor this year. Prices of food-grains rising gradually. Public health good.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Bengal—*contd.*		
Cuttack ...	·41	Early rice being reaped; late rice doing well, but wants more rain. Price of rice has risen slightly. Public health good. Scattered cases of cholera in and around the town of Kendrapara.
		General Remarks.—There has been slight rain in some parts of Bengal Proper and Orissa during the week; it has been of no appreciable benefit to the rice crop which has begun to suffer even in the low lands; in the high lands the crop is said to have already suffered a great deal in several places. Prospects, however, are good in some parts of Northern and Eastern Bengal, where there has been sufficient rainfall. *Rabi* sowings also are being everywhere delayed for want of moisture in the soil in several districts. Prices show a marked tendency to rise owing to the unfavourable prospects of the rice crop. General health of the province is pretty fair, though fever is prevalent in some districts.
N. W. Provinces and Oudh—		
Benares (Oct. 16th)	No rain	Both *rabi* and *kharif* crops will suffer. Rain is urgently wanted for *rabi* sowings. Fever continues. Prices rising slightly.
Allahabad („ 17th)	......	Weather light and fine; nights getting cooler. Rain much required for *rabi* sowings and for the *juari* and late rice. Health good. Prices mostly unchanged.
Gorakhpur („ 14th)	No rain	*Rabi* sowings in progress. Cholera decreasing. Prices steady.
Jhansi („ 15th)	No rain	The *rabi* crops will suffer from want of rain and in some places the *kharif*, *e.g.*, those on *rakar* soil in parganas Jhansi and Moth. Water in tanks and most wells deficient. Prices pretty steady. Health of people good. Little or no cattle-disease.
Agra („ 16th)	No rain	*Kharif* crops continue to dry up; *bajri* being cut. Fever in three parganas. Prices almost stationary.
Bareilly („ „)	......	Rain wanted. Rice has suffered. Health good. Prices stationary. Barley has fallen.
Meerut („ „)	No rain	Ploughing for *rabi* progressing; gram and peas being sown. Health good. Prices steady.
Kumaun („ „)	......	Weather fair. *Kharif* crops all cut; ploughing for *rabi* has commenced. General health good. Cattle-disease continues. Prices slightly fallen.
Lucknow („ „)	No rain	Weather clear. Gram, wheat, peas, &c., are being sown. Rain wanted very much for the *bewat* crops. Condition of people and cattle good. Markets well supplied. Prices steady.
Partabgarh („ „)	No rain	*Mothi*, *jarhan*, *bajri*, and *juari* have suffered from the drought. Gram and peas being sown. General health good. Prices rising.
Sitapur („ „)	......	Gram, peas, and wheat sowing progressing. Prices fluctuating, but with downward tendency.
Fyzabad („ „)	No rain	*Kharif* crops nearly cut; sowing of wheat and peas commenced. Public health good.
Rae Bareli („ 15th)	No rain	Wind westerly. *Juari*, *moth*, and *urd* begun to suffer for want of rain; *dhan* being irrigated. General health good. Supplies abundant. Prices steady.
Cawnpore („ 16th)	......	Cloudless weather. Harvesting of *kharif* crops in progress and preparation for *rabi* sowings. *Juari* on high land is suffering from drought. Fever and cholera abating. Cattle-disease reported last week continues. Slight fall in prices.
Farukhabad („ „)	......	Weather clear and seasonable. Fever on the decrease, otherwise health good. Crops fairly promising, but owing to scanty dew and want of later rains, lighter and dry soils will not yield as well as was expected.
		General Remarks.—The *kharif* harvest is progressing or finished; some loss has been caused by want of rain, but the outturn generally is not complained of. Rain is much wanted for the rabi sowings; none has fallen during the week. Fever and cholera are abating. The public health is good, and the markets are well supplied.
Punjab—(Oct. 17th)		
Delhi ...	......	Health good. Rain wanted. Prices falling.
Hissar ...	......	Health good. Rain much wanted, especially in Rohtak district. Prices stationary.
Umballa ...	......	Health good. *Kharif* harvest nearly completed. Yield expected to be below average. Rain much wanted for *rabi* sowings. Prices stationary.
Jullundur ...	......	Health good. *Rabi* sowings commenced. Rain wanted. Prices falling.
Amritsar ...	.....	Health and condition of crops good. Rain wanted. Prices rising slightly.
Sialkot ..	......	Health and harvest prospects good. Prices stationary.
Ferozepore ...	......	Health and harvest prospects good. Prices rising slightly.
Lahore ..	......	Health good. Prospects much improved. Prices steady.
Rawal Pindi ...	Slight rain	Seasonal fever in Rawal Pindi and Attock tahsils, otherwise health good. *Kharif* prospects average. Prices falling slightly.
Mooltan ...	......	Health good. *Kharif* being harvested. Prices fluctuating.
Dera Ismail Khan ...	......	Health good. *Rabi* ploughings in progress. Prices rising.
Peshawar ...	......	Rain wanted for *rabi* sowings. Slight fever prevalent. Prices falling.
		General Remarks.—The health and harvest prospects of the province are generally good, though rain is much wanted in some districts.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Central Provinces—(Oct. 17th)		
Nagpur ...	......	Weather cloudy. *Rabi* sowings progressing. Health good. Prices steady.
Jubbulpore ...	·75	Weather cloudy at times. Crops in fair condition; rice on sandy soil suffering from want of moisture; cotton promising; *rabi* sowings commenced. Wheat 22 and rice 14 seers per rupee. Health good.
Saugor (Oct. 16th)	......	Weather occasionally cloudy. Cotton and other crops favourable; *rabi* sowings progressing. Health good. Prices stationary.
Seoni ...	·03	Weather cloudy and warm. *Rabi* sowings progressing. Fever prevalent. Prices slightly fallen.
Hoshangabad ...	......	Weather hot. *Kharif* crops good; *rabi* sowings commenced. Health good. Wheat 15 and rice 10 seers per rupee.
Khandwa ...	·04	Weather clear. Twelve deaths from cholera. Prices steady.
Raipur ...	·75	More rain wanted for both *rabi* and *kharif; mung*, linseed, and castor being sown. Cholera decreasing. Prices steady.
Sambalpur (Oct. 13th)	......	Weather favourable with indications of rain which is necessary for the late rice crops. Health good. Common rice 34 seers per rupee.
		General Remarks.—Prospects continue favourable. Sowings of linseed and gram in progress.
British Burma—(Oct. 13th)		
Akyab ...	3·07	Total rainfall 179·57. One death from cholera in Rathandoung otherwise public health good. 74 deaths of cattle in two townships, elsewhere health of cattle good. General appearance of crops good. Season favourable.
Rangoon ...	1·03	Total rainfall 76·36. One death from small-pox, otherwise public health good. Price of paddy Rs. 79 to 105 per 100 baskets.
Bassein ...	2·72	Total rainfall 86·43. Public health good. 24 deaths of cattle. Condition of crops satisfactory except in Thaboung, Kyoukpyaw, and Southern townships, where water has been too high, and paddy is partially spoilt. Price of paddy Rs. 90 to 100 per 100 baskets.
Amherst (Moulmein) ...	0·78	Total rainfall 164·05 Public health and health of cattle good. Crops reported healthy. In Moulmein town public health and health of cattle good. Crops healthy.
Toungoo ...	1·50	Total rainfall 77·44. Public health good. Price of paddy Rs. 65 per 100 baskets.
Kyoukphyoo ...	1·99	Total rainfall 156·08. Public health and health of cattle good. No alteration in prices of paddy.
Sandoway ...	3·6	Total rainfall 206·49. One death from cholera in Northern township, 9 in Letwetshe, 3 in Letweanouk, 2 in Dadiling circle, Central township. Crops continue healthy.
Hanthawaddy ...	......	Public health and health of cattle good. Ploughing progressing in Hlaing township; ploughing completed in Hmawbitwante and Tamanaing townships. Wages of ploughing labour 60 baskets of paddy per man in Hlaing township. Price of paddy from Rs. 90 to 100 per 100 baskets.
Pegu (Oct. 6th)	2·40	Total rainfall 117·01. Public health good. Slight cattle-disease in Zainganaing and Kadoubaw circles, otherwise health of cattle good. Crops promising in Syriam sub-division and better than last year. Price of paddy Rs. 80 to 95 per 100 baskets.
Do. („ 13th)	1·82	Total rainfall 118·83. Public health and health of cattle good. Crops promising. Prices of paddy unchanged.
Tharrawaddy ...	......	No report received.
Prome ...	4·38	Total rainfall 45·62. Public health good. A few cases of cattle-disease still reported from Padoung township, but the number of deaths is small. Ploughing and planting progressing. Crops in good condition.
Thonegwa ...	2·43	Total rainfall 82·64. Public health and health of cattle good. Re-planting still going on in Shweeoung township. About 1,000 acres in Zandoon township damaged by floods, but replanting continues. The third and last rise of the river has commenced, not so high as last rise as yet. Slight damage to crops by insects in Wakamah circle, Dedayi township. Agricultural prospects in other townships good. Price of paddy Rs. 80 to 100 per 100 baskets.
Henzada ...	9·76	Total rainfall 80·28. One death from small-pox in Henzada township, otherwise public health good. Health of cattle good. General appearance of crops good.
Thayetmyo ...	9·52	Total rainfall 39·76. Public health good. Crops promising. Price of paddy Rs. 100 per 100 baskets.
Shwaygyin ...	3·59	Total rainfall 137·24. Four deaths from small-pox in Yelacoond, otherwise public health good. Ten deaths of cattle in Kyaukhmaw circle. Crops slightly damaged by floods in Kawkameh circle, otherwise progressing favourably.
Tavoy ...	4·93	Total rainfall 190·36. Public health and health of cattle good. Prospects of crops good.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
British Burma—*contd.*		
Mergui (Oct. 6th)	7·80	Total rainfall 156·80. Public health good. Cattle and crops healthy. 34,700 acres ploughed and sown. Prices of paddy Rs. 90 per 100 baskets. *General Remarks.*—Public health good, except in Akyab. Mortality among cattle appears to be decidedly on the decrease. Rainfall up to date all over the province is considerably less than last year, but agricultural prospects reported on favourably. Area under cultivation in some districts reported larger than last year, and crops said to be in good condition. The heavy rainfall for the week in Thayetmyo has partially revived the crop, and given promise of a better harvest than was anticipated before. Prices of paddy continues steady with an upward tendency owing to a rise in the home market.
Assam—(Oct. 17th)		
Gauhati ...	0·2	Weather seasonable. Mornings slightly foggy. Nights cool. Public health fair. Land being ploughed for mustard. *Sali* paddy coming up well. Prospects good.
Sylhet ...	2·13	State and prospects of crops good. Public health also good.
Cachar ...	3·48	Weather warm. Reaping of *aus* crops nearly finished. Prospect of *sali* crops good. Ploughing for winter crops commenced. Common rice 17¾ seers per rupee. Public health good.
Dibrugarh ...	2·16	Weather rainy. Prospects of crops good. Public health good.
Mysore and Coorg—(Oct. 17th)		
Bangalore ...	7·01	Crops in good condition. Prospects favourable.
Mysore ...	6·28	Weather favourable. Crops in good condition.
Mercara ...	4·57	Heavy showers daily. Coffee berries well matured. Cardamoms are being picked. *Ragi* crop in East Coorg being harvested. *General Remarks.*—Rain has fallen throughout the province. Crops considerably improved. Prospects favourable. Health good. Prices satisfactory. Bangalore—rice 10½, *ragi* 31, and horse gram 29 seers per rupee. In the province average—rice 16, *ragi* and horse gram 28 seers per rupee.
Berar & Hyderabad—(Oct. 17th)		
Amraoti ...	·37	Crops in good condition. *Rabi* sowings commenced. Wheat 16 and *juari* 26 seers per rupee.
Akola ...	·52	Crops in good condition. Preparations for *rabi* sowings progressing.
Hyderabad ...	0·7	Total from 1st January 28·95. Standing crops prospering except in one taluka where excessive rain has slightly damaged some of the *kharif* crops. Cholera still prevails in a mitigated form. Prices—wheat 15¾, coarse rice 11, white *juari* 23; yellow *juari* 27¾, and *tur* 23¼ seers per current sicca rupee.
Central India States—(Oct. 17th)		
Indore ...	·20	Evenings and mornings are cooler and the cold weather is setting in, though clouds occasionally collect. Health good. Prices slightly falling. Agricultural prospects good at present.
Morar (Gwalior) ...	*Nil*	Health and prospects good.
Sutna ...	......	Weather clear and hot. Rain required for *rabi* sowings. Health good.
Rutlam ...	......	No report received.
Neemuch ...	1·34	Weather seasonable. Health and prospects good.
Goona ...	*Nil*	Health and prospects good.
Bhopal ...	......	No report received.
Agar ...	*Nil*	Agricultural prospects satisfactory. Health good.
Sehore ...	*Nil*	Weather clear. Prospects and public health good.
Nowgong ...	*Nil*	Rain wanted for *rabi* sowing. *Kharif* prospects fair. Public health good. Prices steady.
Manpur (Bhopawar) ...	3·40	Prospects good.
Rajputana—		
Abu (Oct. 17th)	No rain	Weather rather cloudy, cool, and seasonable.
Sirohi (" 14th)	No rain	Condition of tanks and wells good. Health and crop prospects good. Weather fine and warm.
Marwar (" 12th)	Rain reported from districts though not general.	Eight months' water in Jodhpore city. Tanks and wells are filling up. Health good. Crop prospects good. Weather cloudy and close. Prices stationary.
Meywar (" 13th)	......	Tanks and wells full. Health a little fair. Crop prospects good. Weather favourable for sowing spring crops.
Harowti (" ")	Shahpura, ·09; elsewhere *nil.*	Weather clear. Health good. Prices steady. Crop prospects generally favourable.
Jhallawar (" 12th)	Thunder and showers	Health and prospects good.
Ajmere (" 16th)	No rain	Prospects fair. Health good.
Jeypore (" 16th)	Slight rain	Weather seasonable. *Kharif* harvesting commenced. Outturn below average. *Rabi* sowing in progress. Prices steady. Health fair.
Bhurtpore ...	......	No report received.
Ulwur (Oct. 16th)	No rain	Prices rising, *bajri* 20, *juari* 23, and gram 23 lbs. per rupee. Health good. Fever reported in three tahsils.

No. 103Met.

Extract from the Proceedings of the Government of India, Revenue and Agricultural Department (Meteorology),—under date Simla, 19th October 1883.

READ the following :—

Memorandum of the Chief Weather Characteristics in the month of September 1883 in India,—dated 6th October 1883.

IT was noticed in the last monthly report that, towards the close of the month of August, an important change in the weather took place; that the drought which had prevailed over North-Western and Central India for about a month had come to end; damp rainy weather had set in over the North-Western Provinces, Central Provinces, and Bombay; and, quite at the close of the month, had reached the extreme north of the Punjab. This weather lasted far into September, the rainfall in the Punjab, Rajputana, and the Central Provinces being so copious as to raise the total fall of the month considerably above the normal average; and, in a measure, to compensate for the previous deficiency. These conditions did not, however, last beyond the middle of the month; the weather then cleared up; the rains ceased, and the sky became almost clear of cloud.

In Western India, after the constant rain which prevailed so generally at the beginning of the month, the weather showed a decided tendency to clear up; but, about the 22nd, a small cyclonic depression appeared between Bombay and Sholapur, and the month ended, as it began, with daily and rather heavy rain. In Bengal, Assam, and Burma the weather was such as is usual in September, but in the south of the Peninsula it was finer than the average and the rainfall deficient.

In the Punjab there were only ten wet days (September 1—10), but the amount of rain which then fell was so large as to exceed by 3¼ inches the normal average fall of the whole month. The pressure was below the average from the 1st to the 15th, and above it from the latter date till the close of the month; and the humidity varied in the opposite direction, the excess at some stations at the beginning of the month being as much as 40 per cent. of saturation. The usual rise of temperature followed partially on the cessation of the rains; Peshawar, at the close of the period, showing a mean temperature, exceeding the average by 3°; but Sialkot, Lahore, and Delhi, on the other hand, were between 2° and 3° below it.

In the North-Western Provinces the period during which rain fell was longer, lasting from the 1st to the 18th, but the amounts were not so large, and the total at the close of the month was 1½ inches deficient. Pressure and humidity varied in the same manner as in the Punjab, and the temperature variations were similar. Towards the close of the period the mean daily temperature at several stations considerably exceeded the average of the whole month; the excess from the 19th to the 30th being 3·2° at Bareilly, 4·2° at Agra, and 3·8° at Jhansi.

Assam had 25 wet days, and the month's rainfall was 2½ inches more than the average. The date at which the pressure rose above the average was later in this than in the preceding provinces, not occurring until the 20th.

In Bengal, 26 of the 30 days were wet, but the total fall was 3½ inches below the normal amount. The temperature variations were slight and unimportant.

The Central Provinces, Central India, and Berar had 24 wet days; the rainfall on some occasions being heavy, so that, at the close of the month, the total was 5 inches in excess of the average. The weather was, on the whole, rather cool; a mean deficiency of between 1° and 2° of temperature being reported generally, and 3° at Khandwa.

Over the greater part of Rajputana the rainfall ceased on the 14th, but previously to that date rain had fallen on every day, and at Mount Abu the fall continued until the close of the month. Here also the temperature was below the average, the deficiency at Ajmere being 3°.

In Sind and Gujarat rain fell daily until the 6th; it then ceased for a week; but from the 13th onward occasional showers occurred at intervals. The total number of rainy days was 11, and the fall was about the average.

In Bombay there were 25 wet days. Rain fell daily during the first fortnight; it then almost entirely ceased, while the humidity of the atmosphere fell considerably below the average; but about the 23rd the air became much damper; rain recommenced and fell on each day till the end of the month. The total amount was 1 inch above the average, while the temperature was between 1° and 4° below it.

In the south and west of the Peninsula and in Ceylon the month's rainfall was deficient; in the latter region there were only 7, and in the former 15 wet days.

On the Coromandel Coast there were only 10 wet days; the rainfall was 3 inches less than the average, and the temperature was high almost throughout.

Burma had, as usual, the greatest number of wet days, *viz.*, 28 out of 30, and the total rainfall only varied by an insignificant amount from the average. Both temperature and humidity were deficient.

In those provinces where the rains have apparently ceased, the change occurred—

In the Punjab on the 10th.
" Rajputana on the 14th.
" North-Western Provinces on the 18th.
" Central Provinces on the 25th.

Since the beginning of the season, the rainfall has been in excess at about 33, and deficient at about 59, of the reporting stations; so that, on the whole, it has been decidedly below the average.

W. L. DALLAS,

Assistant Meteorological Reporter to the Government of India.

ORDER.—Ordered, that the Memorandum be inserted in the Supplement to the *Gazette of India.*

E. C. BUCK,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

ABSTRACT OF THE PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA, ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS UNDER THE PROVISIONS OF THE ACT OF PARLIAMENT 24 & 25 VIC., CAP. 67.

The Council met at Government House, Simla, on Wednesday, the 10th October, 1883.

PRESENT:

His Excellency the Viceroy and Governor General of India, K.G., G.M.S.I., G.M.I.E., *presiding*.
His Honour the Lieutenant-Governor of the Panjáb, K.C.S.I., C.I.E.
His Excellency the Commander-in-Chief, G.C.B., C.I.E.
Lieutenant-General the Hon'ble T. F. Wilson, C.B., C.I.E.
The Hon'ble C. P. Ilbert, C.I.E.
The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.
The Hon'ble T. C. Hope, C.S.I., C.I.E.
The Hon'ble Sir A. Colvin, K.C.M.G.
The Hon'ble W. W. Hunter, LL.D., C.I.E.
The Hon'ble J. W. Quinton.
The Hon'ble D. G. Barkley.

CATTLE-TRESPASS ACT, 1871, AMENDMENT BILL.

The Hon'ble MR. ILBERT moved that the Report of the Select Committee on the Bill to amend the Cattle-trespass Act, 1871, be taken into consideration. He said:—

"The object of this Bill is to enable Local Governments to transfer to local boards and similar authorities certain functions, such as the management of pounds and the like, which under the existing law have to be performed either by the District Magistrate or the Local Government; and also to hand over to local funds under the management of those authorities certain sources of income which are derived from the surplus proceeds of the sale of impounded cattle, and which, under the present Act, have to be applied under the orders of the Local Government to the construction of roads and bridges and other works of public utility. The Select Committee to which the Bill was referred have made the measure somewhat more elastic by omitting the reference to the specific sections of the Cattle-trespass Act, and thus empowering Local Governments to transfer to local bodies any such functions as might, in the opinion of the Local Government, be appropriately discharged by those local bodies, and also to hand over, not necessarily the whole, but either the whole or any part, of the sources of income to which I have referred. The Bill in this form is in accordance with the provisions to the same effect introduced into the various local self-government measures already passed, or in course of being passed, by this Council, and will remove certain technical difficulties which stand in the way of the Governments of Madras, Bombay and Bengal giving effect to their proposals for the extension of local self-government by means of legislation of their own. These are the only alterations which have been made."

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill as amended be passed.

The Motion was put and agreed to.

LAND IMPROVEMENT LOANS BILL.

The Hon'ble MR. QUINTON moved that the Report of the Select Committee on the Bill to consolidate and amend the law relating to loans of money for agricultural improvements be taken into consideration. He said :—

"MY Lord, it will be in the recollection of the Council that this Bill was introduced in October last by my friend Mr. Charles Crosthwaite, and that on that occasion, and at a subsequent meeting of the Council when the Bill was referred to a Select Committee, observations were made by the mover, by the Hon'ble Major Baring and by the Hon'ble Sir Steuart Bayley on the subject of agricultural banks, which attracted much attention and excited much public interest. The intention then was to legislate in this Bill for the promotion of the application, not merely of State loans, but also of private capital to the improvement of land; but, on closer enquiry, the latter was found to be a question of so wide a nature, and of such great importance, and to be attended with so many difficulties of detail, as to demand for its introduction a separate measure, instead of being brought in, as it were by a side wind, in a Bill of which it was not the main object.

"My hon'ble friends of the Executive Council who may speak after me will, no doubt, explain that the subject of agricultural banks has not been laid aside, and that it has been omitted from the present Bill solely on account of its importance and magnitude.

"This measure is accordingly one of a simpler character than that originally introduced, and is meant merely to consolidate and amend the law relating to loans of money *by the Government* for agricultural improvements.

"The necessity for amending the present law, which is contained in Acts XXVI of 1871 and XXI of 1876, was forcibly pointed out by the Famine Commission. As a protection against famine, no measures can be more effective than successful undertakings to improve permanently the productive powers of the soil; and, among such undertakings, the construction of wells, tanks and other works for the storage, supply and distribution of water has in all ages in India been regarded with approbation, and fitfully prosecuted, alike by the people and their rulers. The artificial lakes of Bundelkhund and Central India, the large tanks found all over the Madras Presidency, the inundation-canals of the Western Panjáb and the Madras Delta, are monuments of the anxiety of the Government of the day to counteract the disastrous effects of the failure of the periodical rainfall on which Indian agriculture is so dependent; and the Ganges, the Eastern and Western Jumna, and the Orissa canals, the anicuts and distribution-channels of the Godavari and Kistna, and on the Bombay side Lake Tifa and the Ekrakh and Ashti tanks testify that the British Government has not lagged behind its predecessors in efforts to protect its subjects from the ravages of famine. But the field is too vast to be completely covered by the direct exertions of any Government, however powerful, and it has always been the policy of the Government of India to encourage the people themselves to execute smaller protective works by giving them advances for that purpose from the public treasury.

"To give legal effect to this policy, which had previously been carried out on the authority of the Executive Government, was the object of the enactments to which I have just referred; but unfortunately their provisions, when put in practice, were found to be either defective on the one hand, or too stringent on the other, and they failed consequently to realise the intentions of their framers. The Famine Commission enumerated several obstacles to their successful operation, the reports received from Local Governments and their officers on this Bill allude to others, and contain many valuable suggestions, and a committee of experienced Revenue officials considered the whole subject in Calcutta last cold weather, and reported on it to the Revenue and Agricultural Department of the Government of India. The information derived from these different sources has been carefully weighed and sifted by the Select Committee; and I shall now proceed to state briefly to the Council the alterations we pro-

pose in the existing law, and some of the reasons which have induced us to adopt them.

"Before doing so I may premise that the Select Committee were unable to accept a recommendation of the North-Western Provinces Board of Revenue to amalgamate with the present Bill the Northern India Taḳḳávi Act. That Act gives power to the Local Government to make advances to the owners and occupiers of arable land for the relief of distress, for the purchase of seed or cattle and other like purposes. Its object is quite distinct from that of the present Bill. It is intended to secure Government from loss in making advances for the relief of temporary distress, whereas the Bill now before us is meant to promote the lasting improvement of the productive powers of the soil. The Northern India Taḳḳávi Act requires for its application in each case but little preliminary enquiry, and the loans made under it are petty and are generally recovered within the year; whereas in any system of loans for land-improvement the enquiries must of necessity be more tedious, the sums advanced will, as a rule, be of far larger amount, and the time fixed for their repayment will be far longer. It would thus be difficult, if not impossible, to frame a single enactment which would admit of both objects, namely, the improvement of the land and the relief of temporary distress, by loans from Government, being carried out to the fullest extent.

"The Northern India Taḳḳávi Act has been brought into operation with conspicuous success in parts of the North-Western Provinces and Oudh. By means of it, the vigorous and intelligent exertions of my friends Messrs. M. Conaghey and La Touche have effected the reclamation of extensive tracts of land rendered barren by kans grass in the Banda district; and in the Rae Bareli district in 1880, my friends Messrs. Arthur Harrington and Bennett, by making liberal advances for the construction of temporary wells and the purchase of plough-cattle and seed, were able to save thousands of cultivators from penury, if not from famine.

"We considered it altogether inexpedient to endanger the successful working of an Act under which such benificent results have been attained by amalgamating it with one intended to effect a different object, and we declined to seek for legislative symmetry at the risk of practical failure.

"I now turn to the provisions of the Bill.

"By section 4 we authorise Government to advance money for the purpose of making improvements on land to any person having a right to make those improvements, or, with the consent of that person, to any other person; but we do not attempt to define what persons have the right to make the improvements. We empower no person, who has not the right already, to injure another by making an improvement which might alter the extent of their respective interests in the holdings. It has been objected that we enable tenants to make improvements without the consent of their landlords, but this is exactly what we carefully avoid doing. Whether a tenant can make an improvement with or without his landlord's consent is a question to be settled by the law of landlord and tenant in different provinces. In the Central Provinces, the respective rights of the two parties on this subject have been explicitly laid down in the Act recently passed here; in the Bengal Tenancy Bill, now pending before Council, the same point is provided for; and in the North-Western Provinces I believe I am correct in saying that custom recognises the right of certain classes of tenants to make such improvements. In no province is the law in force on the point, whatever it may be, in any wise altered by the Bill.

"In section 4 we also define what we mean by improvements. The list is substantially identical with that contained in the present law; but, in order to provide for works which might be called for by the circumstances of one province and not of another, we enable Local Governments, with the sanction of the Governor General in Council, to bring under the category any other works of a like nature. Vats for agricultural purposes, farm-buildings, planting topes, channels, preservation of the soil on ridges and slopes, and in the villages

of hilly tracts, and the prevention of landslips and of the formation of ravines and torrents have all been suggested from different quarters as fit objects for which loans might be advanced.

"By making subject to the sanction of the Governor General in Council the exercise of the power conferred upon Local Governments, we endeavour to guard against hasty action likely to affect private rights.

"One main reason given for the reluctance of agriculturists to avail themselves of the provisions of the present law is the delay in obtaining the loan caused by the elaborate enquiries prescribed by the Act on receipt of the application. By section 5 we leave it optional with the officer to whom the application is made to issue a notice calling for objections. In provinces where a record-of-rights is carefully maintained, and where the rights of the applicants to make improvements are clearly laid down by law, it will rarely be necessary to issue the notice, and much delay in granting the loan will thereby be avoided; but where these favourable conditions do not exist, a slower procedure is inevitable, and notice will issue as a matter of course.

"When questions of title or the like are raised which the officer feels that he cannot satisfactorily dispose of, the parties will be referred for a settlement of their disputes to the Courts of law; and, until such settlement be made, no loan will be granted.

"As explained in the Statement of Objects and Reasons, section 6 prescribes with some detail, following the model of the English Acts on similar subjects, the mode and the period in which the loans shall be repaid. They must be repaid by instalments, in the form of annuity or otherwise, within a period not to exceed 35 years, unless the Local Government and Governor General in Council, having regard to the durability of the work for the purpose of which the loan is granted, and to the expediency of the cost of the work being paid by the generation of persons who will immediately benefit by it, think proper to extend it beyond that term. The existing law laid down no period for the repayment of these loans. The practice was to require repayment within a certain number of years, fixed with reference not to the durability of the work but to the amount of the sum borrowed. The result was that small men who had taken loans were compelled to repay principal and interest before they had realized the full benefit of the works for which the loans had been granted, as the amount of the annual instalments was generally out of all proportion to the extent of the annual profits derived from the improvement. It seemed to us, therefore, that the law should clearly indicate the policy to be universally adopted, and show that the object aimed at by the Government of India is not the speedy realization of the loans, but the promotion of improvements on the land.

"I believe I am warranted in saying that the Government of India has no wish to make money out of these transactions, and that, so long as the interests of the general tax-payers are guarded by adequate security for the payment of instalments sufficient to cover risk of loss, the period fixed for the liquidation of the debt may be a long one.

"We were unable to adopt a suggestion, emanating from high Revenue-authorities, that repayment of the principal lent should never be required but that the loan should be commuted into a permanent addition to the land-revenue equivalent to the interest on the sum advanced. This plan, specious though it seems, we found to be open to the fatal objection of mixing up inextricably the affairs of the State in its capacity of capitalist with its business as a landholder, and we believed it impossible to devise a plan which would reconcile borrowers to paying an annuity for ever on account of an improvement the duration of which is necessarily temporary.

"Section 7 is an expansion of the corresponding section of the present law, empowering Government to recover, with interest (which by some unaccountable oversight was omitted from Act XXVI of 1871) and costs,

advances made under this Act from the borrower or his surety, or from the land improved or hypothecated, as if it were an arrear of land-revenue; and we have added a proviso protecting interests in the land which existed before the date of the loan.

"We have further authorised the Collector, on the application of a surety from whom any arrears due by the principal debtor on account of a loan, interest or costs have been realized, to recover in a similar way such sums from the borrower or from the land. This provision is intended to induce persons to come forward readily as sureties.

"In section 8 we have to some extent adopted a suggestion of the Government of Bengal, and provided that the order of an officer granting a loan should be conclusive evidence that the work for which the loan was granted is an improvement, that the person mentioned in the order had, at the date on which the order was made, a right to make the improvement, and that the improvement is one benefiting the land specified. These are points which, so far as Government is concerned, it is not desirable or expedient to have called in question in Courts of law; but we have guarded against injury to private rights by restricting the operation of the provisions to the purposes of this Act only. No one will be able to contest the right of Government to recover a loan taken for an improvement under this Act on the grounds that the work was not an improvement, or that it did not benefit the land, or that the person who made it had no right to do so when once an order has been recorded on these points by the proper officers but as amongst private persons, such disputes may be fought out in the Courts of law notwithstanding the existence of such order.

"Section 9 was framed to meet a wish of the Panjáb Government, with the object of inducing village-communities or joint proprietors to take loans for improvements, such as tanks or embankments, in which they were jointly interested, by enabling them to define conclusively at the time of taking the loan the amounts for which, as among themselves, each should be held liable, without impairing the joint and several liability of the entire body for the debt to Government.

"As explained by Mr. Crosthwaite in the original Statement of Objects and Reasons, everything for which it is not absolutely essential to provide in the body of the Act is left to rules to be framed by the Local Governments with the previous sanction of the Government of India. In an Act of this nature, intended to apply to all India, it is impossible to lay down rules on points such as are enumerated in section 10, which will be equally suitable for every province; and, as the only interests likely to be affected are those of Government, the ordinary objections to giving such extensive powers to Local Governments have no weight. Local Governments have the strongest motives to promote the successful working of the Act, and may safely be left to guard their own interests.

"Section 11 contains a very important innovation on the existing law. It declares generally that the increase in value derived from an improvement made with the aid of a loan granted under this Act shall not be taken into account in revising the land-revenue assessment of the land benefited.

"On this subject the Famine Commissioners wrote :—

"'In addition to the difficulties mentioned as arising out of the working of the rules made under the Act (XXVI of 1871), another reason has been prominently alleged for the disinclination of landholders to spend money, whether their own or borrowed, on the improvement of the land, and that is their doubt whether, at the expiration of the term of settlement, they will be allowed to enjoy the whole profits of such an improvement, or whether it will form the occasion for an enhancement of their assessment. In the Panjáb, it is a rule of the revenue-system that the constructors of new wells should be protected for 20 years from enhancement on account of the irrigation thus provided, and that repairers of old wells and diggers of watercourses should be similarly protected for 10 years. In the North-Western Provinces, Oudh and the Central Provinces, no definite rule appears to have been laid down. In Birár and Madras, rules have been issued providing that the assessment on lands on which wells or other improvements have been constructed by the owners or occupants at their own cost shall not be enhanced at a future settlement except on the ground of a general revision of the district rates. But these rules

have not the force of law, and in the Bombay Presidency alone has this understanding been embodied in an Act. We think it important that *a precise and permanent understanding should be come to on the subject* and *ratified by law*. The landholder should be guaranteed against any enhancement of his assessment for such a period as shall secure to him such a reasonable return on his investment as will encourage the prosecution of improvements.'

"As regards the allusion to the North-Western Provinces, I would observe in passing that a rule of the nature indicated has been executively prescribed, but it is indefinite in its terms, and there is reason to believe that it has not been generally or uniformly acted on.

"The section as it left the hands of the Select Committee proposed to go even beyond the recommendation of the Famine Commission, and to exempt from increase of assessment profits arising from improvement effected by the aid of loans taken under this Act, not merely for such periods as would secure to the maker a reasonable return on his investment, but for all time. In those temporarily-settled provinces where cultivation has almost reached its natural limits, this principle might, perhaps, be applied with advantage; but in others where extensive areas are still awaiting reclamation, which can practically yield no return and pay no revenue until irrigated, the enactment of such a hard-and-fast rule would result only in a useless sacrifice of the prospective financial resources of the State. I therefore propose to move the amendment, immediately after the Motion now before us has been disposed of, of which notice has been given, with the view of empowering the Local Governments, with the sanction of the Governor General in Council, to fix, by rule, periods after the expiration of which increase of value arising from the reclamation of waste land, or from the irrigation of land previously assessed at unirrigated rates, may be taken into account in assessing the land-revenue. To all other improvements under the Act, the general principle prescribed will apply. No enhancement of land-revenue will ever be claimed by Government on account of them.

"If the amendment be accepted, the section will then, in the words of the Famine Commission, embody a precise and permanent understanding on the subject, and give to such understanding that legal ratification which is essential to its successful operation.

"This Bill being intended to regulate only transactions to which Government is a party, no place can properly be found in it for a provision corresponding to section 11, as to improvements effected by tenants. Tenants, as well as landlords, have an equitable right to enjoy the fruits of their labour and expenditure, but the legal provisions for securing this object must be sought for in the law of landlord and tenant. In enactments already passed, or now pending before this Council, they have not been overlooked, and the subject has lately engaged the attention of the legislature in England as well as in India.

"Such, my Lord, are the main provisions of the Bill. We have endeavoured to amend the present law by simplifying the procedure on applications, and to give to it greater elasticity by conferring on the Local Governments extended powers of making rules for matters of detail. We have indicated with no uncertain sound the wish of the Government of India that repayment of advances should be made as easy as possible to the borrower consistently with the interests of the general tax-payer, and we have announced in unmistakable terms that Government will not hasten to appropriate, in the shape of enhanced land-revenue, profits arising from improvements effected under this Act. I cannot assure the Council that the passing of the measure will inaugurate a new era of improvements, or give an irresistible impetus to the building of wells. The Indian agriculturist is not a man of enterprise, and inert habits, the growth of centuries, are not altered in a day; but if, under the present Act, with all its imperfections, over a lákh and a half of rupees were expended in the Panjáb within three years, if within the same period the expenditure in the North-Western Provinces and Oudh reached nearly 3¼ lákhs, the bulk of this being due to the influence with their

people possessed and exercised by the same district officers to whose successful working of the Northern India Takkávi Act I have already alluded, and if the Opium Department was able to induce its cultivators to take in advances for wells since 1879 no less than Rs. 1,22,600, we may reasonably anticipate that the removal of obstacles which have hampered the operation of Act XXVI of 1871 will not be unfruitful, and that it will be followed by a steady, if not rapid, increase in the number of new works constructed year by year to protect the people from famine by improving the productive powers of the soil throughout the empire."

The Hon'ble SIR STEUART BAYLEY said:—"There are several points connected with this Bill which, from the point of view of the Revenue and Agricultural Department, are of considerable importance, and, though they have been mostly dwelt upon by my hon'ble friend Mr. Quinton, still there are two or three of them on which I would ask the permission of the Council, to offer some additional remarks. The first of these points relates to the question of loans by private persons or agricultural banks. The reason which led to the introduction in the original Bill of the provision regarding loans for agricultural purposes, made by private persons duly authorised by the Collectors, to be recovered by revenue-process was explained in the three last paragraphs of the Statement of Objects and Reasons, and it was further dwelt upon in my hon'ble friend Mr. Crosthwaite's opening speech and amplified again by myself. Those reasons, briefly put, were, first, the natural dislike of cultivator-borrowers to come to the Government and get their loans exclusively from them. It was explained that where a man has two competitors both offering to lend him money, one of whom can only lend him money for one purpose, and the other for all purposes; where in the one case the procedure was exceedingly complicated, and in the other money was readily available, it is perfectly clear that under such circumstances the borrower will go to the Native money-lender and not to the Government. Another reason was that Government officers are, from the very nature of their duties and from the circumstances under which they carry on those duties, incapable of sufficiently acquainting themselves with the circumstances of the borrower. These two facts seemed to indicate as a natural conclusion that Government, if possible, should let the business be done by private persons, and that, in consideration of private persons or banks taking up this business, and carrying it out on conditions, to be approved by the Government, that Government should give them special facilities for recovering their debts. These were the circumstances which led to the sections being originally introduced into the Bill. The sections were purely skeleton sections, and, as was observed at the time, could lead to nothing without very careful consideration of the details and being thoroughly thrashed out in committee. When the question came to be considered, it was found that it bristled with difficulties of all kinds. There was, first, the difficulty of distinguishing between loans given for one purpose and loans given for other purposes; for obviously, although Government might undertake to recover loans lent for special purposes under special conditions, it was not at all so clear that they might undertake to recover loans given for ordinary transactions. Then objection was taken to giving preference to one kind of loan and one class of creditors over other kinds of loans and other classes of creditors, and considerable doubts were expressed by experienced officers as to the expediency of allowing Revenue-officers to collect those private debts. There was also great difficulty in arranging for the clearing up of prior incumbrances before banks could be induced to advance money on risky business on what the Government considered moderate rates of interest. Still further complication was likely to arise out of the simultaneous or concurrent jurisdiction in regard to identical transactions between the Revenue and Civil Courts. The consideration of all these difficulties led to the general conclusion that it was better not to include legislation for this purpose in the present Bill, but to take the subject up separately and consider it with all its difficulties on its own basis. My hon'ble friend Mr. Quinton has observed that the matter is not done with. As a matter of fact, since Sir Evelyn Baring made his speech in this room about a year ago, the special experiment to which he therein referred in regard to some particular talúqa in

the Dekkhan has been the subject of considerable correspondence with the Bombay Government, and, through that Government in communication with Sir William Wedderburn, committees of capitalists have been induced to consider the experiment. The subject has now been thrashed out; most of the details of it are about to be submitted to the Secretary of State, and, until he has expressed his opinion upon it, no further action will be taken. That is how the case at present stands, and I may mention that the conclusion come to by the Select Committee to not legislate for this particular point had already commended itself to the Secretary of State.

"The next point upon which I have to ask the attention of the Council is that of the repayment of loans under section 6 of the Bill. My hon'ble friend Mr. Quinton has observed that the section in its present shape is very much amplified from what it stood in the original Bill, and has explained what the object in amplifying it was. Nothing is more noticeable in the correspondence of the Local Governments on the subject than the frequent complaints made that one great obstacle to working the present system is the very short period over which the repayment of loans extended. It is generally from five to ten years, and it varies, not with regard to the nature of the improvement, but with regard to the amount of money spent upon it. The point is one which recommended itself strongly to my hon'ble friend Sir Evelyn Baring, and it was at his request principally that the section is drawn as it is in the Bill and the special reference made to it in the Statement of Objects and Reasons. He wanted it to be understood that the Government have no objection to extending to 30 or 35 years the repayment of loans where necessary; and also, in special cases, in permanent and costly improvements, that it would be a matter for the consideration of the Local Government whether they should not extend the period of repayment beyond the generation that actually borrowed the money and throw some of the burden upon the succeeding generation.

"In connection with this question of the repayment of loans, one important and difficult proposal has been made, and it is one which has the support of some experienced Revenue-officers, among whom I may mention the Secretary to the Government of India in the Revenue and Agricultural Department. That proposal is that the loan should be commuted into a perpetual charge on the land instead of being repaid within a certain term of years, and that it should form a perpetual addition to the rent or revenue, but for present purposes only to the revenue. The proposal has in it certain obvious advantages. I myself think that it would be exceedingly popular, and that it would induce a rapid acceptance of these loans for improvements.

"It would be popular for this reason—that the interest is fixed below that at which a man could borrow from a Native capitalist: he has also the immense advantage and satisfaction that he has never got to repay the loan, and that the burden of it will be thrown upon future generations. There is also another great advantage connected with it, and that is that, the security being land, and not personal, not only can Government afford to lend the money at a lower interest, but also you do away with the necessity for collateral security, which is a very serious obstacle to the working of the present system. You only require collateral security where the borrower has not got a transferable interest in his land, but that unfortunately is the case with the great majority of the cultivators in Northern India. There is consequently a good deal to be said for the proposal, and at one time I was rather inclined to support it; but other considerations prevailed, and I found that the objections to it were very serious. It is obviously inapplicable to the permanently-settled districts, to tracts where there is much sub-infeudation, and to tracts where the assessment is made with joint proprietary-bodies, village brotherhoods for instance. There is a further objection to it, that it would necessarily lead in the future to great inequality of assessment; for instance, where two men made similar improvements with the same amount of money, the one has repaid his loan and the other has had his loan commuted into a permanent addition to his revenue. In course of time the man who has repaid his loan is assessed, and his assessment will be much

below that of the man whose interest on his loan is added to the revenue. That may be kept in view for a short time, but the inevitable tendency of it would be in the course of time to bring the assessment of the man who has repaid his loan up to the same level as that of the man who is still paying the burden of his interest as an addition to his assessment. But, besides these objections, it was considered by the best authorities that it was economically wrong in principle for Government to mix up this loan business with its reversionary interest in the produce of the soil. The loans should be lent as anybody else would lend money, and all that Government wants to recover is the interest on its own money and sufficient to cover risks and the cost of collection. It was felt that such a proposal as making a permanent addition to the revenue for improvements was scarcely consistent with the particular principle in section 11, which desires to exempt all improvements hereafter from future assessment. There would further be a risk of serious complication in the case of an exhausted improvement. The man who has had his revenue permanently increased in connection with it will very naturally call for a remission, and it would be exceedingly difficult for Government not to grant that remission; in other words, he will borrow money for his failure too cheaply and at the expense of his neighbours. For all these reasons it was determined in Committee that this proposal should not be embodied in the law, and I have quite come to the conclusion that the Committee's decision was correct; I only notice the matter here to show that it has not lightly been cast aside but fully considered.

"Still connected with this question of interest, my hon'ble friend Sir Evelyn Baring had intended to make a few remarks, and as he was not to be here when the Bill was to be considered in Council, he sent me a short note telling me what he intended to say. It was merely to point out that, under the present law, the rate of interest is fixed by rules made by Local Governments with the previous sanction of the Government of India, and that in our new Bill we do not attempt to alter the procedure in any way; that the present rate is a uniform rate of 6¼ per cent. which was fixed by the Government in 1877, the Government desiring it to be understood that they did not wish to make any profit by these loans; that the object in fixing the rate of interest was to fix it at such a point as would not only suffice to cover their own interest, but also the cost of collection and secure them from loss; and when that was done that was all they wanted; but if any Local Government thought that these objects could be secured at a lower rate of interest their representations would be considered. That is what Sir Evelyn Baring had to say upon that subject.

"I now come to a still more important question—that of improvements under section 11. My hon'ble friend Mr. Quinton has already given the history of the section and of the proposed amendment which he would make. I may say for myself that I am very pleased to see this amendment; for without it I should have had some difficulty in accepting the section as it stands. Mr. Quinton has already quoted what the Famine Commission have said upon the subject; and there is one other extract I may read to you in conjunction with his remarks. They wrote:—

"'In addition to the difficulties mentioned in paragraph 2 of this section as arising out of the working of the rules made under the Act, another reason has been prominently alleged for the disinclination of landowners to spend money, whether their own or borrowed on the improvement of the land, and that is their doubt whether at the expiration of a term of settlement they will be allowed to enjoy the whole profits of such an improvement, or whether it will form the occasion for an enhancement of their assessment. In the Panjáb it is a rule of the revenue system that contractors of new wells should be protected for 20 years from enhancement on account of the irrigation thus provided, and that repairers of old wells and diggers of watercourses, should be similarly protected for 10 years. In the North-Western Provinces, Oudh, and the Central Provinces, no definite rule appears to have been laid down. In Birár and Madras rules have been issued providing that the assessment on lands on which wells or other improvements have been constructed by the owners or occupants at their own cost shall not be enhanced at a future settlement, except on the ground of a general revision of the district rates. But these rules have not the force of law, and in the Bombay Presidency alone has this understanding been embodied in an Act. We think it important that a precise and permanent understanding should be come to on the subject and ratified by law. The landowner should be guaranteed against any enhancement of his

assessment for such a period as shall secure to him such a reasonable return on his investment as will encourage the prosecution of improvements. It appears to be quite possible to draw up a set of rules defining what the period should be for any locality or any class of cases, so that it may be clearly known, without fear of mistake or danger of retractation and change of view, by every landowner or tenant who executes a permanent improvement on the land, whether he is entitled to the entire profits arising from it, or to a part for ever or for a term of years. We have made a further reference to this subject in the section which treats of wells.

"'The question of how far the State could properly intervene directly in the construction of wells in the case of the landlords declining to take advances, or not assenting to the charge for the construction being placed on the land, is not one easily answered. But, notwithstanding the arguments that have been adduced by some experienced officers in the opposite sense, we are not able to satisfy ourselves either that the Government could safely or equitably insist upon the construction of a well on any land at the cost or risk of the owner of that land or its occupier for the time being, or that it would be practicable for the Government under any system which provided for the first construction of wells at its cost, also to undertake their maintenance for all time. Assistance might properly be given by the loan of dredging tools, or of boring tools in countries where rock is likely to be met with; it might also take the form of loans of money, or both loans and supervision. Provision might also be made for meeting all difficulties dependant on complications of tenure or differences of opinion among interested parties, the law being so amended as to provide that where co-proprietors whose land will be benefitted by the construction of a well cannot agree, the wish of the majority should override the dissent of the minority. It might also be possible to stimulate well-construction by extending the practice of Bombay and Madras to Upper India so far as to rule that the assessment of land irrigated from a permanent well should not be liable to enhancement on account of the well at any revision of the settlement, provided that the well is kept in efficient repair. But whatever plan be adopted to facilitate well-construction, we can hardly doubt that in some way the landholder must discharge the cost of first construction, with interest thereon in a term of years and thereafter become the sole owner of the well, and be placed in respect to it in exactly the same position as that which he would have occupied if he had made the well himself.'

"The Revenue Department last year in taking up the recommendations of the Famine Commission piece by piece had to consider the whole question. They called upon each Local Government for a statement as to how the law and rules stood in each province. The answers came and the Bombay Government have legislated for it and Madras has provided for it, in its Revenue rules. The Bombay law stands thus. Section 106 of the Bombay Revenue Code is as follows:—

"'It shall be lawful for the Governor in Council to direct at any time a fresh revenue-survey or any operation subsidiary thereto, but no enhancement of assessment shall take effect till the expiration of the period previously fixed under the provisions of section 102.

"'A revised assessment shall be fixed not with reference to improvements made from private capital and resources during the currency of any settlement made under this Act or under Bombay Act I of 1865, but with reference to general considerations of the value of land, whether as to soil or situation, prices of produce or facilities of communication.'

"Then a subsequent section (107) provides:—

"'Nothing in the last preceding section shall be held to prevent a revised assessment being fixed—

"'(a) with reference to any improvement effected at the cost of Government, or

"'(b) with reference to the value of any natural advantage when the improvement effected from private capital and resources consists only in having created the means of utilizing such advantage, or

"'(c) with reference to any improvement which is the result only of the ordinary operation of husbandry.'

"The Madras rules are found in the Standing Orders of the Board, I, paragraph 5—

"'Collectors of districts in which settlement by the Settlement Department has been completed or is in progress will notify in their Gazettes that the rates will be liable to revision after thirty years' duration. It is to be explained however to the raiyats that if the general rates of a district are altered, the demand will be regulated with reference to the intrinsic quality and position of the land as compared with other land of similar natural soil and situation, and not with reference to any improvement which may have been effected by the raiyats at their own cost.'

"And again in paragraph 8—

"'The raiyats should receive the most distinct assurance, that the tax on lands cultivated by means of wells henceforth to be reconstructed by them at their own cost, will never be enhanced, unless on a general revision of the district rates; and that in such revision any modification in the assessment of lands so improved will be irrespective of the increased value conferred upon them by their holders.'

"I need not go into to the rule for the other provinces. With the exception of the Panjáb the rules are somewhat indefinite, and I cannot say that they have been very carefully acted upon in all the settlements made hitherto. With these facts before us the question of how the Famine Commissioner's recommendations were to be carried out came to be considered, and a proposal was made to legislate upon the subject. Mr. Crosthwaite was consulted, and he drew out a rough sketch of the lines on which in his opinion legislation ought to be conducted. I will briefly mention those lines because they contained some suggestions of importance. He proposed that improvements made during the currency of existing settlements should be registered. That is a very valuable suggestion. The value of the improvements was to be settled by a committee of arbitrators and registered, together with the improvement and the area covered by it. Then he divided his improvements into two classes, one of which might be specified as quasipermanent improvements and costly; the other more temporary and less costly improvements and partaking of the nature of reclamation. The first class Mr. Crosthwaite proposed to exempt from assessment altogether; the second class he proposed to exempt absolutely for five years, and thereafter to let him recoup his interest, by deducting 6¼ per cent. on cost of improvement from the full assessment of the land. These were the lines upon which Mr. Crosthwaite thought that it would be possible to legislate. When the question came up to be discussed, we found that difficulties cropped up at every turn. The first main difficulty was perhaps one of theory; it was in fact to reconcile two conflicting theories—what I may call the English theory and the Indian theory. The English theory has regard to the relation between lessor and lessee, and from this point of view the English theory naturally urges that any increase in the letting value of the land caused by the lessee should be his and benefit him, and that he should get this benefit in the shape either of an increased length of lease on the old terms, or compensation for the unexhausted portion of his improvements. The Indian theory, if I may say so, disregards altogether the relation between lessor and lessee and looks upon Government as a joint proprietor with the landholder, and that Government, as joint proprietor, is by the ancient law and custom of India entitled to a share in the produce of every bígah of land. The logical deduction from the English point of view would be that the landholder should have, as a permanency, the full benefit of any increased value caused by his improvement. Even here I think myself that the fact of the landholder in India having a permanent right of occupancy in his land really divides off his position in a very marked way from that of the leaseholder in England whose position is a temporary one. The natural outcome of the Indian point of view is that when the Government as the sleeping shareholder in the land has provided that the improver should receive full interest for his money spent on improvement, and that he has been recouped for his original outlay, thereafter the Government should retain its right to a share in the improved produce of the soil. These two theories no doubt are antagonistic, but I think that it would have been possible to have come to a reasonable compromise upon them. As a matter of fact you will see that Mr. Crosthwaite based his proposals on the Indian theory, but he went far outside that Indian theory when he proposed that permanent improvements of a valuable kind should be exempted for ever. His object in so doing was that he considered that public policy required that we should do all in our power to encourage improvements of this kind rather than look to future increase of revenue. And in this view, as a matter of expediency, I most fully concur. I think that it would have been very possible to arrange the two conflicting theories upon somewhat such terms as these if we had gone on and proceeded to legislate. But there was another difficulty and that was

the difficulty of distinguishing between the two classes of improvements which Mr. Crosthwaite desired to distinguish. It was almost impossible to draw any line or to find any logical terms to cover the distinction which he desired; permanent and temporary would not do, nor perfect and imperfect; and after considering the matter again I have come to the conclusion that our mistake was in looking at the nature of the improvement instead of trying to find the distinction in the condition of the country to be improved. I think that if we had looked rather to the question of complete or incomplete cultivation, by a sparse or full population, we might probably have more easily found the means of logically distinguishing between the two classes than in looking to the nature of the improvement to be effected. However the idea of special legislation upon this point was abandoned, and it was abandoned because it was inextricably mixed up with the very much larger question with regard to the whole principle of re-settlement in Northern India which was at that time under reference to the Secretary of State. In referring that question to the Secretary of State, the Government of India expressed in very general and broad terms its desire that improvements effected by landholders should hereafter be exempted from assessment, and in reply the Secretary of State, in equally general and broad terms, expressed his thorough approval of the principle. The general question, including the special point of assessing improvements, is now under the consideration of the Local Governments. When, therefore, section 11 was introduced in Select Committee I had very great doubts as to whether it ought to be accepted; not because I doubted the principle of it, I quite accepted and most strongly endorse the principle that as a matter of policy we ought as a rule to secure to the improver the full value of his improvement;—but for the reason that the general question was then under the consideration of the Local Governments, and it appeared to me that modifications might have to be made by each Local Government. It was also perfectly obvious that we could not deal with improvements made under this Act with the money borrowed from Government in a different way from improvements made out of private capital, and that whatever we did in the one case would bind us in the other; and it seemed to me that it would be better if we were first to get the Local Governments' opinions and that the matter should be legislated for in regard to improvements as a whole, and not in regard to improvements only on money borrowed from the Government. However my views did not command the assent of the majority and I gave in on that point, but shortly after that, as my hon'ble friend Mr. Quinton has explained, it became obvious that some modification in the broad and general rule we have adopted should be made; and it became specially obvious in regard to the Panjáb. In the Panjáb, in the south-western districts, the condition of things is that there is a very large amount of waste land unoccupied, and a very sparse population; the land in its unirrigated state is of very little value, and in Montgomery for instance, such land is assessed at somewhere about one anna an acre; but as soon as water is brought to it, it can be assessed at 14 annas or one rupee an acre; and it seems monstrously unjust to the general tax-payers of India that the Government of India should give up all further claim to the increased produce of land assessed at one anna an acre when by a very small expenditure that land becomes assessable at one rupee. That would be the effect of section 11 as it stands, and consequently I think that the amendment which my hon'ble friend Mr. Quinton proposes to introduce to that section is a great improvement. The point has a further indirect bearing on the Government revenue for it is not merely in the present that you lose, but, as has been already pointed out, there is this to be considered—when you come to revise your settlement hereafter, the question of improvements made before the passing of this Act must come up. People who have been assessed for improvements made on unirrigated land before the Act was passed would complain that others have not been similarly assessed on improvements made since the Act was passed and the result would be a general levelling down of assessments, and consequence loss of revenue to Government. That would be the effect if it were not for this modification which it is now proposed to put in the Bill. The present practice of the Panjáb Government as has been stated by the Famine Commissioners is to give an exemption of 20 years and this

apparently carries out the principle which I have explained that the improver should get back the cost of his improvement and a fair amount of interest. I find it stated that the average cost of sinking a well may be put down at Rs. 300 and the average assessment from which it is exempted is put down at Rs. 18, and twenty times 18 is 360; and so he is enabled fully to recoup his expenditure with at least a portion of interest on it. Obviously to my mind this principle if accurately worked out, is far fairer as regards such lands than would be the broad exemption for ever of all improvements from assessment. I quite admit—in fact I most fully concur—in what Mr. Quinton observed as to districts where the land is fully cultivated and where there is a very small margin of waste and a very full population—where, in other words, it is far more important to improve existing cultivation than to bring additional land under the plough—that there section 11 in its broad application may well stand, and the Government should say 'improve your lands by all means, we shall never take anything for it.' But where the position is reversed, where there is much waste land, where improvement is scarcely so much improvement as reclamation, there I think that the Government ought to return in its hands some security, and safeguard its right to share in the future produce of the land. As I have said the proviso which my hon'ble friend Mr. Quinton proposes to introduce as an amendment quite meets my views in regard to this particular Bill and I shall very gladly support it; but it may well be that Local Governments in dealing with the matter in regard to their own provinces, not with reference only to improvements made with Government money but to improvements generally, will see the necessity of adapting the modification in the proviso to the local circumstances of each particular province and they may have to modify the form if not the principle of the proviso."

His Excellency THE PRESIDENT said :—"I do not wish to detain the Council at any length, but I should like to make one or two observations before this motion is submitted to the Council. The object of the Bill has been very clearly stated by my hon'ble friend, Mr. Quinton. It has been found in practice that the provisions of the Acts upon the subject of loans from Government for land improvement, have not been made use of so largely as was desirable, and have, in certain respects, tended to discourage recourse on the part of landholders and cultivators of the soil to the Government for assistance of this description. My hon'ble friends, Mr. Quinton and Sir Steuart Bayley, have quoted extracts from the report of the Famine Commission, which show how much importance they attached to loans of this sort, and there can be no doubt I think that there are few objects of greater public interest than the encouragement by every possible means of the improvement of land devoted to agricultural purposes.

"The amendments in the existing law proposed in this Bill have all been made with the object of rendering recourse to loans from the Government for land improvement more easy; and removing some, at all events, of the proved obstacles which exist under the present law to the use of such loans.

"I no more than my hon'ble friend, Mr. Quinton, can venture to say whether this Bill, when it becomes law, will lead to a great extension of applications for Government loans. When this measure was first introduced it was I think my hon'ble friend Sir Evelyn Baring—whose loss to this Council every Member, I am confident, deeply regrets—who said that he was not very sanguine as to the practical results that might follow from this measure. Be that as it may, I hope that the greater facilities which this Bill will afford for obtaining these loans will, at all events, tend to encourage applications for them, and to induce the cultivators of the soil to make greater use of the capital of the Government for the improvement of their land.

"I might content myself with these few remarks and put the question at once, but there are one or two points which have been alluded to by previous speakers upon which I should like to say a few words.

"With respect to Agricultural Banks I desire only to say that I hope no one will suppose that by the omission from this Bill of the clauses touching upon

that subject, which were included in the original Bill, the Government imply any intention of abandoning the object which they then had in view. My hon'ble friend Sir Steuart Bayley has stated that that important object is still under the consideration of the Government, and that it is shortly their intention to address the Secretary of State in respect to it. No measure of this kind could be undertaken without the sanction of the Home Government, and I hope that the public will clearly understand that the withdrawal from this Bill of those clauses, imperfect in their nature as they were, does not in the least degree mean that the Government have lost their interest in the question or given up the solution of it as hopeless.

"I now come to the point touched on at some length by Sir Steuart Bayley, namely, that dealt with in the eleventh section of the Bill as it now stands to which Mr. Quinton is about to move an amendment when the present discussion is disposed of. Sir Steuart Bayley has said that he at one time was of opinion that it would have been better to have omitted section 11 altogether from this Bill, and not to have dealt in this measure with this particular subject. I quite admit that section 11 relates only to a portion—in fact only to a small portion—of a much larger question, and that the principles which that section lays down are principles which must have, and ought to have, a much wider application than that which can be given to them under the present Bill. But at the same time I think that the Select Committee acted wisely in not striking out section 11 from this Bill; because I cannot but think that when that section had once been introduced and the Bill published with it, its entire removal would have led to serious misapprehension as to the intentions of Government with regard to the assessment on land improved by the owner or occupier and increased in value by such improvement. I therefore think that it was wise, having once put in the section, to leave it in the Bill, amending it so as to make clear the views of the Government upon the matter with which it deals. With regard to the question of principle I will not detain the Council long, because it is a much larger question than that raised in this particular measure, and it is one on which the Government will have hereafter to express their opinion much more fully: but at the same time, after what has fallen from my hon'ble friend Sir Steuart Bayley, I should like to say a few words as regards my own opinion on this subject, Sir Steuart Bayley has said that there are two theories on this question—the English theory and the Indian theory—and he defined the English theory to be that a tenant who made improvements in the land which he occupied, ought if he were removed from his farm, to receive compensation based upon the addition which his improvement had made to the letting value of the land, I very much wish that I could say that that is the recognised English theory upon this question. It is my own theory unquestionably, and it is a theory which has been partially, and in the end I fear imperfectly, adopted by Parliament at home; but it is a theory only held by a certain number of persons, and there is a wholly antagonistic theory very prevalent among other persons in England, namely, that the tenant should only receive on quitting his holding repayment of the actual outlay he may have made on his improvements.

"For myself as I have said, I entirely hold, in respect to ordinary cultivated land, to the theory which Sir Steuart Bayley, has described as the English theory.

"I think that if a tenant, by his own exertion, and the expenditure of his own capital, adds to the letting value of my land, I ought if he leaves his farm to compensate him for the additional letting value of the land of which I am about to take possession. I think that is a perfectly sound and just principle with respect to land under full cultivation because although it is I know said that there are two factors in the results of all improvement, namely, the expenditure of the tenant's capital and labour, and the inherent qualities of the soil, in the case of cultivated land, this second factor should not, as it seems to me, be regarded as constituting an appreciable element in the calculation of the value of a tenant's improvements. For the right to enjoy the results of the inherent qualities

of the soil is already covered by the payment of his ordinary rent, and the addition to the letting value of his land arising from his improvements may therefore be treated as resulting only from his expenditure of capital and labour and may fairly be taken as the measure of the compensation which should be given to him in respect of such improvements, when he quits the land.

"Therefore, it appears to me that the principle laid down in section 11 as it stood is a right principle in regard to what I may describe as fully cultivated land, but I admit that the case of what may be broadly called reclamation differs very materially from that of the improvement of land already under full cultivation. In the case of the reclamation of land by a very small expenditure of capital and labour, a very great result may often in a few years be produced. The inherent qualities of the land are the principal factor; the outlay of the occupier is a much more limited factor, and the true mode of dealing with cases of that kind seems to me to be the adoption of what is called in England an improvement lease. The land should be let at a low rent or should be assessed to revenue at a low rate for a certain number of years so that the cultivator may recoup himself for the operations which he carries on in order to bring the waste land under cultivation.

"He should have ample time to fairly repay himself for that expenditure, and the rent or revenue, at first very low, should be gradually increased, until at length when the land has been brought into a state of cultivation, it becomes reasonable that the Government or the landowner should step in once for all and place upon the land the full ordinary rates of rent or revenue of similarly cultivated land in the neighbourhood.

"After that has once been done, then any other improvements that the occupier of land may subsequently make ought to fall under the principle laid down in the first portion of section 11, and the person making the improvement should be entitled to reap the full and entire benefit of any addition that he may make to the letting value of the land. That appears to me to be a fair mode of dealing with the question of the reclamation of land, and from the information which I have received, I believe that the case of unirrigated land, especially in the Panjáb, and probably also in other parts of India, which is let at unirrigated rates, falls very much into the same category as that of unreclaimed land, because by a very small expenditure of money or labour on the part of the occupier of the soil a very large additional value may be given to the land. Consequently I am quite prepared to admit, as proposed by the amendment of Mr. Quinton, that 'where the improvement consists of the reclamation of waste land, or of the irrigation of land assessed at unirrigated rates, the increase may be so taken into account after the expiration of such period as may be fixed by rules to be framed by the Local Government with the approval of the Governor General in Council.' My hon'ble friend, Sir Steuart Bayley, alluded to the difficulty which had been felt in drawing any such distinction as Mr. Crosthwaite originally proposed to draw between different descriptions of improvement. I admit the force of that remark as applied to the particular proposal made by Mr. Crosthwaite, but it appears to me that between improvements on land under full cultivation, and improvements made for the purpose of reclamation of waste land, or for the irrigation of land at present unirrigated, a line may be distinctly drawn which is, in itself, in this country and elsewhere, quite defensible upon grounds of principle. No line of this kind that you can draw can be absolutely satisfactory; there must always be border cases difficult to deal with; but it seems to me that such a line as I have described is easy and simple and rests upon clear and intelligible grounds.

"Under these circumstances I readily agree to the adoption of the amendment which my hon'ble friend, Mr. Quinton, is about to move, and with that alteration it appears to me that section 11 will lay down an important and valuable principle which I hope to see in course of time much more widely adopted.

"I have no more to say at the present moment on this subject. I have every hope that the Bill will make an important improvement in the exist-

ing law, and it will afford me great satisfaction if it should be largely made use of by those for whose benefit it is intended."

The Motion was put and agreed to.

The Hon'ble MR. QUINTON also moved that, for the proviso to section 11, the following be substituted, namely:—

"Provided as follows:—

"(1) Where the improvement consists of the reclamation of waste-land, or of the irrigation of land assessed at unirrigated rates, the increase may be so taken into account after the expiration of such period as may be fixed by rules to be framed by the Local Government with the approval of the Governor General in Council.

"(2) Nothing in this section shall entitle any person to call in question any assessment of land-revenue otherwise than as it might have been called in question if this Act had not been passed."

He said that the observations which had fallen from His Excellency the President and from Sir Steuart Bayley on the subject of the amendment relieved him from the necessity of detaining the Council by urging anything in addition to what he had already said in his remarks on the previous motion and was glad that it had obtained such powerful support.

His Honour THE LIEUTENANT-GOVERNOR said that he had intended to offer a few remarks in support of the proposed amendment, but much of what he had to say had been anticipated by His Excellency the President and Sir Steuart Bayley. He fully agreed that the principle embodied in section 11 of the Bill as it left the hands of the Select Committee was applicable to districts which were fully developed, in which the margin of waste-land was small, and where the share in the assets of the land had come up to a fair level. But that was not the case in the Panjáb. In that province there were vast tracts of land which could be brought under cultivation at very small expense, and any proposal to relieve them from the higher assessment for all time would be a wanton sacrifice of the resources of the State. The whole of our revenue-system in the Panjáb had been built up upon the system of what His Excellency the President had described as improvement-leases. Wells, when sunk, were exempted for a period of longer or shorter duration from assessment. After the expiry of 20 years an assessment was taken, and it would never do now to exempt in future all new wells from the higher assessments, because that would at once raise a great diversity of interest between persons who had in years past embarked their capital in the improvement of land and those who were to do so after the passing of this Act. The result would be that the past assessments, which were higher than those imposed on land improved under this Act, would have to be forced down to the level of assessments on unirrigated land. The consequence of that would be a loss probably of one-third of our assessment. HIS HONOUR could not therefore have supported clause 11 of the Bill as it stood, but the proposed amendment removed the objections which he entertained to it; it met the case of the Panjáb; it would enable the Panjáb to carry on its system as it had hitherto done; and for that reason he was quite prepared to give it his cordial support. But he wished at the same time to point out that, by adopting this provision in the present Bill, the Government was practically pledged in the future not only for improvements executed by loans taken from agricultural banks, but for improvements executed by loans taken from private individuals, and in the expectation that Government would in the future accord equal protection to improvements of both kinds he was prepared to support the present proposals.

The Hon'ble MR. HOPE said that he wished to express his satisfaction that his hon'ble colleague Mr. Quinton had come forward and moved the amendment which stood in his name, because it appeared to him that that amendment embodied a principle of a most important character, which was indeed to be drawn from the words in which his hon'ble colleague had couched his first clause, but which appeared to him (MR. HOPE) to be even more clearly and satisfactorily stated in a portion of the extracts from the Bombay Land-revenue Code which his hon'ble colleague Sir Steuart Bayley had read out to the Council. The particular portion he referred to was that in which, after providing that no

assessment should be levied with respect to any improvements made during the currency of a settlement, permission is given to take such improvements into consideration on its revision :—

"With reference to the value of any natural advantage, when the improvement effected from private capital and resources consists only of having created the means of utilising such advantage."

Of course, under the Bombay system, the extent to which a revision should be carried, and the amount of assessment which ought to be imposed, under such circumstances was a question of fact, which would have to be determined in the several individual cases which arose. In some of the more fully cultivated districts, where population was dense and the assessment already heavy, it might even happen that, as the Hon'ble Mr. Quinton had suggested, it might even be judged not worth while to make any increase in the assessment at all, but the right to make such increase must nevertheless be stated in clear and definite terms in the law.

This principle of the assessability of improvements in view of the rights of the landowner was in accordance with the practice which existed throughout the whole of India under the old Native rulers. All civil officers who had had much to do with revenue-assessments were acquainted with hundreds, perhaps thousands, of cases in which they had found wells to have come under assessment, after they had been held, for a certain term of years, exempt from assessment under sanads and other orders by Native Governments—Governments who, he might say, were remarkably shrewd, and whose views in those matters were strikingly in accordance with modern principles of political economy. But this principle was not only in accordance with old custom in India. It was also sound in itself and in accordance with well-recognised principles of political economy. The case was not one of policy, but of mutual rights. If it was reasonable that the occupier of land, whoever he might be, should get a full and fair return for any capital which he might invest in improvements, it was equally reasonable to secure to the owner his rights for any natural advantages which his property might possess, and which had not already been discounted by the rent imposed upon the occupier. There were of course some cases in which the occupier could turn the land, or its mineral resources to other than ordinary uses contemplated in fixing his rent, as where dry crop land was converted by a well into irrigated; but such cases were exceptional, and when they occurred it was just as reasonable, as he had already remarked, that the one party should be protected as the other. It would be as unreasonable to contend that Government was under such circumstances precluded from raising the assessment at a revision, or that a private person was precluded from securing by the provisions of his lease the full advantage to which the mineral or other properties of his land entitled him, as it would be to contend that if a man possessed a building site upon which he did not choose to build a house, or a coal mine which he was unable or disinclined to work, he must therefore allow the free use of that land, or present the working of that coal mine to some one else, without charging ground rent in the one case or royalty in the other.

He had one more remark to make. It would appear that some persons were under an apprehension that a restriction or reservation of right such as that contemplated would act very materially in preventing people from investing their capital in improvements. All that he could say was that no such result had been found to follow from the principle, which was in force throughout the Bombay Presidency. That principle, although it had only lately been embodied in the Bombay Revenue Code, had been recognised in orders there throughout the whole of his period of thirty years' service in India, and he might very easily have come to the Council to-day armed with statistics to show the enormous increase of wells and other improvements of a like nature, involving immense expenditure of money, which the tenants in Bombay under the thirty years' revenue settlements had effected notwithstanding. For his own part he did not feel the slightest apprehension that, if the proposed amendment were adopted

by the Council, it would have any prejudicial effect upon the object of improving the land and attracting capital to it, which we all so greatly desired.

The Motion was put and agreed to.

The Hon'ble MR. QUINTON also moved that the Bill as amended be passed.

The Motion was put and agreed to.

PANJÁB DISTRICT BOARDS BILL.

The Hon'ble MR. BARKLEY moved that the Report of the Select Committee on the Bill to make better provision for Local Self-government in the Panjáb be taken into consideration. He said:—

"My Lord, when I moved for leave to introduce this Bill, I explained that it had been framed to give effect to the proposals of the Local Government for the further extension of local self-government in the Panjáb, but that it did not apply to municipalities; and that, as it had been decided in correspondence between the Panjáb Government and the Government of India that it was desirable to consolidate the local cesses levied on land in each district with the local rate imposed under Act V of 1878, and to amend that Act in other respects, it was proposed to repeal that Act and to re-enact its provisions with the necessary amendments.

"The members of the Select Committee, to which the Bill was referred, have considered the Bill, with the suggestions for its improvement made by the Local Government, and by the various officers and local authorities who were consulted by that Government and they have been able to accept a considerable number of those suggestions. The Local Government has been communicated with in regard to all changes of any importance proposed to be made in the Bill as introduced, and, as the measure is one relating to local administration, great weight has always been given to its views in determining whether proposed alterations should be adopted or not. As the changes, other than amendments in matters of minor detail, which have been made are fully set forth in the report of the Select Committee, which briefly explains the reasons for each, I propose to confine my remarks to those which are of most importance.

"Taking, first, the provisions relating to taxation, the powers of imposing taxes other than the local rate conferred by section 30 are given, subject to the provisions of that and the following section, to all district boards, instead of to those only which are empowered to determine the incidence of the local rate, as these powers may sometimes be found useful in cases in which the Local Government may not wish to delegate the power of determining the incidence of the local rate to the district board. The proceeds of taxes so imposed will be credited in full to the district fund of the district, as the Local Government does not think it necessary to retain the provision, contained in the Bill as introduced, that the same proportion of these taxes as of the local rate should be carried to its own credit. In any case in which it may be found necessary to impose new taxes, the district in which they are levied will thus get the full benefit of them.

"Power has also been given to the Local Government to direct that any portion of the net proceeds of the local rate which may be levied within the limits of a municipality or military cantonment should be made available for the purposes of the municipality or cantonment. Under the law hitherto in force, the proceeds of the local rate and cesses on land levied within municipal or cantonment limits were applicable to the purposes of the district as a whole, and were expended under the orders of the district committee. There are only a few cases in which the local rate or cesses are levied in military cantonments; but in some districts a considerable portion of the local rate is paid for lands within municipal limits. As the financial position of particular districts and municipalities must be considered in determining whether any change should be made in the existing appropriation of the local rate paid for lands in such localities, it was found impossible to lay down any general rule on

the subject in the Bill, and the Local Government is therefore empowered to decide the question in each case.

"In other respects there is no material change in the part of the Bill which relates to taxation.

"Next, as regards the constitution of district and local boards the district boards to be established under the Act will take the place of the committees appointed under the Local Rates Acts previously in force. Unlike those committees, they will in all cases be corporations, with power to acquire and hold property, to contract, and to sue and be sued; but as in some districts it may not be at present possible to establish boards of this character, the Local Government is empowered by section 67 to except these from the provisions of this part of the Act, and section 68 provides for the constitution in these districts of a committee similar to those which now exist, unless where the Local Government for special reasons otherwise direct. This exception has been added to provide for cases like that of the Simla district, the most important part of which is comprised within the Simla municipality and the several hill cantonments, the remainder consisting only of the two small detached parganas of Kotgarh and Kotkhai, distant fifty miles or more from Simla. It has not been found convenient hitherto to maintain a district committee to control the expenditure of the insignificant local income of these two parganas.

"The district board will ordinarily have authority throughout the district for which it is established, with the exception only of the area of municipalities and military cantonments; but the Local Government may except portions of districts from this part of the Act. This power is required for hill tracts like portions of the Kangra and Hazara districts, and may also be required for parts of some of the Trans-Indus districts, whenever district boards are established in those districts.

"Some change has been made in the Bill with respect to the relation of the local boards which may be formed within districts to the district board. As there is no present intention to declare any such boards independent of the district board, the provisions originally contained in the Bill for the case of local boards declared independent of the district board have been dropped, and it is now provided that all local boards shall act as the agents of, and be under the control of, the district board. The Local Government, however, may direct particular matters to be placed under the management of the local board, and may also make rules as to the apportionment of the district fund between the general purposes of the district and the purposes of particular parts of the district, and for determining the relations between district boards and local boards. Sections 21 to 23 and 41 of the Bill also contemplate the appropriation of specific funds to the purposes of the local boards, and the nature of the control which may be exercised by district boards is regulated by sections 22, 23 and 41. It will not, therefore, be possible for the district board, if it were so disposed, to reduce the local boards subordinate to it to mere nonentities; and it will probably be found most convenient ordinarily to leave the administration of many matters in the hands of the local boards, which will be able to meet more frequently than the district board.

"Chairmen of district and local boards, whether elected or appointed by the Local Government, will be chosen from among the members of the board, and will hold office for such term, not exceeding three years, as the Local Government may fix. It has all along been intended that only members of boards should be eligible for election or appointment as chairmen, though this was not distinctly stated in the Bill as introduced.

"It has not been thought necessary to empower local boards to appoint joint committees in concurrence with other local boards or authorities, as the district board will discharge the functions of a joint committee for the local boards within the district, and can appoint a joint committee in concurrence with other local bodies when this is desirable. But cantonment authorities

have been added to the other local authorities who may concur in appointing joint committees, as this may sometimes be found useful in regard to matters in which district boards and residents in cantonments are jointly interested.

"As the district board is the corporate body, it has been empowered to employ such servants as are necessary for the purposes of the local boards subordinate to it, as well as such as are necessary for its own purposes. This will enable it to authorize a local board as its agent to employ necessary servants. The power given by the Bill as introduced to Deputy Commissioners to control appointments made by second class boards has been extended to all boards as recommended by the Local Government. As I mentioned on a recent occasion, the Delhi Municipal Committee, when consulted on the original draft of the Municipal Bill, thought it desirable that the Deputy Commissioner should have this power; and if it is exercised in such a way as to give dissatisfaction to the board, it will have an appeal to the Commissioner of the division.

"As respects finance, the effect of the provisions of sections 35 and 36, forming a district fund, and vesting that fund in the district board, and of the repeal of Act V of 1878 in districts in which the present measure is brought into force, will be to put an end to the power, which that Act gave to the Local Government, to withdraw from any district unexpended balances of the allotment made to it from the proceeds of the local rate. The district boards will, therefore, occupy a much more secure financial position than the committees whose place they will take. They have also been empowered to invest their funds in approved securities, subject to such rules as may be made by the Governor General in Council in that behalf, and to the previous sanction of the Local Government. This condition will be a check upon money being hoarded when it might be spent with more advantage in meeting the immediate requirements of the district.

"Additional powers to make rules have been given to the Local Government for the purpose of regulating the language of the boards, the channel through which correspondence should pass, and the preparation and sanction of plans and estimates for works, and for the guidance of district boards in conducting litigation.

"With reference to the last point, as district committees were not hitherto empowered to sue nor liable to be sued, all suits relating to matters under their control having to be brought by or against Government, it is probable that district boards will require some instructions as to the course to be adopted when suits are brought against them, or when they have occasion to institute suits; and it may be desirable that such cases should ordinarily be reported to the Local Government, in order that it may be in a position to give the boards any assistance or advice which may be required.

"The Bill originally contained a section, similar to that which is to be found in most Municipal Acts, requiring persons proposing to sue a district board, or any of its members or officers, for compensation for any wrongful act done or purporting to be done under the Act, to give written notice at least a month before instituting the suit. It will be remembered that, on the occasion of the passing of the North-Western Provinces and Oudh Municipalities Act, I doubted the expediency of omitting the provision of this nature which was contained in the Act previously in force, and that my hon'ble friend Mr. Ilbert explained why it had not been considered necessary to retain it, and expressed an opinion that, if such a provision is really required, it ought to be embodied in a general Act, granting the necessary protection to all persons acting under statutory or other similar authority. I understood him to think that the protection was not more likely to be wanted in India than in England, where it had been found possible to dispense with it, and the prospect of its being given by a general Act therefore seemed to me to be somewhat faint; but, from what afterwards passed in committee on the present Bill, I gathered that, if Local Governments showed cause for considering that local authorities required such protection as would be afforded by notice of suits, there would be

no objection to providing it. On this understanding I agreed to the omission of the section in question from the Bill; and I had the less difficulty in doing so, because it could not be said in this case, as in that of a Municipal Bill, that by the omission we were depriving the boards of a protection which their predecessors had enjoyed under the law hitherto in force. District boards are perhaps less likely to be frequently engaged in litigation than municipal committees; but if suits for compensation for alleged wrongs are brought against them, and it is found that inconvenience is caused by the want of sufficient notice before such suits are brought, steps will no doubt be taken to make this known to the Government of India, in order that the necessary legislation may be taken in hand.

"As the Bill does not now make the district boards a continuation of the committees previously in existence with larger powers than before, it has become necessary to make provision for their liability to discharge obligations incurred by those committees. We have therefore adopted the provisions of the Act recently passed for the North-Western Provinces and Oudh, saving contracts made on behalf of district committees, and providing for the continued employment of Government officers serving under them.

"Comparatively little use has been made in the Panjáb of the provisions of Act XX of 1856, for the appointment and maintenance of police-chaukídárs in towns, and most places in which it was in force, other than military cantonments, have been constituted into municipalities and now raise the necessary taxation by other methods. In any towns which have not become municipalities, a tax can be imposed for the purpose of paying for watchmen under the provisions of the Panjáb Laws Act, as amended in 1878 and 1881. The Local Government, under these circumstances, did not consider it necessary that Act XX of 1856 should continue to apply to such towns; and, as that Act contains no provision for withdrawing it from operation in any place to which it has been extended, we have provided in section 69 that, when a district board is established having authority in any place to which Act XX of 1856 applies, the Local Government may direct that that Act shall cease to be in force.

"The changes which have been made in the Bill have not altered what I pointed out in moving for leave to introduce it as one of its most marked features, namely, the extent to which it leaves details to be regulated by rules to be made by the Local Government. It was then explained that this was rendered necessary by the varying circumstances of different parts of the province, with regard to which the rules must be framed if much progress is to be effected.

"But wherever the provisions now to be found in the third chapter of the Bill can be made applicable, the district boards will enjoy a much greater measure of independence than the committees which have hitherto performed similar functions, and they will have a much more complete control over the administration of their funds. They will in most instances be relieved by local boards of such duties as can most suitably be discharged by smaller bodies, with local knowledge and with a real interest in local business; but these boards will be subordinate to the district board, and it will continue to manage all matters affecting the interests of the district as a whole. The constitution of these smaller bodies is a new step in the direction of local self-government, and it may fairly be hoped that the interest which has hitherto been taken by members of district committees in the departments of administration entrusted to them will be still more largely manifested by the members of the local boards now to be constituted, who will be thoroughly acquainted with the wants and interests of the smaller areas over which their authority will extend, and who will be put to less inconvenience in attending meetings than the members of a committee assembled from all parts of the district to meet at its head-quarters. The powers reserved to district officers by the Bill will enable them to give these boards the guidance, counsel and assistance which they must often require, and which could neither be so frequently nor so usefully supplied by the district board; and the relations which at present as a rule exist between the rural population and the district officer afford some guarantee that both dis-

trict and local boards will be ready to be guided by his advice, and that he will take a hearty interest in training them to make the best use of their powers, and in the success of their administration."

The Motion was put and agreed to.

The Hon'ble MR. BARKLEY said that he had now to ask His Excellency the President for leave to move two amendments of which he had not given notice. The amendments, he explained, were not of an important character.

His Excellency THE PRESIDENT said that he had been made acquainted with the nature of the two amendments which Mr. Barkley wished to propose, and the necessity for moving them now had arisen in consequence of thel ateness at which the Report of the Select Commitee was brought to the notice of the Lieutenant-Governor and himself. Under those circumstances, and as they did not involve any important points, he would give leave that the amendments be made.

The Hon'ble MR. BARKLEY said that the first amendment was as follows :—

That the proviso to the second sub-section of section 20 be omitted.

The matter which that amendment was intended to cover was already provided for by section 34 of the Bill, which required the Local Government, when services, the cost of which was hitherto borne by Government, were undertaken by a district board under section 20, to provide it with adequate funds for their maintenance in the same state of efficiency as before. That being so, it did not appear necessary to retain that proviso to section 20.

The Hon'ble MR. ILBERT remarked that the proviso was inserted for the purpose of making clear the mutual relations of section 20 and section 34 of the Bill; but as he understood that its retention in its present form might possibly lead to administrative difficulties and as the meaning of the Bill appeared to be reasonably clear without it, he would not offer any objection to its omission.

The amendment was put and agreed to.

The Hon'ble MR. BARKLEY also moved that to section 51 the following be added, namely :—

"but shall be immediately reported to the Governor General in Council and shall be subject to his orders."

He said that this course would no doubt always be adopted, but that it was better to provide for it in the Bill.

The Motion was put and agreed to.

The Hon'ble MR. BARKLEY moved that the Bill as amended be passed.

His Honour THE LIEUTENANT-GOVERNOR said :—" This Bill is a younger son in a tolerably large family, and, as is the fate of younger sons in thrifty households, it has been made to wear the clothes of its elder brothers. The fit is, no doubt, in some respects excellent. But I am not sure that the child would not have run about more freely and grown more robust in the loose homespun in which it was first clothed by its nurse than in the elaborate and tight-fitting garments in which it now appears. Although the Bill has been greatly altered in its transit through Committee, I desire to express my thanks to the Council for the great consideration that has been given to the representations which I have on several occasions found it my duty to make in respect to the various changes from time to time proposed, and for the concessions that have been made to me. Above all, I am grateful that the distinctive features of the Bill have not been interfered with. As described in the Panjáb Government letter of 24th April last, and by my hon'ble colleague Mr. Barkley, in his speech when introducing the Bill, this is an enabling rather than an enacting Bill. No doubt, this peculiarity of form makes large drafts upon the confidence of the Government of India, the legislature and the public. But in no other way can local self-government, in

my judgment, be successfully developed in the Panjáb. When municipal government was first attempted in this Province, almost everything was done by executive arrangement without any law at all. When the necessity for some law came to be felt, a mere skeleton Act was passed. It enacted little, but permitted much. A few years later the law was revised and somewhat elaborated, but still left elastic. Now, after twenty years' experience, it is found practicable to reduce to positive enactment not only the leading principles but many of the details of municipal government, and a Bill for the purpose is now before this Council.

"I should wish to proceed in a somewhat similar way in introducing local self-government in the districts—that is to say, progressively, but tentatively and cautiously. This is the explanation of the peculiar feature of the Bill. It is only in myth and fable that Athene springs at once full armed from the brain of Zeus. In nature and the work-a-day world, things proceed more slowly—first the blade, then the ear, then the full corn in the ear. The necessity for cautious advance and for diversity of arrangements to meet the varying requirements of different parts of the country has, notwithstanding all we have heard to the contrary, been from the first recognised and insisted upon both by the Supreme and Local Governments. In the Government of India resolution of 18th May, 1882, it was said that the Governor General in Council is quite aware of the absurdity of attempting to lay down any hard-and-fast rules which shall be of universal application in a country so vast, and in its local circumstances so varied, as British India. And in the Local Government resolution of 7th September, 1882, diversity of arrangement was strongly insisted on as presumptive proof that the varying requirements of localities have not been disregarded. The policy of Government is to be found less in the Bill than in the published resolutions. The Bill, and the rules of general or local application to be found under it and to be modified from time to time as circumstances require, are the steps by which effect is gradually to be given to that policy in its integrity. Uniformity is impossible, and an Act rigid in its provisions and applicable to the whole province is altogether out of the question at the present stage. In no other way than by leaving large discretion to the Local Government to vary its arrangements when necessary district by district, and from time to time, can local self-government be successfully attempted in this Province. In no other way can we avoid, in this country of deep-rooted prejudices and hoary traditions, the evils that inevitably result from laws too far in advance of the social condition of the people.

"The policy of local self-government has often been assailed on the ground that we ought not to legislate in advance of social opinion. That is a proposition to which I for one cannot agree. In the countries of Europe and America it may be true: society there has inherent elements of progress, and, as Sir Henry Maine has forcibly remarked in his Ancient Law, page 24, social necessities and social opinion are in progressive societies always more or less in advance of law. Here in India the case is reversed. Society is inherently unprogressive. It is firmly rivetted to ancient custom and inveterate prejudice. The only true progress it has made for centuries has been forced upon it from without. Had our legislature waited upon Indian opinion; the fires of the suttee would not yet have been extinct; the Ganges would still have claimed her woman victims; crimes would still have been defined and punishments awarded with reference to the caste and rank of the offender; property would still have been forfeited for religious opinion; we should have had no free Press, no railways, no telegraphs, no post-offices, no municipal government; and the country would be a century behind its present state of development.

"There is no more plausible fallacy than the proposition that in India legislation ought not to be in advance of the social state of the people. From the nature of the case it must always be in advance. The real question is one of degree. Legislation that is too progressive may be a greater calamity to a people than legislation that lags behind the popular demand. But it is our duty, in the position in which we are placed, so to adjust both our legislative and our administrative measures as to create a higher and a better social

opinion, and to give to the people gradually and progressively, as they are able to receive it, an increasing share in the benefits flowing from political principles which England has secured for herself by centuries of struggle and at the cost of much of her best and noblest blood. Thus only, in my humble opinion, can we be faithful to our trust in India and true to the great traditions we have inherited.

"As regards particular sections of the Bill, I need say very little. The Bill differs from the Central Provinces Act, the North-Western Provinces Act, and all other Bills that I have seen, in requiring the Local Government, when transferring to district boards any works or services paid for from provincial revenues, to provide the boards with sufficient funds for the maintenance of those works and services. This is in accordance with the principles laid down by the Government of India. But the Panjáb Bill is the only one that contains such a provision or affords such a security to the district boards.

"The Bill is also singular in its provisions regarding taxation. The scope and object of the taxation-sections were explained by Mr. Barkley when the Bill was introduced. But it will perhaps not be considered out of place if I advert to the subject again. I cannot make it plainer than by quoting the following passage from a note on the Bill which was forwarded to the Government of India with the Panjáb letter of 24th April last:—

'No system of local self-government will be complete which does not aim at the ultimate inclusion of all classes of the community within its scope. It has been matter of regret to Sir Charles Aitchison, in working out the scheme of local self-government, that a large section of the community will, for the present at all events, have no interest in the funds to be administered by rural boards, and will therefore be disqualified from representation at their sittings. The want which will be thus experienced will be partially met by a fuller development of the policy described in paragraph 21 of the Government of India Resolution of 18th May, 1882. Should it hereafter be possible to make over the administration of the license-tax to the local boards, the object will, in a large measure, be attained. But, apart from this possibility, the Lieutenant-Governor is very desirous of providing the machinery for interesting all classes of the people residing in the rural districts in the great work of self-administration; and it is necessary that all should bear their burden of taxation, if they are to have a substantial interest in the proceedings of the boards. Moreover, it is an admitted defect in our systems of taxation that they usually fail to reach the classes who benefit most by British rule. The Lieutenant-Governor thinks that the local knowledge of Native communities should be brought practically to bear upon the solution of this problem. There are places where the local rates under the present Act may be heavier than is required by local circumstances; there are unquestionably other parts of the Province where no permissible amount of local taxation upon the classes now subject to it can really meet local needs, whilst, in the same localities, some other classes, benefited by local fund expenditure, altogether escape local burdens. The people themselves should come forward to redress these inequalities which with the advance of progress will be felt more and more. Section 18 (now section 30) will enable the people to do this, if they should so desire. Its operation, taken with that of section 12 (now section 5), will by no means of necessity involve any increase of taxation. On the contrary, the total amount of local taxation in any given local area might be lowered; whilst at the same time the section might be used to redistribute the pressure of local imposts, to lessen the weight of taxation upon the labouring or cultivating classes who live by agriculture, and justly to lay an adequate amount of it upon the mercantile classes, who reap, with others, no small share of the benefits derived from local works and communications.'

"While therefore ample funds will be provided by the Provincial Government for all works and services paid from provincial finances which may be transferred to the control of district boards, taxation may be had recourse to either as a substitute for part of the local rate, so as thereby to reduce the taxation on the land or to provide additional funds wherewith to undertake new works and services or to extend and improve those already under their control. For such purposes provincial funds cannot be allotted to district boards. The boards must find their own funds either by husbanding their resources or by fresh taxation. The power of taxation, however, is sufficiently guarded by the provision of sections 30 to 32 of the Bill, and still more by the fact that all proposals for additional taxation must emanate from the boards themselves and not from the Government.

"In conclusion, I must once more express my cordial concurrence in the general policy to which this Bill is intended to give effect in the Panjáb. The

policy itself is not new; it is rather an advance on lines laid down long ago. But it is a development of an old policy conceived in a spirit of generous sympathy with the people, and wise anticipation of their wants and legitimate aspirations. It has my most hearty support, and no effort will be wanting on my part to make it successful in the province which it is my privilege and my pride to govern."

His Excellency THE PRESIDENT said:—" I cannot let this Bill pass without expressing the great satisfaction which I feel that a measure intended to enable my hon'ble friend opposite, the Lieutenant-Governor of the Panjáb, fully and completely to carry out his Resolution of the 7th September 1882, should at last have been brought to completion, and should be about to become law. This measure has been so framed as to give the fullest possible effect to the Resolution to which I have just alluded, and that Resolution was drawn up in complete accordance with the views of the Government of India as laid down in their Resolution of the 18th May 1882. The Lieutenant-Governor has, from the commencement, formed the most just estimate of the views and intentions of the Government of India as set forth in that Resolution, and under this Bill he will be enabled, according to his judgment of the requirements of the various localities under his Government, to give to the principles which that Resolution embodied such development as he thinks most suitable to the circumstances of each locality.

"It has been said in criticism of this Bill that it is, as my hon'ble friend has just explained, an enabling, rather than an enacting, measure. No doubt that is the case, but it was essential that that should be the character of legislation upon this subject, if one of the most fundamental principles of the Resolution of the 18th May was to be carried out, the principle, namely, that the system sketched out in that Resolution was to be applied in different degrees to the different provinces of India and to the different districts of each province.

"One of the points most clearly explained in that Resolution was the very obvious one that in a country so diversified as India it was essentially necessary to vary the arrangements for Local self-government according to the varying condition, not of each province, but almost of each district in each province; variety was contemplated by that Resolution, and I myself have always regarded it as an essential feature of the proposal of the Government. I have therefore been rather surprised that other Local Governments have not, as that of my hon'ble friend has done, reserved to themselves more complete powers of varying the modes of applying the system of local self-government, and that they have rather tied themselves down to a cut and dry system to be applied generally throughout the districts under their Government. It is however quite true that if there be any province which more than another requires the adoption of different arrangements in different districts, that province is the Panjáb. In the Panjáb we have every variety of social circumstances; every variety of development; great differences of race and of creed, from old settled districts like that of Delhi, to the border districts on the Afghan frontier, and to hill tracts, like those in which we are living at the present moment. It was, therefore, extremely natural that the Lieutenant-Governor should feel it necessary to take large powers in order to enable him to give adequate elasticity to the schemes to be adopted in different parts of the province under his rule. Undoubtedly a measure of this kind makes a large demand upon public confidence; and it will depend very largely upon my hon'ble friend to what extent he carries out the principles of local self-government in the Panjáb. The Bill enables him to apply the principles sketched out in the Resolution of the 18th May to the fullest extent, but it will not compel him to do so. He has given to the public in his Resolution of the 7th September 1882 the fullest assurance as to the mode in which he intends to exercise the powers conferred upon him, and I have the most complete and entire confidence that, when this Bill becomes law, he will, without delay, apply the principles laid down for his guidance by the Government of India in such degree, in such manner, and to such extent, as he may feel to be most suitable to the various parts of the territory under his administration.

"When the boards to be established under this Bill have once been set up, the measure contains all due provision that they shall not be arbitrarily or rashly abolished; that, once established, they shall not be overthrown except in rare cases in which adequate reasons may exist for the change; and I hold, therefore, that the public may regard with complete satisfaction the passing of this Bill as assuring to the Panjáb a wide development of the system of local self-government.

"As Sir Charles Aitchison has said, that system is not a new one; the Government of India of the present day lay no claim to having in this matter struck out a novel policy; all that they have done is that they have endeavoured to make a large step in the direction of extending and developing the work which their predecessors commenced; and I am quite sure that that extension and development will nowhere be more thoroughly and fully carried into effect than in the Panjáb under the rule of my hon'ble friend.

"Sir Charles Aitchison has said something upon the taxing clauses in this Bill, and upon that subject I have one observation to make. The principle which the Government of India desire to see applied in respect to the matter of taxation is this: when any service is handed over to the new boards which are about to be established, there should be given to them at the same time an ample amount of funds out of existing taxation to enable them to maintain that service in its present state of efficiency. I should be exceedingly sorry if there should be any mistake on this subject, or if it should be supposed that the present extension of local self-government had been devised for the purpose of forcing additional taxation upon the people. That is not our intention; whatever duties the boards are required to undertake they will have funds given to them for the purpose of enabling them to discharge those duties upon the existing scale; if in future years they should desire to do more, of course they will provide for that at their own will under the taxing clauses of the Bill, but in regard to any services now provided for out of general or provincial funds which may be handed over to them means will be given to them at the same time for fulfilling those services without any increase of the total existing taxation.

"I have thought it desirable to make this point quite clear, because there has perhaps been some misapprehension upon it, and because the principle which I have just laid down is one to which the Government of India and the Secretary of State attach great importance.

"I have only in conclusion to congratulate my hon'ble friend the Lieutenant-Governor upon the passing of this Bill, and to express my entire confidence that he will work it in complete accordance with the spirit of his Resolution of the 7th September 1882."

The Motion was put and agreed to.

INDIAN PORTS ACT, 1875, AMENDMENT BILL.

The Hon'ble Mr. Ilbert introduced the Bill to amend the Indian Ports Act, 1875, and moved that it be referred to a Select Committee consisting of the Hon'ble Sir A. Colvin, the Hon'ble Mr. Reynolds and the Mover.

The Motion was put and agreed to.

The Hon'ble Mr. Ilbert also moved that the Bill and Statement of Objects and Reasons be published in the *Fort St. George Gazette*, the *Bombay Government Gazette*, the *Calcutta Gazette* and the *British Burma Gazette* in English and in such other languages as the Local Governments might think fit.

The Motion was put and agreed to.

MADRAS PARTITIONS DEEDS REGISTRATION BILL.

The Hon'ble Mr. Ilbert also moved for leave to introduce a Bill to give effect to certain unregistered instruments of partition relating to immoveable

property in the Madras Presidency, and to remove doubts as to the titles conferred thereby. He said :—

"This is a Bill which has been prepared in pursuance of the request of the Madras High Court, who apprehend that an extra-judicial opinion expressed by the Court a good many years ago on one of the former Registration Acts, may cause some difficulties in connection with the titles to land in that Presidency.

"The subject is a highly technical one, and, in order to explain it, I shall be compelled to refer very shortly to some of the provisions of these Acts.

"This is how the case stands.

"Section 17 of the Registration Act XX of 1866 relates to instruments of which the registration is compulsory, and section 18 to instruments of which the registration is optional.

"Clause (7) of the latter section includes 'Instruments of Partition' among other instruments. The High Court at Madras, shortly after the passing of the Act, recorded an extra-judicial opinion that partition-deeds relating to immoveable property were governed by section 18 of the Act, and that their registration was therefore optional. This opinion was promulgated and acted upon.

"The Act of 1866 was repealed by the Registration Act VIII of 1871, which, however, reproduced clause (7), section 18 of the former Act; but the Act of 1871 was in turn repealed by the Registration Act III of 1877. Section 18 of this Act revised the list of documents the registration of which was optional, and partition-deeds have been omitted from the list.

"The Madras High Court now say that, of late, grave doubts have been entertained as to the correctness of the opinion to which I have referred, and recommend that, in view of the serious consequences to persons who may have acted on the opinion of the Court, and of the dissensions which may be excited in families by the disturbance of such arrangements, resort should be had to legislation to quiet titles. They have sent up the draft of a Bill which will in their opinion effect the objects which they desire, and the Bill which I am now asking leave to introduce is framed in accordance with that draft."

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also introduced the Bill.

The Hon'ble MR. ILBERT also moved that the Bill and Statement of Objects and Reasons be published in the *Gazette of India*, and in the *Fort St. George Gazette* in English and in such other languages as the Local Government might think fit.

The Motion was put and agreed to.

SUNDRY BILLS.

The Hon'ble MR. ILBERT also moved that the Hon'ble Sir A. Colvin be added to the Select Committees on the following Bills :—

To amend the law relating to Court-fees.

To amend the law relating to certificates granted under Act XXVII of 1860 (*an Act for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*).

The Motion was put and agreed to.

The Council adjourned *sine die*.

D. FITZPATRICK,

Secretary to the Government of India,

Legislative Department.

SIMLA;
The 19th October, 1883.

Printed and Published for the GOVERNMENT OF INDIA *at the* GOVERNMENT CENTRAL BRANCH PRESS, *Simla.*

trict and local boards will be ready to be guided by his advice, and that he will take a hearty interest in training them to make the best use of their powers, and in the success of their administration."

The Motion was put and agreed to.

The Hon'ble MR. BARKLEY said that he had now to ask His Excellency the President for leave to move two amendments of which he had not given notice. The amendments, he explained, were not of an important character.

His Excellency THE PRESIDENT said that he had been made acquainted with the nature of the two amendments which Mr. Barkley wished to propose, and the necessity for moving them now had arisen in consequence of the lateness at which the Report of the Select Committee was brought to the notice of the Lieutenant-Governor and himself. Under those circumstances, and as they did not involve any important points, he would give leave that the amendments be made.

The Hon'ble MR. BARKLEY said that the first amendment was as follows:—

That the proviso to the second sub-section of section 20 be omitted.

The matter which that amendment was intended to cover was already provided for by section 34 of the Bill, which required the Local Government, when services, the cost of which was hitherto borne by Government, were undertaken by a district board under section 20, to provide it with adequate funds for their maintenance in the same state of efficiency as before. That being so, it did not appear necessary to retain that proviso to section 20.

The Hon'ble MR. ILBERT remarked that the proviso was inserted for the purpose of making clear the mutual relations of section 20 and section 34 of the Bill; but as he understood that its retention in its present form might possibly lead to administrative difficulties and as the meaning of the Bill appeared to be reasonably clear without it, he would not offer any objection to its omission.

The amendment was put and agreed to.

The Hon'ble MR. BARKLEY also moved that to section 51 the following be added, namely:—

"but shall be immediately reported to the Governor General in Council and shall be subject to his orders."

He said that this course would no doubt always be adopted, but that it was better to provide for it in the Bill.

The Motion was put and agreed to.

The Hon'ble MR. BARKLEY moved that the Bill as amended be passed.

His Honour THE LIEUTENANT-GOVERNOR said:—"This Bill is a younger son in a tolerably large family, and, as is the fate of younger sons in thrifty households, it has been made to wear the clothes of its elder brothers. The fit is, no doubt, in some respects excellent. But I am not sure that the child would not have run about more freely and grown more robust in the loose homespun in which it was first clothed by its nurse than in the elaborate and tight-fitting garments in which it now appears. Although the Bill has been greatly altered in its transit through Committee, I desire to express my thanks to the Council for the great consideration that has been given to the representations which I have on several occasions found it my duty to make in respect to the various changes from time to time proposed, and for the concessions that have been made to me. Above all, I am grateful that the distinctive features of the Bill have not been interfered with. As described in the Panjáb Government letter of 24th April last, and by my hon'ble colleague Mr. Barkley in his speech when introducing the Bill, this is an enabling rather than an enacting Bill. No doubt, this peculiarity of form makes large drafts upon the confidence of the Government of India, the legislature and the public. But in

no other way can local self-government, in my judgment, be successfully developed in the Panjáb. When municipal government was first attempted in this Province, almost everything was done by executive arrangement without any law at all. When the necessity for some law came to be felt, a mere skeleton Act was passed. It enacted little, but permitted much. A few years later the law was revised and somewhat elaborated, but still left elastic. Now, after twenty years' experience, it is found practicable to reduce to positive enactment not only the leading principles but many of the details of municipal government, and a Bill for the purpose is now before this Council.

"I should wish to proceed in a somewhat similar way in introducing local self-government in the district—that is to say, progressively, but tentatively and cautiously. This is the explanation of the peculiar feature of the Bill. It is only in myth and fable that Athene springs at once full armed from the brain of Zeus. In nature and the work-a-day world, things proceed more slowly—first the blade, then the ear, then the full corn in the ear. The necessity for cautious advance and for diversity of arrangements to meet the varying requirements of different parts of the country has, notwithstanding all we have heard to the contrary, been from the first recognised and insisted upon both by the Supreme and Local Governments. In the Government of India resolution of 18th May, 1882, it was said that the Governor General in Council is quite aware of the absurdity of attempting to lay down any hard-and-fast rules which shall be of universal application in a country so vast, and in its local circumstances so varied, as British India. And in the Local Government resolution of 7th September, 1882, diversity of arrangement was strongly insisted on as presumptive proof that the varying requirements of localities have not been disregarded. The policy of Government is to be found less in the Bill than in the published resolutions. The Bill, and the rules of general or local application to be framed under it and to be modified from time to time as circumstances require, are the steps by which effect is gradually to be given to that policy in its integrity. Uniformity is impossible, and an Act rigid in its provisions and applicable to the whole province is altogether out of the question at the present stage. In no other way than by leaving large discretion to the Local Government to vary its arrangements when necessary district by district, and from time to time, can local self-government be successfully attempted in this Province. In no other way can we avoid, in this country of deep-rooted prejudices and hoary traditions, the evils that inevitably result from laws too far in advance of the social condition of the people.

"The policy of local self-government has often been assailed on the ground that we ought not to legislate in advance of social opinion. That is a proposition to which I for one cannot agree. In the countries of Europe and America it may be true: society there has inherent elements of progress, and, as Sir Henry Maine has forcibly remarked in his Ancient Law, page 24, social necessities and social opinion are in progressive societies always more or less in advance of law. Here in India the case is reversed. Society is inherently unprogressive. It is firmly rivetted to ancient custom and inveterate prejudice. The only true progress it has made for centuries has been forced upon it from without. Had our legislature waited upon Indian opinion, the fires of the suttee would not yet have been extinct; the Ganges would still have claimed her human victims; crimes would still have been defined and punishments awarded with reference to the caste and rank of the offender; property would still have been forfeited for religious opinion; we should have had no free Press, no railways, no telegraphs, no post-offices, no municipal government; and the country would be a century behind its present state of development.

"There is no more plausible fallacy than the proposition that in India legislation ought not to be in advance of the social state of the people. From the nature of the case it must always be in advance. The real question is one of degree. Legislation that is too progressive may be a greater calamity to a people than legislation that lags behind the popular demand. But it is our duty, in the position in which we are placed, so to adjust both our legislative and our administrative measures as to create a higher and a better social





The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 43.} SIMLA, SATURDAY, OCTOBER 27, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

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PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—EXAMINATIONS.

Simla, the 23rd October 1883.

No. 80.—The services of Lieutenant-Colonel A. C. Toker, Bengal Staff Corps, are replaced at the disposal of the Military Department, with effect from the forenoon of the 13th instant.

The 24th October 1883.

No. 84.—The following Regulations respecting the Examination of Candidates for the Civil Service of India, to be held in June 1884, are published for general information :—

EXAMINATIONS FOR THE CIVIL SERVICE OF INDIA.

Regulations for the Open Competition of June 1884.

N.B.—The Regulations are liable to be altered in future years.

1. On the 3rd June, 1884, and following days, an Examination, open to all qualified persons, will be held in London (*a*). Not fewer than persons will be selected, if so many shall be found duly qualified; viz., for the Lower Provinces of Bengal (including Assam); for the Upper Provinces of Bengal (including the Punjab and Oudh); for Burma; for Madras; and for Bombay (*b*).

2. No person will be deemed qualified who shall not satisfy the Civil Service Commissioners—

(i) That he is a natural-born subject of Her Majesty.

(*a*) An order for admission to the Examination will be sent to each Candidate on the 20th of May.
(*b*) The numbers will be announced hereafter.

(ii) That his age will be above seventeen years and under nineteen years on the 1st January, 1884. [*N.B.—In the case of Natives of India this must be certified by the Government of India, or of the Presidency or Province in which the Candidate may have resided.*]

(iii) That he has no disease, constitutional affection, or bodily infirmity unfitting him, or likely to unfit him, for the Civil Service of India.

(iv) That he is of good moral character.

3. Should the evidence upon the above points be *primâ facie* satisfactory to the Civil Service Commissioners, the Candidate, on payment of the prescribed fee (*c*), will be admitted to the Examination. The Commissioners may however, in their discretion, at any time prior to the grant of the Certificate of Qualification hereinafter referred to, institute such further inquiries as they may deem necessary; and if the result of such inquiries, in the case of any Candidate, should be unsatisfactory to them in any of the above respects, he will be ineligible for admission to the Civil Service of India; and if already selected will be removed from the position of a Probationer.

4. The Examination will take place only in the following branches of knowledge:—

		Marks.
	English Composition	300
(*d*)	History of England—including a period selected by the Candidate ...	300
(*d*)	English Literature—including books selected by the Candidate ...	300
	Greek	600
	Latin	800
	French	500
	German	500
	Italian	400
(*e*)	Mathematics (pure and mixed)	1,000
	Natural Science: that is, the Elements of any two of the following Sciences, *viz.*:— Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	
	Logic	300
	Elements of Political Economy	300
(*f*)	Sanskrit	500
(*f*)	Arabic	500

Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.

5. The merit of the persons examined will be estimated by marks; and the number set opposite to each branch in the preceding regulation denotes the greatest number of marks that can be obtained in respect of it.

6. The marks assigned to Candidates in each branch will be subject to such deduction as the Civil Service Commissioners may deem necessary (*g*), in order to secure that "a Candidate be allowed no credit at all for taking up a subject in which he is a mere smatterer."

7. The Examination will be conducted on paper and *vivâ voce*, as may be deemed necessary.

8. The marks obtained by each Candidate, in respect of each of the subjects in which he shall have been examined, will be added up, and the names of the several Candidates who shall have obtained, after the deduction above mentioned, a greater aggregate number of marks than any of the remaining Candidates, will be set forth in order of merit, and such Candidates shall be deemed to be Selected Candidates for the Civil Service of India, provided they appear to be in other respects duly qualified. Should any of the Selected Candidates become disqualified, the Secretary of State for India will determine whether the vacancy thus created shall be filled up or not. In

(*c*) The fee (£5) will be payable by means of a special stamp according to instructions which will be communicated to Candidates.

(*d*) A considerable portion of the marks for English History and Literature will be allotted to the work selected by the Candidate. (See notice on p. 4.) In awarding marks for this, regard will be had partly to the extent and importance of the periods or books selected, but chiefly to the thoroughness with which they have been studied.

(*e*) The examination will range from Arithmetic, Algebra, and Elementary Geometry up to the elements of the differential and integral calculus, including the lower portions of applied Mathematics.

(*f*) The standard of marking in Sanskrit and Arabic will be determined with reference to a high degree of proficiency, such as may be expected to be reached by a Native of good education.

(*g*) Marks assigned in English Composition and Mathematics will be subject to no deduction.

the former case, the Candidate next in order of merit, and in other respects duly qualified, shall be deemed to be a Selected Candidate. A Selected Candidate declining to accept the appointment which may be offered to him will be disqualified for any subsequent competition.

9. Selected Candidates, before proceeding to India, will be on probation for two years, during which time they will be examined periodically, with a view of testing their progress in the following subjects:—(h)

	Marks.
1. Law	1,250
2. Classical Languages of India—	
Sanskrit	500
Arabic	400
Persian	400
3. Vernacular Languages of India (each)	400
4. The History and Geography of India	350
5. Political Economy	350

In these Examinations, as in the Open Competition, the merit of the Candidates examined will be estimated by marks, and the number set opposite to each subject denotes the greatest number of marks that can be obtained in respect of it at any one Examination. The Examination will be conducted on paper and *vivâ voce,* as may be deemed necessary. The last of these Examinations will be held at the close of the second year of probation, and will be called the "Final Examination," at which it will be decided whether a Selected Candidate is qualified for the Civil Service of India. At this Examination Candidates will be permitted to take up any one of the following branches of Natural Science, *viz.,*—Botany, Geology, or Zoology, for which 350 marks will be allowed.

10. Candidates will be tested during their probation as to their ability to perform journeys on horseback; and no Candidate will be deemed qualified for the Civil Service of India who fails to satisfy the Civil Service Commissioners of his competence in this respect.

11. Any Candidate who, at any of the periodical Examinations, shall appear to have wilfully neglected his studies, or to be physically incapacitated for pursuing the prescribed course of training, will be liable to have his name removed from the list of Selected Candidates.

12. The Selected Candidates who, at the Final Examination, shall be found to have a competent knowledge of the Subjects specified in Regulation 9, and who shall have satisfied the Civil Service Commissioners of their eligibility in respect of nationality, age, health, character, and ability to ride, shall be certified by the said Commissioners to be entitled to be appointed to the Civil Service of India, provided they shall comply with the regulations in force, at the time, for that Service.

13. Persons desirous to be admitted as Candidates must apply on forms, which may be obtained from "The Secretary, Civil Service Commission, London, S. W." at any time after the 1st December, 1883. The forms must be returned so as to be received at the office of the Civil Service Commissioners on or before 31st March, 1884 (i).

The Civil Service Commissioners are authorized by the Secretary of State for India in Council to make the following announcements:—

(1) *Selected Candidates will be permitted to choose, according to the order in which they stand in the list resulting from the Open Competition, so long as a choice remains, the Presidency (and in Bengal the Division of the Presidency) to which they shall be appointed; but this choice will be subject to a different arrangement, should the Secretary of State, or the Government of India, deem it necessary* (k).

(2) *The Probationers, having passed the necessary Examinations, will be required to report their arrival in India within such period after the grant of their Certificate of Qualification as the Secretary of State may in each case direct.*

(3) *The seniority in the Civil Service of India of the Selected Candidates shall be determined according to the order in which they stand on the list resulting from the Final Examination.*

(h) Full instructions as to the course of study to be pursued will be issued to the successful Candidates as soon as possible after the result of the Open Competition is declared.

(i) These forms should be accompanied by evidence on the points mentioned in Regulation 2, and by a list of the subjects in which the Candidate desires to be examined. Evidence of health and character must bear date not earlier than 1st March, 1884. Applications for leave to alter or add to the list of Subjects named will not be entertained unless received on or before the 5th of May.

(k) This choice must be exercised immediately after the result of the Open Competition is announced, on such day as may be fixed by the Civil Service Commissioners.

(4) *An allowance amounting to £300 will be given to all candidates who pass their probation at one of the Universities or Colleges which have been approved by the Secretary of State, viz., the Universities of Oxford, Cambridge, Glasgow, Edinburgh, St. Andrew's, and Aberdeen; Trinity College, Dublin; University College, London; and King's College, London; provided such Candidates shall have passed the required Examinations to the satisfaction of the Civil Service Commissioners, and shall have complied with such rules as may be laid down for the guidance of Selected Candidates.*

(5) *All Selected Candidates will be required, after having passed the first periodical Examination, and before receiving the first instalment of their allowance, to attend at the India Office for the purpose of entering into an agreement binding themselves, amongst other things, to refund in certain cases the amount of their allowance in the event of their failing to proceed to India. A surety will be required.*

(6) *After passing the Final Examination, each Candidate will be required to attend again at the India Office, with the view of entering into covenants, by which, amongst other things, they will bind themselves to agree to such Regulations for the provision of pensions for their families as may be approved by the Secretary of State for India in Council. The stamps payable on these covenants amount to £1.*

(7) *Candidates rejected at the Final Examination of 1886 will in no case be allowed to present themselves for re-examination.*

Notice respecting the Examination in the History of England, and English Literature.

History of England.

For the guidance of Candidates who may have a difficulty in making their selections for special study under this head, the following list is given as indicating the character and amount of reading that would be regarded as satisfactory.

Any one of the following periods, to be studied generally in "Bright's History," and particularly in portions, selected by the Candidate, of the Text books named:—

1. **Henry II. to Edward III., A.D. 1154-1377.**—Stubbs' Select Charters; Stubbs' Constitutional History of England.

2. **The Tudors, A. D. 1485-1603.**—Hallam's Constitutional History of England; Froude's History of England.

3. **The Stuarts, A.D. 1603-1714.**—Hallam's Constitutional History of England; Macaulay's History of England.

4. **A.D. 1714-1805.**—Lord Stanhope's History; Sir T. E. May's Constitutional History; *either* Massey's Reign of George III. *or* Lord Stanhope's Life of Pitt.

English Literature.

Under this head there will be (besides the general paper) a special paper on the following books:—

1. **Spenser.**—Faery Queen, Books I. and II.
2. **Shakespeare.**—King John, As You Like It.
3. **Bacon.**—Essays, I. to XXX. inclusive.
4. **Goldsmith.**—Poems.
5. **Macaulay.**—Biography of Goldsmith. Essays on Clive and on Boswell's Johnson.

The oral examination in English Literature will have reference chiefly to such works, *not included in the foregoing list*, as the Candidate may offer for the purpose.

EVIDENCE OF AGE TO BE REQUIRED FROM CANDIDATES FOR THE CIVIL SERVICE OF INDIA.

I.—Every candidate born in England or Wales should produce a certificate from the Registrar-General of Births, Marriages, and Deaths, or from one of his provincial Officers. This certificate may be obtained at Somerset House, or from the Superintendent Registrar of the District in which the birth took place.

II.—A candidate who is a native of India must have his age certified by the Government of India, or of the presidency or province in which he may have resided.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 27, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 11th October, 1883, and is hereby promulgated for general information :—

ACT No. XVIII OF 1883.

An Act to amend the Cattle-trespass Act, 1871.

WHEREAS it is expedient to amend the Cattle-trespass Act, 1871; It is hereby enacted as follows :— (I of 1871.)

Power for Local Government to transfer functions of District Magistrate or Local Government to local authority and direct that surplus receipts be credited to local fund.

1. The Local Government may, from time to time, by order notified in the local official Gazette—

(*a*) transfer to any local authority, within any part of the territories under its administration in which the Cattle-trespass Act, 1871, (I of 1871.) is in operation, all or any of the functions of the Local Government or the Magistrate of the district under that Act, within the local area subject to the jurisdiction of the local authority ; or

(*b*) direct that the whole or any part of the surplus accruing in any district under section eighteen of that Act shall be placed to the credit of such local fund or funds as may be formed for any local area or local areas comprised in that district;

and may, from time to time, in like manner, cancel any order made under this section.

Definitions.

2. In this Act—

"local authority" means any body of persons for the time being invested by law with the control and administration of any matters within a specified local area; and

"local fund" means any fund under the control or management of a local authority.

D. FITZPATRICK,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 12th October, 1883, and is hereby promulgated for general information:—

ACT NO. XIX OF 1883.

An Act to consolidate and amend the law relating to loans of money by the Government for agricultural improvements.

WHEREAS it is expedient to consolidate and amend the law relating to loans of money by the Government for agricultural improvements; It is hereby enacted as follows:—

Short title.

1. *(1)* This Act may be called the Land Improvement Loans Act, 1883.

Local extent. Commencement.

(2) It extends to the whole of British India, but shall not come into force in any part of British India until such date as the Local Government, with the previous sanction of the Governor General in Council, may, by notification in the local official Gazette, appoint in this behalf.

Acts XXVI of 1871 and XXI of 1876 repealed.

XXVI of 1871.

2. *(1)* The Land Improvement Act, 1871, and Act XXI of 1876 *(an Act to amend the Land Improvement Act, 1871,)* shall, except as regards the recovery of advances made before this Act comes into force and costs incurred by the Government in respect of such advances, be repealed.

(2) When in any Act, Regulation or notification, passed or issued before this Act comes into force, reference is made to either of those Acts, the reference shall, so far as may be practicable, be read as applying to this Act or the corresponding part of this Act.

"Collector" defined.

3. In this Act, "Collector" means the Collector of land-revenue of a district, or the Deputy Commissioner, or any officer empowered by the Local Government by name or by virtue of his office to discharge the functions of a Collector under this Act.

Purposes for which loans may be granted under this Act.

4. *(1)* Subject to such rules as may be made under section ten, loans may be granted under this Act, by such officer as may, from time to time, be empowered in this behalf by the Local Government, for the purpose of making any improvement, to any person having a right to make that improvement, or, with the consent of that person, to any other person.

(2) "Improvement" means any work which adds to the letting value of land, and includes the following, namely:—

(a) the construction of wells, tanks and other works for the storage, supply or distribution of water for the purposes of agriculture, or for the use of men and cattle employed in agriculture;

(b) the preparation of land for irrigation;

(c) the drainage, reclamation from rivers or other waters, or protection from floods or from erosion or other damage by water, of land used for agricultural purposes or waste-land which is culturable;

(d) the reclamation, clearance, enclosure or permanent improvement of land for agricultural purposes;

(e) the renewal or reconstruction of any of the foregoing works, or alterations therein or additions thereto, and

(f) such other works as the Local Government, with the previous sanction of the Governor General in Council, may, from time to time, by notification in the local official Gazette, declare to be improvements for the purposes of this Act.

Mode of dealing with applications for loans.

5. *(1)* When an application for a loan is made under this Act, the officer to whom the application is made may, if it is, in his opinion, expedient that public notice be given of the application, publish a notice, in such manner as the Local Government may, from time to time, direct, calling upon all persons objecting to the loan to appear before him at a time and place fixed therein and submit their objections.

(2) The officer shall consider every objection submitted under sub-section *(1)*, and make an order in writing either admitting or overruling it:

Provided that, when the question raised by an objection is, in the opinion of the officer, one of such a nature that it cannot be satisfactorily decided except by a Civil Court, he shall postpone his proceedings on the application until the question has been so decided.

Period for repayment of loans.

6. *(1)* Every loan granted under this Act shall be made repayable by instalments (in the form of an annuity or otherwise), within such period from the date of the actual advance of the loan, or, when the loan is advanced in instalments, from the

date of the actual advance of the last instalment, as may, from time to time, be fixed by the rules made under this Act.

(2) The period fixed as aforesaid shall not ordinarily exceed thirty-five years.

(3) The Local Government and Governor General in Council, in making and sanctioning the rules fixing the period, shall, in considering whether the period should extend to thirty-five years or whether it should extend beyond thirty-five years, have regard to the durability of the work for the purpose of which the loan is granted, and to the expediency of the cost of the work being paid by the generation of persons who will immediately benefit by the work.

Recovery of loans.

7. (1) Subject to such rules as may be made under section ten, all loans granted under this Act, all interest (if any) chargeable thereon, and costs (if any) incurred in making the same, shall, when they become due, be recoverable by the Collector in all or any of the following modes, namely:—

(a) from the borrower—as if they were arrears of land-revenue due by him;

(b) from his surety (if any)—as if they were arrears of land-revenue due by him;

(c) out of the land for the benefit of which the loan has been granted—as if they were arrears of land-revenue due in respect of that land;

(d) out of the property comprised in the collateral security (if any)—according to the procedure for the realization of land-revenue by the sale of immoveable property other than the land on which that revenue is due:

Provided that no proceeding in respect of any land under clause (c) shall affect any interest in that land which existed before the date of the order granting the loan, other than the interest of the borrower, and of mortgagees of, or persons having charges on, that interest, and, where the loan is granted under section four with the consent of another person, the interest of that person, and of mortgagees of, or persons having charges on, that interest.

(2) When any sum due on account of any such loan, interest or costs is paid to the Collector by a surety or an owner of property comprised in any collateral security, or is recovered under sub-section (1) by the Collector from a surety or out of any such property, the Collector shall, on the application of the surety or the owner of that property (as the case may be), recover that sum on his behalf from the borrower, or out of the land for the benefit of which the loan has been granted, in manner provided by sub-section (1).

(3) It shall be in the discretion of a Collector acting under this section to determine the order in which he will resort to the various modes of recovery permitted by it.

Order granting loan conclusive on certain points.

8. A written order under the hand of an officer empowered to make loans under this Act granting a loan to, or with the consent of, a person mentioned therein, for the purpose of carrying out a work described therein, for the benefit of land specified therein, shall, for the purposes of this Act, be conclusive evidence—

(a) that the work described is an improvement within the meaning of this Act;

(b) that the person mentioned had at the date of the order a right to make such an improvement; and

(c) that the improvement is one benefiting the land specified.

Liability of joint borrowers as among themselves.

9. When a loan is made under this Act to the members of a village-community or to any other persons on such terms that all of them are jointly and severally bound to the Government for the payment of the whole amount payable in respect thereof, and a statement showing the portion of that amount which as among themselves each is bound to contribute is entered upon the order granting the loan and is signed by each of them and by the officer making the order, that statement shall be conclusive evidence of the portion of that amount which as among themselves each of those persons is bound to contribute.

Power to make rules.

10. The Local Government, with the previous sanction of the Governor General in Council, may, from time to time, by notification in the local official Gazette, make rules consistent with this Act to provide for the following matters, namely:—

(a) the manner of making applications for loans;

(b) the officers by whom loans may be granted;

(c) the manner of conducting inquiries relative to applications for loans, and the powers to be exercised by officers conducting those inquiries;

(d) the nature of the security to be taken for the due application and repayment of the money, the rate of interest at which, and the conditions under which, loans may be granted, and the manner and time of granting loans;

(e) the inspection of works for which loans have been granted;

(f) the instalments by which, and the mode in which, loans, the interest to be charged on them and the costs incurred in the making thereof, shall be paid;

(g) the manner of keeping and auditing the accounts of the expenditure of loans and of the payments made in respect of the same; and

(h) all other matters pertaining to the working of the Act.

Exemption of improvements from assessment to land-revenue.

11. When land is improved with the aid of a loan granted under this Act, the increase in value derived from the improvement shall not be taken into account in revising the assessment of land-revenue on the land:

Provided as follows:—

(1) Where the improvement consists of the reclamation of waste-land, or of the irrigation of land assessed at unirrigated rates, the increase may be so taken into account after the expiration of such period as may be fixed by rules to be framed

by the Local Government with the approval of the Governor General in Council.

(2) Nothing in this section shall entitle any person to call in question any assessment of land-revenue otherwise than as it might have been called in question if this Act had not been passed.

III of 1877. Act III of 1877 amended.

12. (1) In the Indian Registration Act, 1877, section 17, clause (l), for the word "certificates" the words "orders granting loans" shall be substituted.

(2) In the same Act, section 58, for the words "a certificate" the words "an order" shall be substituted.

(3) In the same Act, section 89, first clause,—

(a) for the words "a certificate" the words "a loan," and

(b) for the words "such certificate" the words "his order,"

shall be substituted.

D. FITZPATRICK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 12th October, 1883, and is hereby promulgated for general information :—

ACT No. XX OF 1883.

THE PANJÁB DISTRICT BOARDS ACT, 1883.

CONTENTS.

CHAPTER I.

PRELIMINARY.

An act to make better provision for Local Self-government in the Districts of the Panjáb.

WHEREAS it is expedient to amend the law in force in the territories administered by the Lieutenant-Governor of the Panjáb for the levy and expenditure of rates on land; and

Whereas it is also expedient to provide for the constitution of district boards and local boards in those territories, and to define and regulate the powers to be exercised by those boards;

It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title.

1. *(1)* This Act may be called the Panjáb District Boards Act, 1883.

Extent.

(2) It shall extend only to the territories for the time being administered by the Lieutenant-Governor of the Panjáb; and

Commencement.

(3) It shall come into force in each district on such date as the Local Government, by notification, directs.

Repeal of Act V of 1878.

2. From the date on which this Act comes into force in any district, the Panjáb Local Rates Act, 1878, shall be repealed throughout that district. But all rates imposed, sums credited to the Local Government, and notifications published under that Act, shall, so far as may be, be deemed to have been respectively imposed, credited and published under this Act.

V of 1878

Definitions.

3. In this Act, unless there is something repugnant in the subject or context,—

(1) "Land" means land assessed to the land-revenue, and includes land whereof the land-revenue has been wholly, or in part, released, compounded for, redeemed or assigned.

(2) "Land-revenue" includes trini or grazing-dues levied for grazing on Government lands under section 48 of the Panjáb Laws Act, 1872.

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(3) "Landholder" means any person responsible for the payment of the land-revenue, if any, assessed on land. It also includes the proprietor of land the land-revenue of which has been wholly, or in part, released, compounded for, redeemed or assigned.

(4) "Annual value" means—

(*a*) double the land-revenue for the time being assessed on any land, whether the assessment is leviable or not; or

(*b*) where the land-revenue has been permanently assessed, or has been wholly or in part compounded for or redeemed, double the amount which, but for such permanent assessment, composition or redemption, would have been leviable; or

(*c*) where no land-revenue has been assessed, double the amount which would have been assessed if the average village-rate had been applied:

Provided that, in any tract in which, under the settlement for the time being in force, the improvement of the land due to canal irrigation has been excluded from account in assessing the land-revenue, and a rate has been imposed in respect of such improvement, that rate shall be added to the land-revenue for the purpose of computing the annual value.

(5) "Financial year" means the year commencing on the first day of April.

(6) "Prescribed day" means such day as the Local Government may, from time to time, prescribe.

(7) "Notification" means a notification published in the official Gazette.

Punjab District Boards Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 4-11.)

(8) "Notified" means notified in the official Gazette.

(9) "Deputy Commissioner" means the Deputy Commissioner of a district, and includes any officer specially appointed by the Local Government to perform the functions of a Deputy Commissioner under this Act.

Powers exercisable from time to time.

4. All powers conferred by this Act may be exercised from time to time as occasion requires.

CHAPTER II.

OF THE LOCAL RATE ON LAND.

The local rate.

5. *(1)* All land shall be subject to the payment of a rate, to be called the local rate, not exceeding one anna for every rupee of its annual value.

(2) The proportion which the local rate shall bear to the annual value of land shall, except as provided in sub-section (3), be fixed for each district by the Local Government by notification.

(3) The Local Government may, by notification, delegate to the district board, subject to such restrictions or conditions as it thinks fit, its powers under sub-section (2), and may, by notification, cancel or vary any such notification.

Road, school and post cesses to merge in the rate.

6. From such date as may be notified in respect of each district by the Local Government, all authorized rates and cesses for the maintenance of roads, schools and the district-post shall merge in and become part of the local rate, and no rate or cess other than the local rate shall be thereafter leviable for those purposes.

Liability for local rate.

7. The landholder shall be liable for the local rate subject to the following provisoes, namely:—

(1) where the landholder pays the land-revenue in kind to any assignee of revenue or any village-headman, the assignee of revenue or village-headman shall be liable for the payment of the local rate instead of the landholder, and no demand shall be made by any such assignee or village-headman on the landholder in respect of the payment of the rate; and

(2) where the Government has, under any lease current at the time when this Act comes into force, paid the local rate on trini, it shall continue to pay the rate during the currency of the lease.

Power to recover a share of the rate from occupancy-tenant.

8. When a local rate is payable by a landholder in respect of lands held by a tenant with a right of occupancy holding at a favourable rent, the landholder may realize from the tenant a share of the rate, bearing the same proportion to the whole rate as the excess of the annual value over the rent paid by the tenant bears to half the annual value.

Appropriation of proceeds of local rate.

9. Four-fifths of the net proceeds of the local rate levied in each district, after deducting the expenses of collection, shall, except as provided in section 68, be allotted to the district board established for that district under this Act.

The remaining one fifth shall be carried to the credit of the Local Government, and may—

(*a*) be allotted by that Government to any district board established under this Act; or

(*b*) be applied by that Government to provide in the territories to which this Act extends, or any part thereof, for any of the matters on which district boards may expend the funds at their disposal under this Act:

Provided that the Local Government may direct that the whole or any portion of the net proceeds of the local rate levied within the limits of any municipality or military cantonment, after deducting the expenses of collection, shall be carried to the credit of the municipal fund, or made available for the purpose of public improvement in the cantonment or for carrying out therein any rules made under section 25 of the Cantonments Act, 1880, as the case may be.

III of 1880.

CHAPTER III.

OF DISTRICT AND LOCAL BOARDS.

A.—Constitution of District and Local Boards.

Establishment of district and local boards.

10. *(1)* The Local Government shall, by notification, establish a district board for each district.

(2) The Local Government may, by notification, establish a local board or local boards within the limits of any district, and may cancel or vary any such notification.

(3) A district board shall have authority throughout the district for which it is established, and a local board shall have authority throughout such portion of the district in which it is established, as the Local Government may, by notification, direct:

Provided that a board shall not have authority over any portion of a district which is for the time being included in a military cantonment or a municipality.

Number and appointment or election of members.

11. (*1*) A district board or local board shall consist of such number of members, not less than six, as the Local Government may fix in this behalf.

(2) The members may be appointed by the Local Government either by name or by official designation, or may be elected in accordance with rules made by the Local Government under this Act, or some may be appointed and some elected, as the Local Government directs:

Provided that—

(*a*) when the Local Government has directed that all or any proportion of the members shall be elected, it shall not thereafter direct that they shall be appointed, unless a majority of the electors declare that they so desire, or the Governor General in Council, for some reason affecting the public interests, sanctions the direction;

(*b*) except with the approval of the Governor General in Council, or unless salaried officers of the Government are elected, not less than two-thirds of the members of every board shall be persons other than salaried officers of the Government; and

(*c*) not less than one-half of the members of the board shall be landholders in the district.

Panjáb District Boards Act, 1883.
(Chapter III.—Of District and Local Boards—Sections 12-20.)

(3) When, under a direction issued under sub-section (2), any places on a board are required to be filled by election, and a sufficient number of members is not elected, the Local Government may fill those places by appointment.

Term of office of members.

12. *(1)* A member of a district board or local board, when appointed by virtue of an office, shall, unless and until the Local Government otherwise directs, continue to be a member of the board while he continues to hold that office.

(2) The term of office of all other elected and appointed members respectively of a district board or local board shall be fixed by the Local Government by rules made under this Act, and may be so fixed as to provide for the retirement of members by rotation, but shall not exceed three years.

(3) An outgoing member shall, if otherwise qualified, be again eligible for election or appointment.

Resignation of members.

13. A member of a local board or of a district board may resign by notifying in writing his intention to do so to the Local Government; and, on the acceptance by the Local Government of such resignation, the member shall be deemed to have vacated his office.

Powers of the Local Government as to removal of members.

14. The Local Government may remove any member of a district board or local board—

(a) if he refuses to act, or becomes incapable of acting, or is declared insolvent, or is convicted of any such offence, or subjected by a Criminal Court to any such order, as implies, in the opinion of the Local Government, a defect of character which unfits him to be a member;

(*b*) if he has been declared by notification to be disqualified for employment in the public service;

(*c*) if he, being a member of a local board, without an excuse sufficient in the opinion of the Local Government, neglects for more than three consecutive months to be present at the meetings of that board, or, being a member of the district board, without such sufficient excuse, neglects for more than six consecutive months to be present at the meetings of that board;

(*d*) if his continuance in office is, in the opinion of the Local Government, dangerous to the public peace or order; or,

(*e*) when he is a salaried officer of the Government, if his continuance in office is, in the opinion of the Local Government, unnecessary or undesirable.

Filling of casual vacancies

15. *(1)* When the place of an elected member of a local board or district board becomes vacant by the resignation or removal of the member or by his death, a new member shall be chosen in accordance with the rules made by the Local Government under this Act to fill the place:

Provided that the Local Government may direct in any such case that the vacancy shall be left unfilled.

(2) When the place of a member of a local board or district board appointed by name becomes vacant as aforesaid, the Local Government may, if it thinks fit, appoint a new member to fill the place.

(3) A person chosen or appointed under this section to fill a casual vacancy shall hold office until the person whose place he fills would regularly have gone out of office, and shall then go out of office, but shall be again eligible for election or appointment.

Incorporation of district boards.

16. Every district board shall be a body corporate by the name of the district board of its district, and shall have perpetual succession and a common seal, with power to acquire and hold property, both moveable and immoveable, and, subject to any rules made by the Local Government under this Act, to transfer any such property held by it, and to contract and do all other things necessary for the purposes of its constitution, and may sue and be sued in its corporate name.

Time for district and local boards coming into existence.

17. The several district boards and local boards constituted under this Act shall come into existence at such time as the Local Government may, by notification, fix in this behalf.

Chairman.

18. (*1*) A member of every district board or local board shall be elected or appointed to be chairman of the board, and shall hold office for such term, not exceeding three years, as the Local Government may, by a rule made under this Act, fix.

(2) The Local Government shall determine, as regards each board or as regards any class of boards, whether the chairman shall be a person appointed by virtue of his office or by name or be elected.

Vice-chairman.

19. (*1*) A district board or local board may elect one of its members to be vice-chairman.

(2) A vice-chairman so elected shall hold office for such term as the board may, by rule, fix.

B.—Duties of District and Local Boards.

Duties of district board.

20. (*1*) The following matters shall, subject to such exceptions and conditions as the Local Government may make and impose, be under the control and administration of each district board within the area subject to its authority:—

(*a*) the management of all property vested in the district board;

(*b*) the construction, repair and maintenance of public roads and other means of communication;

(*c*) the establishment, management, maintenance and visiting of public hospitals, dispensaries, saráis and schools, and the construction and repair of all buildings connected with these institutions;

(*d*) the training of teachers and the establishment of scholarships;

(*e*) the supply, storage and preservation from pollution of water for drinking, cooking and bathing purposes; and

(*f*) the planting and preservation of trees.

Panjáb District Boards Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 21-26.)

(2) The Local Government may direct that any of the following matters shall, subject to such exceptions and conditions as it may make and impose, be under the control and administration of a district board within the area subject to its authority:—

(g) the management of any property vested in Her Majesty;

(h) the establishment, maintenance, visiting and management of markets, rest-houses, encamping-grounds and other public institutions, and the construction and repair of all buildings connected with these institutions;

(i) the construction and repair of embankments, and the supply, storage and control of water for agricultural purposes;

(j) the preservation and reclamation of soil, and the drainage and reclamation of swamps;

(k) the construction, repair and maintenance of famine preventive works, and the establishment and maintenance of such relief-works, relief-houses and other measures in time of famine or scarcity as may be entrusted to the charge of the board by the Local Government;

(l) the registration of births, marriages and deaths;

(m) fairs and agricultural shows and industrial exhibitions;

(n) the establishment and management of pounds, including, where the Cattle-trespass Act, 1871, is in force, such functions of the Local Government and the Magistrate of the district under that Act as may be transferred to the board by the Local Government;

of 1871.

(o) the management of such public ferries as may be entrusted to the charge of the board under section 7 A of the Northern India Ferries Act, 1878, as amended by this Act;

XVII of 1878.

(p) any other local works or measures likely to promote the health, comfort, convenience and interests of the public or the agricultural or industrial prosperity of the country; and

(q) any other matters which the Local Government may declare to be fit and proper matters to be taken under the control and administration of the board.

(3) The Local Government may cancel or modify any direction given by it under sub-section (2).

(4) A district board shall, so far as the funds at its disposal permit, make due provision for all matters placed under its control or administration by or under this section.

Duties of local board.

21. *(1)* The Local Government, or, subject to the control of the Local Government, a district board, may direct that, within the area subject to the authority of a local board, any matter placed under the control and administration of the district board by or under section 20 shall be transferred to the control and administration of the local board.

(2) A local board, as the agent of, and subject to the control of, the district board, shall, so far as the funds at its disposal permit, make due provision for all matters transferred to its control and administration under sub-section (1).

(3) It shall be the duty of the district board to enforce the responsibility imposed on a local board by sub-section (2).

Limits on expenditure of local board.

22. Except as otherwise provided by this Act, a local board shall not incur expenses or undertake liabilities to any amount exceeding the limit imposed by the district board of its district.

Power for district board to provide for performance of duty in default of local board.

23. *(1)* If a local board makes default in the performance of any duty imposed on it by or under this Act, the district board may, by order in writing, fix a period for the performance of the duty.

(2) If the duty is not performed within that period, the district board may appoint some person to perform it, and may provide for the expenses of, and incidental to, its performance out of the funds appropriated to or for the purposes of the local board.

C.—Joint Committees.

Joint committees.

24. A district board may concur with any other district board, or with any municipal committee or with any cantonment authority, or with more than one such board, committee or authority, in appointing, out of their respective bodies, a joint committee for any purpose in which they are jointly interested, and for delegating to any such joint committee any power which might be exercised by either or any of the boards, committees or authorities concerned, and in framing or modifying regulations as to the proceedings of any such joint committee, and as to the conduct of correspondence relating to the purpose for which the joint committee is appointed.

D.—Conduct of Business.

Record and publication of proceedings.

25. *(1)* Minutes of the proceedings at each meeting of a district or local board shall be drawn up and recorded in a book to be kept for the purpose, and shall be signed by the chairman of the meeting or of the next ensuing meeting, and shall be published in such manner as the Local Government may, from time to time, direct, and shall, at all reasonable times and without charge, be open to the inspection of any inhabitant of the district who pays any rate or tax under this Act.

(2) A copy of every resolution passed by a local board at a meeting shall, within three days from the date of the meeting, be forwarded to the district board and to the Deputy Commissioner.

(3) A copy of every resolution passed by a district board at a meeting shall, within three days from the date of the meeting, be forwarded to the Deputy Commissioner.

Power to make rules as to business and affairs.

26. Every district board, and every local board with the sanction of the district board, may make rules as to—

(a) the time and place of its meetings and the manner in which notice of meetings shall be given;

(b) the conduct of proceedings at meetings and the adjournment of meetings;

(c) the custody of the common seal and the purposes for which it shall be used;

Panjab District Boards Act, 1883.
(Chapter III.—Of District and Local Boards—Sections 27-32.)

(*d*) the division of duties amongst its members;

(*e*) the powers to be exercised by sub-committees or members to whom particular duties have been assigned;

(*f*) the persons by whom receipts shall be granted for money received under this Act;

(*g*) the duties, appointment, leave, suspension and removal of the officers and servants of the board;

(*h*) the term for which the vice-chairman shall hold office, and

(*i*) other similar matters:

Provided that every rule made under this section must be consistent with this Act and with any rules made by the Local Government under this Act, and shall be published in such manner as the Local Government may direct.

E.—Officers and Servants.

27. *(1)* Subject to the provisions of this Act and to any rules which may be made under this Act in this behalf, every district board may employ and pay such officers and servants as may be necessary and proper for the efficient execution of its duties and of the duties of the local boards acting under it:

Employment of officers and servants.

Provided that if, at any time, in the opinion of the Deputy Commissioner,—

(*a*) the number of persons employed by a board under this section, or the remuneration assigned by the board to those persons, or to any of them, is excessive, or

(*b*) any such person is unfit for his employment,

the board shall, on the requirement of the Deputy Commissioner, reduce the number, or remuneration, of those persons, or, as the case may be, dismiss the unfit person.

(2) The board may appeal against any requirement under this section to the Commissioner of the division, whose decision shall be final.

28. In the case of a Government official, a district board may—

Pensions of Government officials serving boards.

(1) if his services are wholly lent to it, contribute to his pension or gratuity and leave-allowances in accordance with the rules of the Government Civil Pension and Leave Codes for the time being in force; and

(2) if he devotes only a part of his time to the performance of duties in behalf of the board, contribute to his pension or gratuity and leave-allowances in such proportion as may be determined by the Government.

29. In the case of an officer or servant, not being a Government official referred to in section 28, a district board may—

Pensions of servants of boards.

(1) grant him leave-allowances and, if he is employed under the district committee when this Act comes into force and not entitled to pension, or if his monthly pay is less than ten rupees, a gratuity; and

(2) if empowered in this behalf by the Local Government—

(*a*) subscribe in his behalf for pension or gratuity and leave-allowances under the rules of the Government Civil Pension and Leave Codes for the time being in force; or

(*b*) purchase for him from the Government or otherwise an annuity on his retirement:

Provided that no pension, gratuity, leave-allowance or annuity shall exceed the sum to which, under the Government Civil Pension and Leave Codes for the time being in force, the servant would be entitled if the service had been service under the Government.

F.—Taxation and Finance.

30. Subject to any general rules or special orders which the Governor General in Council may make in this behalf, a district board may impose, in manner prescribed by section 31, such taxes as may be approved by the Local Government:

Powers of taxation conferred on district boards.

Provided that no such tax shall be imposed in respect of any property subject to the local rate.

31. (*1*) A district board may resolve, at a meeting, convened and constituted in such manner as the Local Government may prescribe, to propose the imposition of any tax under section 30.

Procedure in imposing taxes.

(*2*) When a resolution has been passed under sub-section (*1*), the board shall publish a notice defining the class of persons or description of property proposed to be taxed, the amount or rate of the tax to be imposed and the system of assessment to be adopted.

(*3*) Any person likely to be directly affected by the proposed tax, and objecting to the same, may, within thirty days from the publication of the notice, send his objection in writing to the board; and the board shall, at a meeting convened and constituted as aforesaid, take his objection into consideration.

(*4*) If no objection is sent within the said period of thirty days, or if the objections received, having been considered as aforesaid, are deemed insufficient, the board may submit its proposals to the Local Government, with the objections (if any) which have been sent in and with its decision thereon.

(*5*) The Local Government, on receiving proposals under sub-section (*4*), may sanction the same, or refuse to sanction them, or return them to the board for further consideration.

(*6*) When the proposals of a district board in respect of a tax have been sanctioned by the Local Government, the board may, at a meeting convened and constituted as aforesaid, direct the imposition of the tax in accordance with those proposals:

Provided that, in giving such direction, the board shall fix a date not less than one month from the date of the meeting on which the tax shall come into force.

(*7*) Every direction under sub-section (*6*) shall be notified, and the notification shall be conclusive evidence that the tax has been imposed in accordance with law.

32. The Local Government may, by notification, and the district board may, with the sanction of the Local Government, by a resolution passed at a meeting

Reduction and abolition of tax.

Panjáb District Boards Act, 1883.
(Chapter III.—Of District and Local Boards—Sections 33-39.)

convened and constituted as the Local Government may prescribe, abolish or reduce any tax imposed under sections 30 and 31.

Levy of fees.

33. With the previous sanction of the Local Government, or of such officer as the Local Government may authorize in this behalf, a district board or local board may fix and levy school-fees and fees for the use of, or benefits derived from, any of the works specified in section 20, clauses (c), (e), (h), (i) and (j), and fees at fairs, agricultural shows and industrial exhibitions held under its authority.

Additional funds to be provided by the Government.

34. When the control and administration of any matter is by or under this Act transferred to a district board, and at the time of the transfer the cost of that control and administration is defrayed from provincial revenue, the Local Government shall, from time to time, allot to the district board such funds, or place at the disposal of the board such sources of income, as may, in the opinion of the Local Government and of the board, be sufficient for maintaining the control and administration of the said matter in the state of efficiency existing at the date of transfer.

District fund.

35. There shall be formed for each district a fund, to be called the district fund, and there shall be placed to the credit thereof—

(a) the balance (if any) of the allotments made for the district under section 7 of the Panjáb Local Rates Act, 1878, and of the road and school cesses, which may be available for expenditure in the district on the day on which the district board comes into existence;

(b) all proceeds of rates allotted to the district board under section 9;

(c) the proceeds of all taxes imposed in the district under sections 30 and 31;

(d) the amount of all fees levied by the district board or by local boards in the district under section 33;

(e) all funds allotted to the district board and the income arising from all sources of income placed at its disposal under section 34;

(f) all rents and profits accruing from property vested in the district board or managed by the district board or a local board in the district;

(g) all sums contributed to the fund by Government or by any committee, board or private person;

(h) all sums received by the district board or by a local board in the district in the discharge of functions exercised by it under this Act; and

(i) the proceeds of all sources of income which the Local Government may order to be placed at the disposal of the district board:

Provided that the Local Government may revoke any order made under clause (i).

Vesting, custody and investment of district fund.

36. (1) The district fund shall be vested in the district board, and the balance standing at the credit of the fund shall be kept in the Government treasury or sub-treasury or in the bank to which the Government treasury business has been made over, unless the Local Government in any cases otherwise permits.

(2) Subject to such rules as the Governor General in Council may make in this behalf, the district board may, with the previous sanction of the Local Government, invest any portion of the district fund in securities of the Government of India or such other securities as the Governor General in Council may approve in this behalf, and vary such investments for others of the same nature, or dispose of them. The income resulting from the securities, and the proceeds of the sale of the same, shall be credited to the district fund.

Application of district fund.

37. (1) The district fund shall be charged with the payment of the expenses of the district-post, the payment of the expenses of pauper lunatics sent to public asylums from the area under the authority of the district board, the expenses incurred in auditing the accounts of the district boards and local boards, and such portion of the cost of the Provincial Departments for education, sanitation, vaccination, medical relief and public works as may be held by the Local Government to be equitably debitable to the district board in return for services rendered to the board by those Departments.

(2) Subject to the charges specified in sub-section (1), and to such rules as the Local Government may make with respect to the priority to be given to the several duties of the board or otherwise, the district fund shall be applicable to the payment, in whole or in part, of the charges and expenses incidental to the matters specified in sections 20, 27, 28 and 29, and to the provision of grants-in-aid to educational and medical institutions, within the area subject to the authority of the district board, and, with the sanction of the Commissioner, outside that area when such application of the fund is for the benefit of the inhabitants of that area.

Works or undertakings benefiting several districts.

38. In the case of works or undertakings which benefit more districts than one, when the district boards cannot agree, the Commissioner or Commissioners of the division or divisions, or, when the districts are in different divisions and the Commissioners cannot agree, the Local Government, may determine what proportion of the expenses of the work or undertaking shall be borne by each of the district funds of the districts benefited thereby; and such proportion shall be payable out of the several district funds accordingly.

Annual estimates of income and expenditure of district boards.

39. (1) Every district board shall appoint a finance committee consisting of not less than three of its members.

(2) Every district board shall, on or before a prescribed day in each year, hold a meeting at which the finance committee shall submit to the board an estimate of the income and expenditure of the board for the next financial year, in such form as the Local Government may, by a rule made under this Act, prescribe.

(3) The board shall consider the estimate, and may provisionally approve of it with or without modification.

(4) The board shall, on or before a prescribed day, cause copies of the estimate, as provisionally

Panjáb District Boards Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 40-45.)

approved by it, to be sent to the Deputy Commissioner.

(5) The Deputy Commissioner shall, on or before a prescribed day, signify in writing to the board his approval or disapproval of the estimate. When he disapproves of the estimate, he shall state the nature of his objection. The board shall then consider the matter, and either modify the estimate, so as to remove the objection, or refer it through the Deputy Commissioner to the Commissioner of the division. If the Commissioner concurs in the objection, he shall make such modification in the estimate as may, in his judgment, be necessary to remove the objection in whole or in part. If he does not concur in the objection, he shall pass the estimate, and his order shall be final and binding on the board.

(6) When the Deputy Commissioner has signified his approval of an estimate, or the board has modified an estimate so as to remove the Deputy Commissioner's objections, or when the Commissioner has passed orders as provided in sub-section (5), no expenditure which is not provided for in the estimate as approved or modified shall be incurred during the year to which the estimate relates without the previous sanction of the Deputy Commissioner.

(7) When the Deputy Commissioner is a member of the district board, the Commissioner and the Local Government shall take the place of the Deputy Commissioner and the Commissioner respectively for the purposes of this section.

Accounts of district boards.

40. Accounts of the receipts and expenditure of every district board shall be made up periodically to such days and in such form as the Local Government prescribes, and shall be examined and audited as soon as may be after they are so made up by such persons as the Local Government appoints in this behalf.

Estimates and accounts of local boards.

41. *(1)* Every local board shall submit annually to the district board of its district, on or before such date as the district board may appoint in this behalf, a statement of the requirements, and an estimate of the probable expenditure, of the local board for the coming financial year, and shall submit, as often as the district board may require, accounts of its receipts and expenditure.

(2) The district board shall signify in writing to the local board its approval or disapproval of an estimate submitted under this section, and powers similar to those conferred on the Deputy Commissioner and Commissioner by section 39, clauses (5) and (6), shall be exercised, in regard to the estimate, by the district board and the Deputy Commissioner, or (when the Deputy Commissioner is a member of the district board) the Commissioner, respectively:

Provided that, during the currency of any financial year, the Deputy Commissioner may sanction transfers of provision within the estimate finally approved, when inconvenience or undue delay would be caused by a previous reference to the district board.

(3) The district board shall make arrangements, subject to the approval of the Deputy Commissioner, for the examination and audit of accounts submitted to it under this section, and may arrange for the publication of such accounts.

Inspection of estimates and accounts.

42. Every district board shall cause a copy of every annual estimate provisionally or finally approved under section 39, and of every account made up under section 40, to be kept at its office; and any person paying rates or taxes under this Act may, at all reasonable times, inspect any such estimate or account without payment of any fee.

Publication of abstract of accounts.

43. A statement of the accounts of a district board for each financial year, showing the income of the district fund under each head of receipt, the charges for establishment, the works undertaken, the sums expended on each work, and the balance, if any, of the fund remaining unspent at the end of the year, shall be prepared by the board in such form as the Local Government prescribes; and an abstract of the same shall be published in the English and Vernacular official Gazettes, or in such other manner as the Local Government may direct.

G.—Control.

Control of Commissioner and Deputy Commissioner over boards and joint committees.

44. *(1)* The Commissioner of the division, or the Deputy Commissioner of the district when he is not a member of the district board, may—

(*a*) enter on and inspect, or cause to be entered on and inspected, any immoveable property within the limits of the division or district respectively occupied by any local board, district board or joint committee, or any work in progress within those limits under the direction of any such board or committee;

(*b*) by order in writing call for and inspect any document in the possession or under the control of any such board or committee having authority within those limits;

(*c*) by order in writing require any such board or committee to furnish such statements, accounts, reports and copies of documents relating to the proceedings or duties of the board or committee, as he may think fit to call for; and

(*d*) record in writing, for the consideration of any such board or committee, any observations he may think proper in regard to the proceedings or duties of the board or committee.

(2) If any difference of opinion arises between officers exercising the powers conferred by sub-section (1), it shall be referred—

(*a*) if it arises between two or more Deputy Commissioners in the same division, to the Commissioner; and

(*b*) if it arises between two or more Deputy Commissioners in different divisions or between two or more Commissioners, to the Local Government;

and the decision thereon of the Commissioner or of the Local Government, as the case may be, shall be final.

Power to suspend action.

45. The Commissioner of the division or the Deputy Commissioner of the district may, by order in writing, suspend, within the division or district respectively, the execution of any resolution or order of a district board or local board or joint committee, or prohibit the

Panjáb District Boards Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 46-54.)

doing of any act within the said limits which is about to be done, or is being done, in pursuance of or under cover of this Act, if, in his opinion, the resolution, order or act is in excess of the powers conferred by law, or the execution of the resolution or order, or the doing of the act, is likely to lead to a breach of the peace, or to cause injury or annoyance to the public or to any class or body of persons.

Extraordinary powers of Deputy Commissioner in case of emergency.

46. (*1*) In cases of emergency, the Deputy Commissioner may provide for the execution of any work, or the doing of any act, which a district board or local board is empowered to execute or do, and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing the work or of doing the act shall be forthwith paid by the district board.

(*2*) If the expense is not so paid, the Deputy Commissioner may make an order directing the person having the custody of the balance of the district fund to pay the expense, or so much thereof as is, from time to time, possible, from that balance in priority to all other charges against the same.

Power to provide for performance of duties in case of default of board.

47. (*1*) When the Commissioner, after due enquiry, is satisfied that a district board has made default in performing any duty imposed upon it by or under this Act, he may, by an order in writing, fix a period for the performance of that duty, and, if it is not performed within the period so fixed, he may appoint some person to perform it, and may direct that the expense of performing it shall be paid, within such time as he may fix, by the board to that person.

(*2*) If the expense is not so paid, the Commissioner may make an order directing the person having the custody of the balance of the district fund to pay the expense, or so much thereof as is, from time to time, possible, from that balance in priority to all other charges against the same.

Power to invest other officers with power of control.

48. When the control and administration of any public work is by or under this Act transferred to a district board, and at the time of the transfer the cost of that control and administration is defrayed from provincial revenue, the Local Government may invest any officer with respect to that work with the powers of a Commissioner under section 14 or section 17, or with the powers of a Deputy Commissioner under section 46.

Report of action under preceding sections.

49. When the Commissioner makes any order under section 15 or section 47, he shall forthwith forward to the Local Government, and when the Deputy Commissioner makes any order under section 45 or section 46, or an officer empowered under section 48 makes any order under section 46 or section 47, he shall forthwith forward to the Commissioner, for submission to the Local Government, a copy of the order, with a statement of the reasons for making it, and with such explanation, if any, as the board or committee concerned may wish to offer. The Local Government may thereupon confirm, modify or rescind the order.

Powers of Local Government and its officers over boards.

50. (*1*) It shall be the duty of the Local Government and of all Commissioners and Deputy Commissioners acting under its orders to require that the proceedings of district boards and local boards shall be in conformity with law and with the rules in force thereunder.

(*2*) The Local Government may exercise all powers necessary for the purpose of sub-section (1), and may, amongst other things, by order in writing, annul any proceeding which it considers not to be in conformity with law and with the said rules.

(*3*) The Commissioner of the division and the Deputy Commissioner of the district may, within their jurisdiction, for the same purpose, exercise such powers as may be conferred upon them by rules made in this behalf by the Local Government.

Power of Local Government to supersede in case of incompetency, persistent default or abuse of powers.

51. If a district board or local board is not competent to perform, or persistently makes default in the performance of, the duties imposed on it by or under this or any other Act, or exceeds or abuses its powers, the Local Government may, with the previous approval of the Governor General in Council, by notification, in which the reasons for so doing shall be stated, declare the board to be superseded:

Provided that, in case of public emergency, the notification may be issued without the previous approval of the Governor General in Council, but shall be immediately reported to the Governor General in Council and shall be subject to his orders.

Consequences of supersession.

52. When a district board or local board is superseded under section 51, the following consequences shall ensue:—

(*a*) All members of the board shall from the date of the notification vacate their offices as such members:

(*b*) All powers and duties of the board may, until the board is re-constituted, be exercised and performed by such person as the Local Government appoints in that behalf:

(*c*) Where a district board is superseded, all property vested in it shall, until it is re-constituted, vest in Her Majesty.

Constitution of new board, and transfer of functions of superseded local boards.

53. (*1*) When a district board is superseded, the Local Government shall, as soon as in its judgment conveniently may be, constitute another district board in its place.

(*2*) When a local board is superseded, the Local Government may either constitute another local board in its place, or transfer its functions to the district board or, by a notification under section 10, to any other local board.

Disputes.

54. (*1*) If any dispute, for the decision of which this Act does not otherwise provide, arises between two or more boards constituted under this Act, or between a municipal committee or cantonment authority and any such board, the matter shall be referred—

(*a*) to the Deputy Commissioner if the local authorities concerned are in the same district;

Panjáb District Boards Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 55-59.)

(*b*) to the Commissioner or Commissioners of the division or divisions if the local authorities concerned are in different districts; and

(*c*) to the Local Government if the local authorities concerned are in different divisions and the Commissioners of those divisions cannot agree.

(*2*) The decision of the authority to which any dispute is referred under this section shall be final.

(*3*) If, in the case mentioned in clause (*a*), the Deputy Commissioner is a member of one of the boards or committees concerned, his functions under this section shall be discharged by the Commissioner.

(*4*) "Local authority" in this section means a district board, local board, municipal committee or cantonment authority.

Power of the Governor General in Council and the Local Government to make rules.

55. So far as may be consistent with the provisions of this Act—

(1) the Governor General in Council may—

(*a*) make general rules or special orders for the regulation of taxation under section 30; and

(*b*) make rules regulating the powers of district boards to make, vary and dispose of investments;

(2) the Local Government may, for any district or local board, or any class of such boards, make rules for—

(*c*) dividing boards into classes, and fixing the powers of boards of each class;

(*d*) determining the mode and time of appointment or election of members of boards, the term of office, allowances (if any), and the qualifications and disqualifications of such members, and the qualifications and disqualifications of voters, and generally for regulating all elections under this Act;

(*e*) regulating the powers of boards to transfer property;

(*f*) regulating the powers of boards to contract and do other things necessary for the purposes of their constitution and the mode of executing contracts;

(*g*) determining the intermediate offices, if any, through which correspondence between boards or members of boards and the Local Government or its officers shall pass;

(*h*) determining the language in which business shall be transacted;

(*i*) the employment, payment, suspension and removal of officers and servants under section 27;

(*j*) the apportionment of the district fund between the general purposes of the district and the purposes of particular parts of the district;

(*k*) the application of district funds;

(*l*) the form of estimates of income and expenditure under section 39;

(*m*) the form of accounts and the manner of periodical audit under section 40;

(*n*) the publication of abstracts of accounts under section 43;

(*o*) the preparation of plans and estimates for works which are to be partly or wholly constructed at the expense of boards, and as to the authority by which, and the conditions subject to which, such plans and estimates may be sanctioned;

(*p*) the powers of supervision to be exercised by Commissioners and Deputy Commissioners under section 50;

(*q*) the conduct of proceedings of boards, including the fixing of a quorum, the appointment or election of a chairman, and the term of office of a chairman and vice-chairman;

(*r*) the appointment and payment of auditors of the accounts of boards; and

(*s*) the guidance of district boards when suits or other proceedings are intended to be or have been instituted by or against them in Civil Courts; and

(*t*) generally determining the relations between district boards and local boards, and guiding boards and Government officers in all matters connected with the carrying out of the provisions of this Act.

All such rules and alterations of rules shall be notified, and no rules or alteration of rules under clause (2) (*d*) shall come into operation until three months after they have been notified.

H.—Regulations.

Power to make regulations.

56. (*1*) Every district board or local board empowered in this behalf by the Local Government may make regulations for carrying out all or any of the purposes of this Act.

(*2*) A regulation made under this section shall not have effect until it has been confirmed by the Local Government and published in such manner and for such time as the Local Government may direct.

Penalty for infringement of regulations.

57. (*1*) In making any regulation under section 56, a board may direct that a breach of the same shall be punished with fine which may extend to fifty rupees, and, in the case of a continuing breach, with a further fine which may extend to five rupees for every day during which the breach is continued after he has been convicted of such breach.

(*2*) In default of payment of any fine imposed under this section, the defaulter shall be liable to simple imprisonment for a term which may extend to eight days.

Prosecutions.

58. (*1*) Prosecutions under this Act for breach of regulations may be instituted by any board, or by any person authorized by the board in this behalf.

(*2*) A Judge or Magistrate shall not be deemed to be within the meaning of section 555 of the Code of Criminal Procedure a party to, or personally interested in, any case under this section merely because he is a member of the board. X of 1882.

I.—Supplemental and Exceptional Provisions.

Liability of members of boards.

59. Every person shall be liable for the loss, waste or misapplication of any money or other property belonging to the district board, if such loss, waste or misapplication is a

Panjáb District Boards Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 60-69.)

direct consequence of his neglect or misconduct while a member of a local board or of the district board, and a suit for compensation for the same may be instituted against him in such Court as the Local Government directs, by the district board with the sanction of the Commissioner, or by the Secretary of State for India in Council.

Procedure for making rules and regulations.

60. (*1*) The Local Government, before making any rules under section 55 or section 67, and a district or local board, before making any regulations under section 56, shall publish, in such manner as the Local Government may deem sufficient for giving information to persons interested, a draft of the proposed rules or regulations, together with a notice specifying a date on or after which the draft will be taken into consideration; and shall, before making the rules or regulations, receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

(*2*) Every such rule or regulation shall be published in the official Gazette in English and in such other language as the Local Government directs, and such publication shall be conclusive evidence that the rule or regulation has been made as required by this section.

Acquisition of land.

61. Where any land is required for the purposes of this Act, the Local Government may, at the request of a district board, proceed to acquire it under the provisions of the Land Acquisition Act, 1870; and, on the payment by the board of the compensation awarded under that Act, and of the charges incurred by the Government in connection with the proceedings, the land shall vest in the board.

X of 1870.

Penalty on member, officer or servant being interested in contracts made with a board or joint committee.

62. (*1*) If any member, officer or servant of a district or local board or joint committee appointed under this Act is, otherwise than with the permission in writing of the Commissioner, directly or indirectly interested in any contract made with that board or joint committee, he shall be deemed to have committed an offence under the Indian Penal Code, section 168.

XLV of 1860.

(*2*) A person shall not, by reason of being a shareholder in, or a member of, any incorporated or registered company, be held to be interested in any contract entered into between the company and a board or committee; but he shall not take part in any proceedings of the board or committee relating to any such contract.

Saving for Act XI of 1879.

63. Nothing in this Act shall affect the Local Authorities Loans Act, 1879.

XI of 1879.

General powers of Local Government and Commissioners.

64. In all matters connected with this Act, the Local Government shall have and exercise over Commissioners and Deputy Commissioners, and Commissioners shall have and exercise over Deputy Commissioners, the same authority and control as they respectively have and exercise over them in the general and revenue administration.

Contracts of local committees.

65. Every contract entered into, whether in its own name or in the name of the Government, by the committee appointed in a district under section 11 of the Panjáb Local Rates Act, 1878, may be enforced by and against the district board constituted for that district under this Act, in like manner as it might have been by and against the committee if this Act had not been passed.

V of 1878.

Government officers serving under committees to continue under board.

66. A Government officer employed under the committee appointed in a district as aforesaid at the time when a district board comes into existence for the district under section 17 of this Act shall be deemed to be similarly employed by the board, and shall not be dismissed from that employment without the sanction of the Local Government.

Power of Local Government to except local area from operation of Act.

67. (*1*) If the circumstances of any district or part of a district are, in the opinion of the Local Government, such that all or any of the provisions of this chapter are unsuited thereto, the Local Government may, by notification in the official Gazette, except the district or part from the operation of those provisions; and thereupon those provisions shall not apply to the excepted district or part until again applied thereto by a like notification.

(*2*) While any notification under this section is in force, the Local Government may make rules to provide for any matter dealt with by the provisions to which the notification applies.

Committee to be constituted for district wholly excepted from Act.

68. When a district is excepted, under section 67, from all the provisions of this chapter, a committee shall, except where the Local Government for special reasons otherwise directs, be constituted for the control and administration in that district of the matters mentioned in section 20, or of such of them as the Local Government may, from time to time, specify; and the Local Government shall, from time to time, determine the manner in which the members of the committee shall be appointed and removed, define the functions and authority of the committee, and place at its disposal, subject to such control as the Local Government thinks fit,—

(*a*) the balance standing at the credit of the district fund at the time when the district is excepted or, as the case may be, the balance of the allotments made for the district under section 7 of the Panjáb Local Rates Act, 1878, and of the road and school cesses, which may be available for expenditure in the district at that time;

V of 1878.

(*b*) all proceeds of rates which but for the district being excepted would be allotted to the district board under section 9 of this Act; and

(*c*) such other sources of income mentioned in section 35 of this Act as the Local Government thinks fit:

Provided that not less than one-half of the members of the committee shall be persons who own landed property or reside or carry on trade or business in the district and are not servants of the Government.

Power to direct that Act XX of 1856 shall cease to be in force.

69. (*1*) When any local area in which Act XX of 1856 (*an Act to make better provision for the appointment and maintenance of Police Chaukídárs in Cities, Towns, Stations,*

Panjáb District Boards Act, 1883.
(Chapter V.—Amendment of the Northern India Ferries Act, 1878—Sections 70-79.)

Suburbs and Bázárs in the Presidency of Fort William in Bengal) is in force is included in any local area over which a district board established under this Act has authority, the Local Government may, by notification, direct that that Act shall cease to be in force in the local area so included, and that every panchâyat constituted under that Act for that local area shall cease to exist.

(2) When a direction is issued under this section in respect of any local area in which the said Act XX of 1856 is in force, the amount, if any, then available under section 36 of that Act for purposes of improvement in that local area shall be expended therein by the Deputy Commissioner for such purposes.

CHAPTER IV.

SUPPLEMENTAL PROVISIONS AS TO TAXATION.

Recovery of rates.

70. All rates and taxes imposed under this Act, and all arrears of such rates and taxes, may be recovered as if they were arrears of land-revenue.

Local rate or tax how to be assessed and collected.

71. (*1*) The Local Government may, by notification, determine the persons by whom the local rate or any tax imposed under this Act shall be assessed and collected, and make rules for the assessment and collection of the rate or tax, and direct in what manner persons employed in the assessment or collection shall be remunerated.

(*2*) The provisions of section 60 shall apply to all rules made under this section.

Appeals.

72. (*1*) In matters connected with the assessment and collection of any rate or tax leviable under this Act, an appeal shall lie from the order of any person authorized under this Act to make assessments or collections to such person as the Local Government appoints:

Provided that the appeal shall be presented within 30 days from the date of the order.

(*2*) The order passed on an appeal under this section shall be final.

Instalments of rates and taxes.

73. (*1*) The Local Government may, by notification, prescribe by what instalments and at what times any rate or tax leviable under this Act shall be payable:

Provided that every instalment of the local rate leviable under section 5 shall be payable with an instalment of the land-revenue.

(*2*) In any local area subject to the authority of a district board the Local Government may, by notification, delegate to the board, subject to such conditions as it thinks fit, its powers under this section.

Power of Local Government to exempt from taxation.

74. The Local Government may, by notification, remit or reduce any rate or tax imposed under this Act, or exempt any person or class of persons, or any description of property, wholly or in any part from liability to any such rate or tax, and cancel any such remission, reduction or exemption.

Power to direct measurements.

75. When measurements are necessary for the assessment of the local rate or of any tax imposed under this Act, the Local Government may, by notification, direct such measurements to be made.

Suits relating to rates and taxes under this Act cognizable by Courts having cognizance of suits for rent.

76. Suits for the recovery from co-sharers, tenants or others of any sum on account of any rate or tax imposed under this Act, and suits on account of illegal exaction of any such rate or tax, or for settlement of accounts connected therewith, shall, unless the Local Government otherwise directs, be cognizable by the Courts which for the time being have cognizance of suits for rent due on land.

Confirmation and recovery of existing rates.

77. All rates or the maintenance of roads, schools or the district-post, for the payment of which provision has been made in any settlement-record previous to the passing of this Act, or which have been habitually levied by Government, shall be deemed to have been and to be legally imposed, and to have been and to be legally recoverable as if they were arrears of land-revenue payable directly to Government and due on the land in respect of which they are payable.

CHAPTER V.

AMENDMENT OF THE NORTHERN INDIA FERRIES ACT, 1878.

Amendment of the Northern India Ferries Act.

78. After section 7 of the Northern India Ferries Act, 1878, the following shall be inserted, namely:— XVII of 1878.

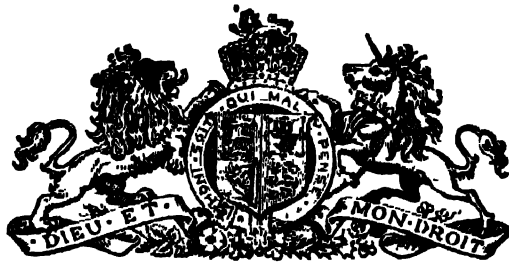
Management of ferries may be vested in committees and boards.

"7A. The Local Government may direct that any public ferry, wholly or partly within the area subject to the authority of a district board or local board in any district in the territories under the administration of the Lieutenant-Governor of the Panjáb, shall be managed by that board, and may further direct that all or any part of the proceeds from such ferry be paid into the district fund; and thereupon such ferry shall be managed, and such proceeds or part thereof shall be paid, accordingly."

Further amendment.

79. In section 6 of the same Act, after the words "section seven," and in section 17 of the same Act, after the words "section seven" where they first occur, the following shall be inserted, namely:—"and section 7A."

D. FITZPATRICK,
Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 27, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 10th October, 1883, and was referred to a Select Committee:—

No. 22 OF 1883.

A Bill to amend the Indian Ports Act, 1875.

WHEREAS it is expedient to amend section 47 of the Indian Ports Act, 1875, so as to provide that the pensions or gratuities (if any) of persons employed in any port under that Act shall be charged to the Port Fund account of the port; It is hereby enacted as follows:—

XII of 1875.

Amendment of section 47 of the Indian Ports Act, 1875.

1. In the fourth paragraph of section 47 of the said Act, for the words "All expenses, including the pay and allowances of all persons upon the establishment of the port" the words "All expenses, including the pay, allowances, pensions and gratuities (if any) of all persons employed in the port" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

IT has recently been ruled by the Government of India in the Finance Department that service in establishments paid from port funds managed by the Government is qualifying service for pension, provided that the port fund pays for such service. It has now been brought to notice by the Government of Bombay that section 47 of the Indian Ports Act, 1875, which regulates the accounts of port-dues, does not authorize provision for pensioning employés either by investment of part of the port funds, or by the purchase of pensions from Government, or otherwise. As it seems to the Government that, when it administers a port fund, it should have the power of ordering the payment of pensions out of that fund, the present Bill, which modifies section 47 of the Indian Ports Act so as to give the Government the desired powers, has been prepared.

C. P. ILBERT.

The 10th October, 1883.

D. FITZPATRICK,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 10th October, 1883 :—

No. 23 OF 1883.

A Bill to give effect to certain unregistered instruments of partition relating to immoveable property in the Madras Presidency, and to remove doubts as to the titles conferred thereby.

WHEREAS it is expedient to give effect to certain unregistered instruments of partition relating to immoveable property in the Madras Presidency, and to remove doubts as to the titles conferred thereby; It is hereby enacted as follows :—

Certain unregistered instruments of partition to have same force and effect as registered instruments.

1. Notwithstanding anything contained in any Act to the contrary, instruments of partition relating to immoveable property in the Madras Presidency, which have been executed before the passing of this Act and have not been registered, shall have the same force and effect as if they had been registered under the law in force at the time when they were executed :

Provided that this Act shall not—

(*a*) apply to any unregistered instrument of partition which has been superseded by an instrument of partition duly registered, or

(*b*) affect the title of a transferee in good faith of property, whether he has or has not had notice of an unregistered instrument of partition relating to that property, or

(*c*) affect any right established by a final decree of a Court of competent jurisdiction.

Compensation to person deprived of right owing to transfer under section 1, clause (*b*).

2. When any person to whom any right has accrued on the partition or any person claiming under that person has by any such transfer as is mentioned in section one, clause (*b*), been deprived of any right created by the partition, he shall be entitled to recover compensation in damages from any sharer who has joined in the transfer or, if the sharer is dead, from the assets, if any, in the hands of the heirs of the sharer :

Provided that suit be brought within three years after the date on which this Act comes into force or within three years from the date of the transfer, if the transfer is made after this Act come into force.

STATEMENT OF OBJECTS AND REASONS.

SECTION 17 of the Registration Act, XX of 1866, relates to instruments of which the registration is compulsory, and section 18 to instruments of which the registration is optional.

2. Clause (7) of the latter section includes "Instruments of Partition" among other instruments. The High Court at Madras, shortly after the passing of the Act, recorded an extra-judicial opinion that partition-deeds relating to immoveable property were governed by section 18 of the Act, and that their registration was therefore optional. This opinion was promulgated and acted upon.

3. The Act of 1866 was repealed by the Registration Act, VIII of 1871, which, however, reproduced clause (7), section 18 of the former Act; but the Act of 1871 was in turn repealed by the Registration Act, III of 1877. Section 18 of this Act revised the list of documents the registration of which was optional, and partition-deeds have been omitted from the list.

4. The Madras High Court now says that, of late, grave doubts have been entertained as to the correctness of the opinion recorded by it in the matter of the registration of partition-deeds referred to above, and recommends that, in view of the serious consequences to persons who may have acted on the opinion of the Court, and of the dissensions which may be excited in families by the disturbance of such arrangements, resort should be had to legislation to quiet titles. The High Court further suggests that such legislation should take the form of the present Bill. Under these circumstances, the Government of India deems it the most fitting course to accept the proposals of the High Court without modification, and accordingly the present Bill has been prepared.

The 11th October, 1883.

C. P. ILBERT.

D. FITZPATRICK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 23rd OCTOBER 1883.

GENERAL REMARKS.—Unusually heavy rain has fallen throughout the greater part of the Madras Presidency, in Mysore, and in the southern districts of Bombay. Some damage has been done by excessive rain in parts of Madras and in the Deccan, and *rabi* sowings have been retarded, but standing crops have on the whole been much benefited and promise well. Damage from excessive rain and interruption of *rabi* sowings are also reported from Hyderabad and the Berars. In Sind there has been no rain, and water for *rabi* irrigation is scarce owing to the low level of the river. Slight showers, favourable to *rabi* sowings, have fallen over the greater part of Central India, except Gwalior where rain is needed. No rain fell in Rajputana, and it is much needed in Ulwar; elsewhere prospects are good.

Except in Mergui, scarcely any rain has fallen in Burma during the week, and rice on highlands has suffered in parts of three districts. In Assam the weather is seasonable, and crops are doing well. Rain still holds off in Bengal, and much injury has been done by the long break to the rice crop, the prospects of which are very unfavourable in all, save the eastern districts. In the Central Provinces there has been general and in parts heavy rain which has delayed agricultural operations, but prospects continue good. Moderate rain has fallen in a few districts of the North-Western Provinces and Oudh, and in two districts of the Punjab, but more is needed in both provinces for the *rabi*.

The *kharif* is being harvested, and winter sowings are in progress in most provinces, where they are not retarded by drought or by excessive rain.

The public health is generally fair.

Prices are still rising in Bengal, and are generally steady elsewhere.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Madras—(Oct. 24th)		
Bellary ...	2·29 (average of eight stations).	Standing crops generally good. Harvest gingelly, yield below average.
Kurnool ...	3·29 (average of nine stations).	Standing crops generally damaged by excessive rain. Harvest *sajja*, *korra*, and indigo, yield half to three-fourths.
Ganjam ...	1·42 (average of fifteen stations).	Standing crops generally thriving.
Kistna ...	4·04 (average of eleven stations).	Standing crops good. Harvest *maize*, *cholum*, and *korra*, yield below half. Fever, guinea-worm, small-pox, and cattle-disease in parts. Cholera in two villages, 2 deaths.
Chingleput (Madras) ...	8·09 (average of eleven stations).	Standing crops generally good. Harvest *kar*, paddy, &c., yield half. Small-pox slight in all, but one taluk; 5 deaths from cholera in one village. Cattle-disease slight in two taluks.
Coimbatore ...	3·09 (average of sixteen stations).	Standing crops suffer from excessive rain in parts of three taluks, elsewhere good. Harvest paddy, *cholum*, *ragi*, and *cumboo*, yield average. Ten deaths from cholera in two taluks; fever and small-pox in parts.
Tanjore ...	5·93 (average of twelve stations).	Standing crops good. Harvest paddy, *cholum*, *ragi*, *cumboo*, and gingelly, yield below average.
Madura ...	3·69 (average of eight stations).	Standing crops fair. Harvest paddy, yield average.
Malabar ...	4·09 (average of fourteen stations).	Harvesting first crop nearly over, second crop cultivation progressing. Small-pox slight in nine taluks; fever slight in three taluks.
Travancore ...	·983	Sowings nearly over. Yield of last crop in Quilon division below average. Fever prevails.
		General Remarks.—General prospects good.
Bombay—(Oct. 24th)		
Kurrachee ...	No rain	River at Kotri on 22nd 6 feet 10 inches, against 9 feet on same date last year. *Rabi* crops require water. *Kharif* crops being harvested. Fever in eleven talukas. Cattle-disease in three talukas. Wheat, red rice, and *bajri* in Kurrachee 24, 28 and 36, in Dadu 32 and 50, in Sakro 15, 28 and 42, and in Jati 10, 32 and 40 lbs. per rupee, respectively.
Hyderabad ...	Badin, ·25	*Kharif* harvesting continues. *Rabi* operations in progress. Fever in seven; small-pox in two, and cattle-disease in four talukas. Wheat 25, *bajri* 38, *juari* 40, red rice 26, and white rice 22 lbs. per rupee.
Ahmedabad ...	......	*Kharif* harvest continues. Standing crops healthy. Fever in some talukas. *Bajri* 28¾ and wheat 25¼ lbs. per rupee.
Baroda ...	......	Cholera continues in Naosari mahal. Crops in good condition. Locusts greatly diminished in Naosari division. *Bajri* 29 and rice 23 lbs. per rupee.
Surat ...	·22	Total rainfall 55·99. Cutting operations continue. Damage by rain more or less to *juari*, rice, and grass in some talukas. Cattle-disease in Olphad. Fever in Olphad and Pardi. Cholera in Surat, 10 deaths, in Pardi, 33 cases, 15 deaths. Locusts nearly destroyed. *Juari* 38 and *nagli* 43 lbs. per rupee.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Bombay—*contd.*		
Nasik ...	......	Heavy rain damaged *bajri* and cotton crops, and retarded preparation of land for *rabi*. Locusts doing damage to crops in places. Cholera in Kalwan taluka, 22 attacks, 13 deaths. *Bajri* 31, wheat 28, and rice 22 lbs. per rupee.
Colaba (Bombay) ...	Heavy rain from 18th to 21st, total of week 9·20.	Total rainfall to date 89·32, being 19·22 above average. Abnormal temperature 0° to 6° cool. Vapour in air excessive. Abnormal wind southerly, and strong on 19th and 20th. Frequent thunder and lightning.
Poona ...	......	Break in weather since yesterday. Standing crops injured in places by excessive rain. *Bajri* 43 and *juari* 53 in Poona; *bajri* 34 and *juari* 43 lbs. per rupee.
Ahmednagar ...	Rain in all talukas—maximum at Sangamner, 1·20; minimum at Shrigonda, ·59.	Total rainfall in the district up to date 35·49. *Kharif* crops where standing, have been injured by the excessive fall of rain and where reaped, in getting rotten by the damp. Harvesting of *kharif* is in progress in Parner, Jamkhed, Kopargaon, Sangamner, and Akola, except in Shrigonda. Sowing of *rabi* is impeded, and it is too late in the season to undertake the work hereafter. Cholera 8 attacks, 4 deaths. Cattle-disease to a slight extent in Kopargaon. *Bajri*—maximum 54 lbs. in Jamkhed, minimum 40 in Kopargaon; *juari*—maximum 78 lbs. in Shrigonda, minimum 48 in Sangamner.
Sholapur ...	1·14	Total rainfall 38·38. *Kharif* in good condition; *bajri* being reaped. *Rabi* sowing retarded in a few places owing to excessive rain. *Bajri* 52 and *juari* 64 lbs. per rupee.
Dharwar ...	Good rain throughout the district; maximum being at Kod, 4·43; Hangal, 2·97; Ron, 1·86; Mugad, 1·75; Bankapur, 1·37; Kalajgi, 1·11; Gadag, 1·07; Dharwar, 1·0; elsewhere less than 1·0.	Standing crops much benefited by rain, but more is required for rice. Sowings of wheat, gram, and other late crops in progress. Ague in two stations and cattle-disease in four.
Kanara ...	Karwar 5·09; Kumpta, 8·91; Sirsi, 5·13, Haliyal, 1·43.	Total rainfall 143·49. Small-pox, 5 cases in Siddapur. Weather fair. Common rice in Karwar 12½, in district average 15 seers per rupee.
Rajkot ...	....	General health feverish. Mornings fresh. Wind north-east. *Bajri* 29 lbs. and *juari* 31 lbs. per rupee.
		General Remarks. River continues to fall in Sind. Some damage caused to crops, and *rabi* sowings retarded by heavy rain in several districts, but parts of Dharwar, Kaladgi, and Belgaum much benefited by it. Locusts still prevalent in parts of the Central and Southern divisions. Fever, cholera, and cattle-disease prevalent in many places.
Bengal—(Oct. 24th)		
Chittagong ...	*Nil*	Weather fair. Prospects of crops good. Prices somewhat low. General health favourable. Cattle-disease has again appeared.
Dacca ...	*Nil*	*Ashu* paddy being harvested; *aman* thriving. Mustard and pulses being sown. Prospects good.
24-Pergunnahs (Calcutta)	·06	Harvesting of early paddy almost over, yield estimated at a full average crop. Late rice on high lands has suffered much from drought, that on low lands also requires rain. Lands being prepared for winter crops. Common rice selling at from 14 to 21 seers per rupee. Public health generally good. Cases of cholera reported from Baraset sub-division.
Moorshedabad ...	*Nil*	Sultry days with cold dewy nights. *Aman* rice continues to deteriorate. In the absence of rain efforts are being made to induce recourse to irrigation which it is hoped will save a portion of this important crop. The drought is also seriously impeding the cold weather sowings. Cholera reported from Khargram, otherwise public health good.
Rajshahye ...	*Nil*	Clouds about. Crops on high ground drying fast. *Rabi* sowings being delayed for want of rain. Price of rice has risen.
Burdwan ...	*Nil*; Culna, ·88; Cutwa, ·12; Raneegunge, ·02.	Cold weather apparently set in. Prospects of *aman* crop very unfavourable, *aus* crop has been fair. Health generally tolerable. Some cases of cholera reported.
Rungpore ...	*Nil*	Weather dry and occasionally cloudy. Rain wanted for winter paddy. Prices of food-grains have risen. Fever prevalent.
Bhagalpur ..	·28	Prospects of crops not favourable.
Purneah ...	·09	Prospects of crops not favourable. Rain wanted for *rabi* ploughing. Fever raging.
Patna ...	·40	Paddy suffering much for want of rain. Cholera and fever still reported from the interior
Durbhunga ...	*Nil*	No likelihood of any more rain. Crops must be deficient in consequence. In some places they are almost entirely destroyed, but generally an eight anna rice crop is expected to be reaped throughout the district. Prices steadily rising.
Hazaribagh ...	·05	Weather bright and seasonable. Rice crops considerably injured by existing drought. *Rabi* sowings still going on. Public health good.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Bengal—*contd.*		
Cuttack ...	·04	Weather hot and dry. Low land rice doing well; high land rice suffering from drought. Price of rice rising. Public health generally good. A few cases of cholera reported from the interior. *General Remarks.*—Very slight rainfall has been reported from some districts during the week. It is said to be of no appreciable benefit to the crops. Want of rain is most seriously felt, and the prospects are very unfavourable, except in Julpaigoorie and Cooch Behar and in almost all districts of Eastern Bengal. The rice crop in the high lands has already been considerably damaged, on the low lands it still holds out, but will be a short crop. The drought is also seriously impeding the cultivation of the cold weather crops. In many districts the prices of rice show a marked tendency to rise, owing to the apparent early cessation of the rains. General health of the province is pretty fair, though fever is reported to be prevalent in some districts.
N. W. Provinces and Oudh—		
Benares (Oct. 23rd)	Benares, 1·2; Chandousi, 1·2; Gangapur, 1·3.	The uncut *kharif* crops will benefit by this rain, and *rabi* sowings have commenced with more favourable prospects. Fever decreasing. Slight rise in prices of food-grains.
Allahabad („ 24th)	Rain in seven out of nine tahsils average ·9.	Rain most beneficial both for *rabi* sowings and for late *kharif*. Most rain south of Jumna where most needed. Health good. Prices falling.
Gorakhpur („ 21st)	No rain	Cloudy weather for the last two days. Rain wanted for the *rabi* sowings and rice. Cholera disappearing. Prices steady.
Jhansi („ 22nd)	·3 in pargana Jhansi on the 19th instant.	*Kharif* crops have dried up in parts of parganas Jhansi and Mau, particularly in the former. Sowings of *rabi* going on. Prices slightly fluctuating. Health of people and cattle good. Grazing scarce.
Agra („ 23rd)	No rain	*Kharif* crops continue to suffer from drought. *Rabi* ploughings and sowings in progress, but rain needed. Slight fever in two parganas. General health good. Prices steady.
Bareilly („ „)	No rain	*Kharif* harvesting pretty general. Health good. Prices stationary and inclined to fall.
Meerut („ „)	No rain	*Kharif* harvest commenced. *Maize* cut. *Rabi* ploughings and sowings in full progress. Gram already germinated. Barley being sown. Health good. Labour plentiful. Supplies sufficient. Prices easier.
Kumaun („ „)	......	Sky somewhat cloudy. Ploughing for *rabi* is being done. Health good. Cattle-disease continues. Prices unchanged.
Lucknow („ „)	No rain	A little cool at night. Prospects good. A slight fall of rain will be most welcome for the *kharif* crops. Wheat and other *rabi* crops are being sown. Condition of people and cattle good. Markets well supplied. Prices stationary as usual.
Partabgarh („ „)	Slight rain at Sadr on 19th.	*Bajri* being cut. *Rabi* sowings have commenced in Partabgarh and Kunda tahsils, and in a few places gram and barley have germinated. The crops in Patti are suffering from drought. Prices stationary. General health good.
Sitapur („ „)	No rain	Heavy clouds. *Rabi* prospects rather gloomy. *Mash* and *bajri* injured. Prices steady.
Fyzabad („ „)	No rain	Gram, peas, wheat, &c., are being sown. Markets well supplied. Prices steady. Public health good. Condition of cattle fair.
Rae Bareli („ 22nd)	Slight rain on the 19th	Cloudy weather during two days of the week. *Juari*, late rice, *mothi*, and *urd* suffering from want of rain. *Rabi* sowings commenced. Markets well supplied. General health good. Prices almost steady.
Cawnpore („ 23rd)	No rain	Occasional clouds. *Rabi* sowings commenced, but some unirrigated lands left fallow. Cholera and fever still lingering, otherwise health of the people is good. Cattle-disease almost disappeared. Prices unchanged.
Farukhabad („ „)	......	Weather seasonable. Fever decreasing. Crops fair. *Rabi* sowings in progress. *General Remarks.*—No rain has fallen in the northern districts, but there has been a beneficial fall in Benares and Allahabad, and a slighter one in Jhansi, Rae Bareli, and Partabgarh. Some loss is being caused by want of rain, especially in Aligarh and Agra. The markets are well supplied and prices steady.
Punjab—(Oct. 24th)		
Delhi ...	......	Health good. Prices of *juari* and *bajri* have risen. Prices of other food-grains are falling.
Hissár ..	·20	Rain urgently needed in the Rohtak district. Health good. Prices stationary.
Umballa ...	......	No report received.
Jullundur ...	......	Health good. *Rabi* sowings in progress. Prices steady.
Amritsar ...	......	Health good. *Kharif* being harvested. Prices steady.
Sialkot ...	......	Health and crop prospects good. Prices stationary.
Ferozepore ...	......	Health and crop prospects good. Slight rise in prices of gram and *juari*.
Lahore ...	......	Health and crop prospects good. Prices steady.
Rawalpindi ...	·20	Seasonal fever in three tahsils. Health elsewhere good. Crop prospects average. Prices falling.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Punjab—*contd.*		
Mooltan ...	......	Health good. *Kharif* harvesting in progress. Prices stationary.
Dera Ismail Khan ...	......	Health good. *Rabi* sowings commenced. Prices steady.
Peshawar ...	......	Slight fever still prevalent. Prices falling.
		General Remarks.—There has been slight rain in the Hissar and Rawalpindi districts, but more is required for the *rabi* sowings throughout the province. Health and *kharif* prospects are generally good.
Central Provinces.—(Oct. 24th)		
Nagpur ...	5·50	Weather fine and clear. Cotton and *juari* somewhat injured by late rains. Wheat sowings delayed. Health good. Prices steady.
Jubbulpore ...	·68	Weather cloudy at times. Prospects favourable. Outturn of rice, *kodo*, and *kutki* small in places. Cotton good. *Rabi* sowings continue. Wheat 24 and rice 16 seers per rupee. Health good.
Saugor ..	·39	Weather cloudy. *Kharif* crops thriving. *Rabi* sowings delayed by late rain. Health fair. Prices steady.
Seoni ...	2·44	Heavy rain on 20th and 21st. Weather clear and cool since. *Kharif* reaping and *rabi* sowings retarded by rain. Fever prevalent. Prices inclined to fall.
Hoshangabad ...	2·52	Weather seasonable. Prospects good. *Rabi* sowings continue. Fever prevalent. Wheat 15 and rice 10 seers per rupee.
Khandwa ...	1·96	Weather clear. *Kharif* prospects good. *Rabi* sowings commenced. Prices falling.
Raipur ...	1·70	Rain favourable. Sowings in progress. Health good, Prices steady.
Sambalpur ...	·03	Weather close and cloudy. More rain wanted for late rice and pulses. Health good. Common rice 35 seers per rupee.
		General Remarks.—Prospects continue favourable. Sowings in general progress. Health good.
British Burma—(Oct. 20th)		
Akyab ...	*Nil*	Total rainfall 179·57. Public health good. 82 deaths of cattle in two townships, otherwise health of cattle good. Slight damage to crops from insects in Koladan township. Crop prospects favourable.
Rangoon ...	·03	Total rainfall 76·39. Five deaths from small-pox, otherwise public health good. Prices of paddy from Rs. 97 to 103 per 100 baskets.
Bassein ...	·05	Total rainfall 86·48. Public health good. Nine deaths of cattle in Bassein township, 15 in Thaboung, 7 in Thegwin, and 6 in Kyoupyaw. Heat excessive. Rain wanted in southern parts of district. Paddy in places with little water beginning to suffer. Price of paddy from Rs. 90 to 100 per 100 baskets.
Amherst (Moulmein) ..	*Nil*	Total rainfall 164·65. Public health and health of cattle good. Crops healthy. Rain wanted for high-lying land and late sowings. In Moulmein town public health and health of cattle good. Crops healthy. Injury to crops from drought is apprehended in elevated lands. No damage from floods or insects.
Toungoo ...	*Nil*	Total rainfall 77·44. Public health and health of cattle good. Price of paddy Rs. 70 per 100 baskets. General appearance of crops fair.
Kyoukphyoo ...	*Nil*	Total rainfall 156·08. Public health and health of cattle good. Price of paddy stationary.
Sandoway ...	*Nil*	Total rainfall 206·49. One death from cholera in Letweashe circle, otherwise public health believed to be good. Crops continue healthy.
Hanthawaddy ...	......	Public health good. Slight cattle-disease in Hlaing township. Ploughing completed. Wages of ploughing labour 60 baskets of paddy per man in Hlaing township. Price of paddy from Rs. 90 to 100 per 100 baskets.
Pegu	*Nil*	Total rainfall 118·83. Few cases of fever and small-pox in town otherwise public health good. Crops promising. Price of paddy Rs. 95 to 100 per 100 baskets.
Tharrawaddy (Oct. 13th)	3·90	Total rainfall 98·97. Public health good. 15 deaths of cattle in two, townships, elsewhere health of cattle good. Ploughing, sowing, and transplanting progressing. Damaged crops last reported being replanted. More rain wanted in northern circles of Gyobingouk township. General appearance and progress of crops good. Price of paddy Rs. 90 to 125 per 100 baskets.
Do. („ 20th)	......	No report received.
Prome ..	*Nil*	Total rainfall 45·62. Public health and health of cattle good. Ploughing and transplanting progressing. Crops reported in good condition, but if more rain does not fall, failures must be expected. Price of paddy Rs. 90 per 100 baskets
Thonegwa ...	·17	Total rainfall 82·81. Public health and health of cattle good. Replanting still going on in Shweyloung township, but supply of seedlings for replanting insufficient General appearance of young crops, except in the Kyotow circle, Pyapau township, where crops are slightly damaged by floods, good, but replanting continues. General prospects good. Price of paddy Rs. 90 to 95 per 100 baskets.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
British Burma—*contd.*		
Henzada ...	*Nil*	Total rainfall 80·28 Public health and health of cattle good. General appearance of crops good.
Thayetmyo ...	*Nil*	Total rainfall 39·67. Public health good. Crop prospects unchanged. 40 deaths of cattle in Myede sub-division. Price of paddy Rs. 100 per 100 baskets.
Shwaygyin ...	·22	Total rainfall 137·46. Public health and health of cattle good. Crops progressing favourably. Price of paddy Rs. 80 per 100 baskets.
Tavoy ...	*Nil*	Total rainfall 190·36. Public health and health of cattle good. Prospects of crops good.
Mergui (Oct. 13th)	4 49	Total rainfall 161 29. Crops healthy with exception of 42 acres destroyed by blight in two circles. 35,000 acres ploughed. 17 deaths of cattle in Taiyet, Burma circle, otherwise health of cattle good. Price of paddy Rs. 100 per 100 baskets.
		General Remark.—Scarcely any rain has fallen during the week. The total rainfall up to date is much less over most of the provinces than last year. The deficiency varies from 12 to 20 per cent. in different districts. Crop prospects are reported favourable, although in parts of Prome, Bassein, and Amherst districts. The drought of the past week appears to have injuriously affected the crops in the higher and lighter lands. Public health continues good. Cattle mortality not increasing anywhere. Price of paddy keeping steady.
Assam— (Oct 24th)		
Gauhati ...	No rain	Weather seasonable. Mornings and nights foggy and cool. Public health fair. Prospects of crops good. Land being ploughed for mustard.
Sylhet ...	·37	Crop prospects good. Small-pox and cholera in places.
Silchar ...	·44	Days warm Nights cool. Reaping of *aus* crops finished. Prospect of *sali* crops good. Ploughing for winter crops progressing. Common rice 17¾ seers per rupee. Four deaths from small-pox reported from Sadr and 3 from Katigora.
Dibrugarh ..	·20	Weather getting cold. Prospect of crops good. District healthy.
Mysore and Coorg— (Oct. 24th)		
Bangalore ...	2·79	Crops in good condition. *Ragi* fast ripening. Prospects favourable. Water and pasturage ample.
Mysore ...	1·07	Rain general in district. Crops revived and doing well. Prospects promising.
Mercara ...	·16	Coffee berries are ripening. Paddy crop coming into ear in some parts of the country. *Ragi* crop harvested Yield short.
		General Remarks.—Rain from 2·0 to 4 72 all over the province. Agricultural operations continue. Condition of standing crops in all district reported on favourably. Public health good. Prices almost stationary.
Berar & Hyderabad— (Oct. 24th)		
Amraoti ...	5·75	The crops have been injured to some extent from excessive rain and *rabi* sowing has been delayed. Wheat 16 and *juari* 26 seers per rupee.
Akola ...	5·80	Rain unseasonable and injurious to standing crops.
Hyderabad ...	·88	Total from 1st January 29 83. *Abi* crops prospering. *Kharif* crops in some places damaged by excessive rain. *Rabi* and *tabi* sowing commenced. Cholera broken out again in two talukas. Prices—wheat 15¼, coarse rice 11, white *juari* 23, yellow *juari* 23¼, and *tur* 22 seers per current sicca rupee.
Central India States— (Oct. 24th)		
Indore ...	1·16	Health and prospects good. Recent rain favourable for *rabi* crops.
Morar (Gwalior) ...	*Nil*	Health good. Rain wanted for *rabi* crops. *Juari* has suffered somewhat for want of rain.
Sutna ...	·53	Weather now clear. Health good.
Rutlam ...	......	No report received.
Neemuch ...	*Nil*	Sowings of opium and other *rabi* crops commenced. A few cases of fever in the bazar. Public health otherwise good. Weather seasonable.
Goona ...	0·55	Health and prospects good.
Bhopal ...	... ..	No report received.
Agar ...	2·17	Health and agricultural prospects good.
Sehore ...	1·98	Weather rainy. Health and prospects good.
Nowgong ...	·10	Health and prospects good.
Manpur (Bhopawar) ...	·50	Prospects good.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Rajputana—		
Abu (Oct. 24th)	No rain	Total rainfall 52·95. Cold weather apparently setting in.
Sirohi („ 21st)	No rain	Total rainfall 16·39. Tanks and wells full. Health good. Crop prospects good. Fine mornings and cool evenings.
Marwar („ 19th)	No rain	Total rainfall 21·03. Eight months' water in Jodhpore city. Tanks and wells all filling up. Health good. Crop prospects good on the whole. Prices stationary. Weather comparatively clear and close. Clouds vanishing.
Mewar ...	......	No report received.
Harowti (Oct. 20th)	No rain	Total rainfall to date at Deoli, 16·44; Tonk, 19·07; Kotah, 24·56; Shahpura, 13·72. Weather seasonable. Health good.
Jhallawar („ 19th)	·06	Total rainfall 29·65. Weather cloudy and unseasonably cold. Health good.
Ajmere („ 23rd)	No rain	Total rainfall 16·84. Slight fever in district. Prospects fair.
Jeypore ...	.....	No report received.
Bhurtpore ..	......	No report received.
Ulwur (Oct. 23rd)	No rain	Total rainfall 14·19. More rain urgently wanted for *rabi* sowings. Prices fluctuating. Fever prevailing.

E. C. BUCK,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

DEPARTMENT OF FINANCE AND COMMERCE.

REPORT ON SITES IN THE BOMBAY PRESIDENCY SUITABLE FOR PAPER MILLS WORKED BY WATER.

No. 7073, dated 22nd September 1883.

From—J. MONTEATH, Esq., Acting Under-Secretary to the Government of Bombay, Revenue Department,

To—The Secretary to the Government of India, Department of Finance and Commerce.

The reports of the Executive Engineers who were directed, as stated in my letter No. 987, dated 6th February last, to make the further enquiries ordered by the Government of India in their letter No. 4036, dated 28th September last, regarding suitable sites having a water-supply sufficient for the purposes of paper mills, having now been received, I am instructed by His Excellency in Council to communicate, for the information of His Excellency the Viceroy and Governor General in Council, the results of the enquiries instituted by those officers. The object of the Government of India is to ascertain if there exist in this Presidency suitable sites "where there would be an unfailing supply of 150 cubic feet of water per minute all the year round," and it is stated (paragraph 3) that it is desirable that the site to be selected for the establishment of such a mill should be near the coast in order that the foul water issuing from the mill should pass at once into the sea. The enquiries of the officers who were entrusted with the duty have accordingly been confined to sites situated on or near the sea coast.

2. It appears from the reports received on the subject that the following are the only sites which satisfy the requirements specified :—

(1) Wanta Gavier in Surat. The site is about 6 miles below Surat.

(2) Varacha situated about 5 miles above Surat.

(3) Sasu-Naoghar in the Bassein taluka in the Thana Collectorate.

3. At site No. 1 there is an unfailing supply of more than 150 cubic feet of water per minute all the year round, but the water is said to be brackish for about four months in the year. The Executive Engineer who inspected the spot states that it will only be necessary to construct here a filtering well with a force pump to draw water to a height of about 40 feet from the river, and estimates that the cost of constructing such a well and pump will be about Rs. 6,000.

4. The site at Varacha has also, it is reported, an unfailing water-supply of more than 150 cubic feet of water per minute all the year round with the advantage that the water is sweet. A filtering well with a pump to draw water to a height of about 60 feet from the river will have to be constructed as at site No. 1, with piping to the extent of about a mile to carry off dirty water into a ditch (called Kankru Khari cut). The cost of constructing these works is estimated at Rs. 15,000.

5. A sketch map showing the positions of these two sites with their neighbourhoods prepared by the Executive Engineer is herewith forwarded. It will be observed that the Wanta Gavier site has both road and water communication with Surat, where there is a railway station; the communication between the Varacha site and Surat does not appear to be so good, but the distance is not great.

6. The site at Sasu-Naoghar is situated about 6 miles east of Bassein on the north bank of the Bassein creek immediately opposite Ghodbandar in the Salsette taluka. A sketch map prepared by the Executive Engineer, Northern Konkan, showing the position of this site and other particulars is appended. A paper mill was established at this site some years ago by Messrs. Johnson and Littlewood. The works were commenced in 1871, and completed in about 1877, and the manufacture of paper was commenced ; but the undertaking failed almost immediately, principally on account of the want of sufficient capital and of a sufficient supply of cheap material and by reason of sickness amongst the employés. The works constructed consisted of a masonry dam across the stream, forming a small reservoir from which water was raised for the use of the mill by a pumping engine, three large corrugated iron roofed sheds containing the boilers, engines and paper manufacturing machinery and two masonry filtering and settling tanks. The total cost of the works is estimated by the Executive Engineer to have been Rs. 80,000 or thereabouts.

7. The site is said to possess the following advantages for the establishment of a paper manufactory :—

(a) For water supply there is already available a small perennial stream, which in the hot weather has a constant flow of from 10 to 15 cubic feet per minute and considerably greater at other seasons.

(b) Great facilities for largely increasing this supply at a small cost by constructing a small dam across the narrow gorge through which the stream flows from the hills to the plain.

(c) The waste and foul water from the mill can be discharged at once into the stream below the dam and thence into the creek. The small village of Sasu-Naoghar, which is the only village on its course, could be supplied with water at a small cost from the water system of the mill.

(d) The site can be placed within fair communication with Bombay and so with the rest of India by sea, rail and road. It is about six miles from the Bassein Road Station of the Bombay, Baroda and Central India Railway to which, however, there is no road beyond a country track. It is three-fourths of a mile only from the bank of the creek, where country boats from Bombay can touch, though there is at present neither road nor landing stage. From Ghodbandar, which is immediately opposite to the site, a good made road seven miles long leads to the Baroli Station of the Bombay, Baroda and Central India Railway and thence to Bombay.

8. As regards the water-supply, the Executive Engineer states that the present supply from the stream was apparently considered sufficient for the purposes of the mill started there by Messrs. Johnson and Littlewood, as the dam already constructed is not intended to form a large storage reservoir, but merely a pool for retaining the night's flow of water in the hot season and for the convenience of feeding the suction pipe of the pump. He thinks, however, that if necessary a larger supply can be secured at but a small cost, as the valley possesses peculiar facilities for accumulating a very large quantity of water with only a short low dam. It will be seen from the sketch plan appended that several valleys, together with a very large catchment area, unite into one wide flat valley, the only outfall from which is a narrow rocky gorge affording an excellent position for a dam.

9. With reference to the question of the cost which would have to be incurred in the construction of the necessary storage and other works the Executive Engineer observes:—

"Without taking an accurate survey and levels of this valley and gorge, it is of course impossible to give any details as to storage capacity of the reservoir at different levels and as to heights and length and therefore of the cost of the dam required. But from inspection it would appear that a dam about 20 feet high would form a very large reservoir that would much more than supply any possible requirements, while such a dam would not exceed 60 to 80 feet in length at the deepest part and 120 to 150 at the top. The mill too being immediately below the site of the dam, there would be no heavy outlay for iron piping.

"The machinery, &c., already constructed was not protected in any way, and remains exactly as on the day the mill stopped work. As the sheds are open at the sides, it has been completely exposed to the weather, is greatly damaged by rust and rendered almost useless. The masonry dam and tanks, however, only need small repairs to make them again serviceable It would require a sum of Rs. 30,000 to Rs. 40,000 to re-establish these works."

10. The Executive Engineer suggests that if it is ever intended to make use of the works already constructed and thus to resume operations at this place, it would be necessary to pay particular attention to the selection of a good site for the erection of sheds or huts for the work-people and the construction of the sheds on a sufficiently high plinth or platform, a thorough clearance of the jungle and vegetation for some distance around the place, and the clearing of the stream of vegetation and dead leaves. He attributes the sickness which prevailed among the employés of the mill to neglect on the part of the owners of these precautions, especially the last, as the small stream which supplies drinking-water is overgrown in places with jungle and also receives the drainage of rice-fields. If, however, the valley be dammed and a reservoir formed, there would, in his opinion, be no danger from a contaminated water-supply.

11. It will be seen from the foregoing remarks that of the three sites mentioned, that at Sasu-Naoghar possesses decided advantages for the establishment of a paper mill at a comparatively small cost. Judging from the description given of it by the Executive Engineer, the site appears to His Excellency in Council to be suitable in all respects for the establishment of a paper mill on a sufficiently large scale to allow of its being worked economically, the only drawback being the unhealthiness of the place. This evil, however, can be minimized by the adoption of the precautionary measures suggested by the Executive Engineer and such other arrangements as experience may show to be necessary, and no serious obstacle need therefore be apprehended from it.

12. I am to state that an application was lately received from Messrs. Pelly and Company for the grant of a site at Panvel in the Thana Collectorate for the establishment of a paper mill; but on enquiry it appeared that the site applied for was unsuited for the purpose, and applicants have been so informed.

No. 3875, dated 26th October 1883.

ORDER.—Ordered, that the above be published in the Supplement to the *Gazette of India* for general information.

D. M. BARBOUR,
Secretary to the Government of India.

Printed and Published for the GOVERNMENT OF INDIA *at the* GOVERNMENT CENTRAL BRANCH PRESS, *Simla.*

III.—Every other Candidate *not producing the Certificate* mentioned in Clause I, must prove his age by statutory declaration, and should also, if possible, produce a record of birth or baptism from some official Register; under which term may be included the Parochial Registers of baptism, the non-Parochial Registers of baptisms and births deposited at Somerset House under Acts of Parliament, the Register kept at the India Office of persons born in India, &c., &c. This Regulation applies—

1. To all candidates not born in England or Wales.
2. To candidates, who, though born in England or Wales, cannot produce the Registrar-General's certificate.

The Civil Service Commissioners reserve to themselves the right of deciding in each case upon the sufficiency of the evidence produced, but they subjoin the following general rules for the guidance of candidates:—

(*a*) The declaration should specify precisely the date and place of birth, and should, if possible, be made by the father or mother of the candidate. If made by any other person, it should state the circumstances which enabled the Declarant to speak to the fact. If an entry in a Bible or other family record be referred to, the Bible or other record must be produced at the time of making the declaration, and must be mentioned in the declaration as having been so produced.

(*b*) If the candidate was born in England or Wales, the declaration must contain a statement that after due inquiry no entry has been found in the books of the Registrar-General; or a separate declaration must be made to that effect.

(*c*) If no extract from any Register is produced, the Declaration must contain a statement, that after due inquiry no such record is believed to exist; or a separate Declaration must be made to that effect.

(*d*) Statutory Declarations must be exactly in the form prescribed by the Act of 5 & 6 William IV., c. 62. A printed Form, if required, will be supplied on application to the Civil Service Commissioners.

N.B.—Clergymen who are not Magistrates, are not qualified to take Declarations.

CIVIL SERVICE OF INDIA.

FORM OF APPLICATION; TO BE FILLED UP BY CANDIDATES.

**** This Form must be sent so as to be received at the Office of the Civil Service Commission on or before the 31st March, 1884.*

Date ____________

SIR,

BEING desirous to offer myself as a candidate at the examination for the Civil Service of India, which is appointed to commence on the 3rd of June 1884, I transmit herewith, as required by the Regulations—

(1) A certificate of my birth, showing that I was born on the day of 18 , and that therefore my age was above 17 years and under 19 years on the 1st of January, 1884.

(1) If a General Register Office certificate cannot be obtained, the instructions printed on the other side will show what evidence should be supplied. If evidence is already in the hands of the Commissioners, strike out "A certificate of my birth," and insert "Evidence is already in the possession of the Commissioners."

(2) A certificate signed by of my having "no disease, constitutional affection, or bodily infirmity unfitting me, or likely to unfit me, for the Civil Service of India."

(2) The terms indicated by the marks of quotation must appear in the certificate, which must be given after personal examination, and bear date not earlier than 1st March, 1884.

(3) Proof of my moral character, *viz.*,—

(1) A testimonial from

(2) A testimonial from

(3) Two testimonials must be sent bearing date not earlier than 1st March, 1884 One of them should be given by an intimate acquaintance (not a relative) of not less than three or four years' standing; the other, if the candidate has recently left school, should be given by his late schoolmaster, or if he has had employment of any kind, by his late employer. If the candidate has been at any University, he should send a certificate of good conduct from his College tutor.

*(4) A statement of the branches of knowledge in which I desire to be examined.

(4) This should be given on the form herewith. If the History of England or English Literature be named, the schedule should also be filled up.

I have also to state, with reference to Section 2, Clause (i) of the Regulations, that I am a natural-born subject of Her Majesty.

I am, SIR,

Your obedient Servant,

Name in full ________________

Address ________________

____

To the Secretary,
Civil Service Commission.

CIVIL SERVICE OF INDIA.

OPEN COMPETITION OF 1884.

SELECTION OF SUBJECTS.

*** *Place your Initials against the Subjects which you select, and strike out the remainder.*

	Subject	INITIALS.
	English Composition	....
	* History of England	....
	* English Literature	....
	Greek	....
	Latin	....
	French	....
	German	....
	Italian	....
	Mathematics (Pure)	....
	,, (Mixed)	....
	Natural Science, *viz.*—	
Two of these only may be selected.	Chemistry	....
	Electricity and Magnetism	....
	Experimental Laws of Heat and Light	....
	Mechanical Philosophy and Astronomy	....
	Logic	....
	Elements of Political Economy	....
	Sanskrit	....
	Arabic	....

Signature ________________

Date ________________

* State Periods and Books selected on the next sheet.

[OVER]

To the Director of Examinations,
Civil Service Commission.

CIVIL SERVICE OF INDIA.

OPEN COMPETITION OF 1884.

History of England—Period selected by the undersigned Candidate :—

English Literature—Books selected by the undersigned Candidate :—

Signature ....

To the Director of Examinations,
Civil Service Commission.

JUDICIAL.

The 22nd October 1883.

No. 1389.—Under the provisions of Section 3 of Act XXVI of 1881 (The Negotiable Instruments Act, 1881), the Governor General in Council has been pleased to appoint Muhammad Anwarulla Sahib, a Sub-Registrar in the Madras Presidency, to perform the functions of a Notary Public under that Act.

ECCLESIASTICAL.

The 22nd October 1883.

No. 263.—The services of the Reverend Arthur E. Stone, B.A., Domestic Chaplain to the Right Reverend the Lord Bishop of Calcutta, are placed at the disposal of the Government of the North-Western Provinces and Oudh.

The 23rd October 1883.

No. 266.—The Reverend A. C. Pearson, M.A., a Junior Chaplain on the Bengal Establishment, to be a Senior Chaplain, with effect from the 4th November 1883.

FORESTS.

The 24th October 1883.

No. 792 *F.*—Mr. C. J. Ponsonby, Deputy Conservator of Forests of the 2nd Grade in the North-Western Provinces and Oudh, is appointed to officiate in the 1st Grade of Deputy Conservators, with effect from the date on which Mr. I. E. O'Callaghan, Deputy Conservator of the 1st Grade, assumed charge of the Central Circle in those Provinces from Mr. G. Greig, Conservator of Forests, when the latter officer availed himself of three months' privilege leave, and until the return from furlough of Mr. W. R. J. Brereton, Deputy Conservator of the 2nd Grade in the North-Western Provinces and Oudh, or until the issue of further orders.

No. 794 *F.*—Consequent on the retirement from the service of Mr. I. E. O'Callaghan, Deputy Conservator of Forests of the 1st Grade in the North-Western Provinces and Oudh, Captain C. W. Losack, Deputy Conservator of Forests of the 2nd Grade in the Central Provinces, and officiating in the 1st Grade of Deputy Conservators, is confirmed in the latter appointment, with effect from the 28th September 1883.

A. MACKENZIE,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—MILITARY.

Simla, the 24th October, 1883.

No. 2490 *G.*—With reference to Foreign Department Notification, No. 2093 G., dated the 27th August, 1883, Lieutenant J. B. Edwards will, on appointment as Squadron Officer, continue to officiate as Squadron Commander of the 2nd Regiment, Central India Horse, in addition to his own duties.

POLITICAL.

The 23rd October, 1883.

No. 2477 *G.*—In supersession of Foreign Department Notification, No. 1178 G., dated the 24th April, 1883, it is hereby notified that Mr. C. C. Bancroft, Vice and Deputy Consul-General for the United States of America, at Calcutta, has assumed charge of the duties of the Consul-General at Calcutta, during the absence of Mr. H. Mattson.

GENERAL.

No. 2480 *G.*—The services of Surgeon J. Scully, Medical Officer of the Erinpoorah Irregular Force, are placed temporarily at the disposal of the Department of Finance and Commerce, with effect from the 24th November, 1883.

The 25th October, 1883.

No. 2496 *G.*—Pundit Sarup Narain, Officiating Political Assistant of the 2nd Class, and 3rd Assistant to the Governor-General's Agent in Central India, is appointed to hold charge of the current duties of the office of Political Agent in Bhopawar, in addition to his own duties, with effect from the date of assuming charge, during the absence on privilege leave of Major J. Biddulph.

C. GRANT,
Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 26th October 1883.

No. 3945.—In exercise of the powers conferred by Section 23 of the Sea Customs Act, 1878, the *Governor General in Council is pleased to exempt methylated ether containing less than 20 per cent. of rectified spirit from the duty to which it is liable on importation into British India under the Indian Tariff Act,* 1882.

This Notification shall take effect on and after the date thereof.

No. 3990.—Mr. W. H. Dobbie, having been appointed to officiate as Deputy Accountant General, Punjab, assumed charge of the duties of the office before noon on the 20th October 1883.

The following Addenda and Corrigenda to the Codes of the Financial Department are published for general information :—

No. 3993.

C. P. C.

PAGE 54.

Section 106, Rule 6 (a).

In the second sentence after " Works " *insert* the words " and Telegraph "; *and for* " Department " *substitute* the word " Departments."

Insert the following as Note 2 and mark the present Note 2 as Note 3 :—

[NOTE 2.—The operation of the proviso in this Rule to officers in the Telegraph Department is limited similarly to that of Rule 1B.]

PAGE 55.

Insert the following Rule under the Section :—

10. The tenure of the appointment of Director General of Telegraphs is limited to five years. Extensions of this term can be sanctioned by the Secretary of State alone.

D. M. BARBOUR,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 26th October, 1883.

APPOINTMENTS.

No. 566.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Secretary of State for India :—

Lieutenant Herbert John James Middleton, East Kent Regiment, Squadron Officer, 3rd Bengal Cavalry,—1st October, 1880.

Lieutenant Henry Frederick Tucker Macartney, Yorkshire Regiment, Officiating Squadron Officer, 9th Bengal Cavalry,—2nd October, 1880.

Lieutenant William Hall Mackintosh Stewart, Oxfordshire Light Infantry, Officiating Squadron Officer, 1st Punjab Cavalry,—21st May, 1881.

Lieutenant George Stewart Ommanney, Norfolk Regiment, Wing Officer, 10th Native Infantry,—3rd July, 1882.

Lieutenant William Edmund Hill, Northumberland Fusiliers, Wing Officer, 18th Native Infantry,—31st July, 1882.

Lieutenant *Alexander Clement O'Donnell, Somersetshire Light Infantry, Wing Officer, 10th Native Infantry,—17th August, 1882.*

No. 567.—ADJUTANT GENERAL'S DEPARTMENT—

Brevet Lieutenant-Colonel G. de C. Morton, Royal Warwickshire Regiment, Deputy Assistant Adjutant General, to be an Assistant Adjutant General on the establishment, *vice* Colonel M. C. Farrington, whose tenure of appointment is about to expire.

Major E. A. Brind, Connaught Rangers, Officiating Deputy Assistant Adjutant General, to be a Deputy Assistant Adjutant General on the establishment, *vice* Lieutenant-Colonel G. de C. Morton, appointed an Assistant Adjutant General.

Dated the 28th October, 1883.

No. 568.—VOLUNTEER CORPS—

Calcutta Volunteer Rifle Corps.

To be Captains.

Lieutenant William James Gardiner.
Lieutenant William Berry Rutledge.
Mr. Stephen Mesrope Gregory.
Mr. Harry Bartram Kiddell.

To be Lieutenant.

Color-Sergeant Godfrey Samuel Bomwetsch.

FURLOUGH AND LEAVE.

No. 569.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Major W. Barron, Bengal S. C., Deputy Superintendent, 3rd Grade, Officiating 2nd Grade, Survey of India, (p. a.) for two years, under rule IX of the regulations of 1868.

Captain W. G. C. Halkett, Bengal S. C., Wing Commander, 30th Native Infantry, (p. a.) for one year, under rule I of the regulations of 1875.

Surgeon-Major C. F. Oldham, 1st Goorkha Regiment, (p. a.) for one year and 8 days, under rule IX of the regulations of 1868.

No. 570.—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India :—

Major W. S. S. Bisset, R.E., (p. a.) for 31 days.

Major E. N. D. LaTouche, General List, Infantry, (m. c.) for six months.

Lieutenant F. S. Sorell, Bengal S. C., (m. c.) for one month.

Surgeon-Major A. B. Strahan, (m. c.) for six months.

LONDON GAZETTE.

No. 571.—The following extract is published for general information :—

"London Gazette," dated the 25th September, 1883, page 4675.

"WAR OFFICE;

Pall Mall, 25th September, 1883.

MEMORANDA.

* * * *

Lieutenant-Colonel William Walker Pemberton, Madras Staff Corps, to be Colonel. Dated 13th July, 1883.

Lieutenant-Colonel William George Cubitt, V.C., Bengal Staff Corps, to be Colonel. Dated 26th July, 1883."

MEDICAL DEPARTMENT.

No. 572.—1st Class Apothecary Charles Cordell is promoted to the grade of Senior Apothecary for services in the field during the Afghan campaigns, with effect from the 28th May 1883, under the provisions of Clause 225, India Army Circulars, 1882.

PROMOTIONS.

No. 573.—The following promotions are made, subject to Her Majesty's approval :—

BREVET.

To be Colonels.

Lieutenant-Colonel Donald Macdonald, Bengal S. C.,—20th October, 1883.

Lieutenant-Colonel John Bartleman, Bengal S. C.,—20th October, 1883.

No. 574.—NATIVE ARMY—

30th Native Infantry.

Pay-Havildar Nizamdeen to be Jemadar, *vice* Roostum Khan, invalided,—26th August, 1883.

No. 575.—PUNJAB FRONTIER FORCE—

6th Punjab Infantry.

Jemadar Jeypal Sing to be Subadar, *vice* Devi Sing, deceased; Havildar Khazana to be Jemadar, *vice* Jeypal Sing, promoted,—2nd September, 1883.

VOLUNTEER CORPS.

No. 576.—Captain Alfred Allen Stokes, late of the East Indian Railway Volunteer Rifle Corps, who resigned his commission at his own request, is permitted to retain his rank and to continue to wear the uniform of his regiment.

G. CHESNEY,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 22nd October 1883.

No. 243.—Mr. J. W. B. Duthy, Assistant Superintendent, 1st Grade, Indian Telegraph Department, is appointed to officiate as Superintendent, 4th Grade, with effect from the 8th October 1883, and until further orders.

No. 245.—Public Works Department Notification No. 241, dated 19th October 1883, is cancelled.

The 23rd October 1883.

No. 246.—Baboo Jadab Lall Dutt, Accountant, 1st Grade, in the Office of the Examiner of Telegraph Accounts, is promoted to the honorary rank of Assistant Examiner.

No. 247.—Mr. G. W. MacGeorge, Executive Engineer, 1st Grade, Railway Branch, is, on his return from furlough, appointed Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Lucknow.

No. 248.—The Governor General in Council is pleased to order the undermentioned *temporary promotions* to Executive Engineer, 4th Grade, with effect from the dates specified :—

Bhagat Singh, Assistant Engineer, 1st Grade, Rajputana, from 6th September 1883.

Mr. M. P. Coode, Assistant Engineer, 1st Grade, Hyderabad, from 20th September 1883.

The 24th October 1883.

No. 249.—*Corrigendum.*—In Public Works Department Notification No. 231, dated 16th instant, posting certain students of the Royal Indian Engineering College who have gone through their practical training, *for* "W. D. Burrow," *read* "W. D. Barrow."

No. 250.—The following is published for general information :—

Statement showing operation of Irrigation Works in India for the year 1882-83.

Provinces.	Capital expenditure (direct and indirect) to end of 1882-83.			Gross assessed revenue direct and indirect.	Maintenance charges direct and indirect.	Net revenue.	Percentage of net revenue on Capital outlay to end of year.	Acres irrigated.
	Productive Public Works.	Public Works for which Capital and Revenue Accounts are kept.	Total.					
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
Punjab ...	2,43,76,076	14,37,819	2,58,13,895	33,20,449	14,67,012	18,53,437	7·18	1,423,937
North-Western Provinces.	6,49,91,371	27,58,572	6,77,49,943	64,46,068	21,53,052	42,93,016	6·34	1,973,636
Bengal	5,53,23,367	6,94,996	5,60,18,363	12,98,867	12,28,401	70,466	0·12	372,866
Madras	3,91,03,451	28,04,582	4,19,08,033	35,02,255	9,11,729	25,90,526	6·18	1,848,267
Bombay and Sind ...	1,60,70,233	82,56,920	2,43,27,153	16,27,323	7,63,705	8,63,618	3·55	1,630,000†
Total ...	19,98,64,498	1,59,52,889	21,58,17,387	1,61,94,962	65,23,899	96,71,063	4·48	7,248,706

* Percentage of profit reduced by Government having taken over the Madras Irrigation Company's Canal.

† Estimated area. Exact area cannot be ascertained until October.

Statement showing operation of Irrigation Works in India for the year 1881-82.

Provinces.	Capital expenditure (direct and indirect) to end of 1881-82.			Gross assessed revenue direct and indirect.	Maintenance charges direct and indirect.	Net revenue.	Percentage of net revenue on Capital outlay to end of year.	Acres irrigated.
	Productive Public Works.	Public Works for which Capital and Revenue Accounts are kept.	Total.					
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
Punjab	2,38,45,044	14,37,063	2,52,82.107	33,25,979	13,20,625	20,05,354	7·93	1,439,132
North-Western Provinces	6,36,10,638	23,78,787	6,59,89 425	61,09,073	20,26,323	40,82,750	6·19	1,915,949
Bengal	5,44,44.979	6,53 343	5,50,98,322	12,56,809	11,49.633	1,07,176	0·19	414,787
Madras	2,09,95,698	29 21,961	2,39,20,659	36,30,105	11,55,884	24,74,221	10·34	1,813,795
Bombay and Sind ...	1,54,57,123	80,51,925	2,35,09,048	14,74,604	7,28,444	7,46,160	3·17	1,631,862
Total ...	17,83,53,482	1,54,46,079	19,37,99,561	1.57,96,570	63,80,909	94,15,661	4·86	7,215,525

Statement showing operation of Irrigation Works in India for the year 1880-81.

Provinces.	Capital expenditure (direct and indirect) to end of 1880-81.			Gross assessed revenue direct and indirect.	Maintenance charges direct and indirect.	Net revenue.	Percentage of net revenue on Capital outlay to end of year.	Acres irrigated.
	Productive Public Works.	Public Works for which Capital and Revenue Accounts are kept.	Total.					
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
Punjab	2,34,01,800	11,40,832	2,48,42 632	32,82,911	12,81,077	20,01,834	8·05	1,325,971
North-Western Provinces.	5,93,89,821	51,71,895	6 45,61,716	54,45,053	19,06,112	35 38,941	5·48	1,732,696
Bengal	5.32,33,621	1,02,933	5,33,36,554	10 19,371	10,50,726	—31,355	—0 06	4,28,708
Madras	2,07,57,153	28,38,935	2,35,96,088	41 05,459	13,99,482	27,05,977	11·47	1,888,307
Bombay and Sind ..	1,17,02,971	1,01,78,473	2,18,81,444	12,70,633	6,57,655	6,12 978	2·80	1,363,157
Total ..	16,84,85,366	1,97,33,068	18,82,18,434	1,51,23,427	62,95,052	88,28,375	4·69	6,738,839

Statement showing operation of Irrigation Works in India for the year 1879-80.

Provinces.	Capital expenditure (direct and indirect) to end of 1879-80.			Gross assessed revenue direct and indirect.	Maintenance charges direct and indirect.	Net revenue.	Percentage of net revenue on Capital outlay to end of year.	Acres irrigated.
	Productive Public Works.	Public Works for which Capital and Revenue Accounts are kept.	Total					
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
Punjab	2,19,63,103	14,11,195	2,33,74,298	32,94,310	14,85,825	18,08,485	7·73	1,220,344
North-Western Provinces.	5,73,14,574	51,07,054	6,24,21,628	46,92,483	18,39,611	28,52,872	4·57	1,400,405
Bengal	5,16,56,972	...	5,16,56,972	11,03,781	9,75,729	1,28,052	0·25	339,772
Madras	2,04,42,429	23,73,646	2,28,16,075	38,07,921	11,12,151	26,95,770	11·81	1,917,129
Bombay and Sind ..	1,15,57,796	95,00,434	2,10,58,230	11,76,669	6,11,638	5,65,031	2·68	1,364,192
Total ...	16,29,34,874	1,83,92,329	18,13,27,203	1,40,75,164	60,24,954	80,50,210	4·44	6,241,842

The 25th October 1883.

No. 251.—Major L. Conway-Gordon, R.E., Deputy Accountant General and *ex-officio* Under Secretary to the Government of India, was relieved, on the afternoon of the 22nd October 1883, of the special duty on which he was placed, under Public Works Department Notification No. 234, dated the 16th idem.

No. 252.—Mr. A. B. Sampson, B.A., Under Secretary to the Government of India in the Public Works Department, has been granted four months' furlough by the Secretary of State in extension of that granted to him in Public Works Department Notification No. 281, dated 22nd November 1882.

No. 253.—Mr. R. W. Woollcombe, Assistant Engineer, 2nd Grade, Punjab, is transferred to the State Railway Establishment, and his services placed at the disposal of the Director General of Railways.

The 26th October 1883.

No. 254.—The services of Mr. R. E. Nelson, Executive Engineer, 3rd Grade, Central India, are placed at the disposal of the Director General of Railways.

W. S. TREVOR, *Colonel, R.E.,*
Secy. to the Govt. of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 40.] SIMLA, SATURDAY, OCTOBER 6, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

MILITARY SECRETARY'S OFFICE.

NOTIFICATIONS.

Simla, the 1st October 1883.

His Excellency the Viceroy and Governor General will hold a Levée at Government House, Calcutta, on Wednesday, the 5th December 1883, at 9-30 P.M.

All Civil and Military Officers are invited to attend.

Gentlemen purposing to attend the Levée are requested to send their names to the Aide-de-Camp in waiting not later than the 1st December 1883, after which none will be received. Gentlemen who have not already been presented at the Court of St. James or at Government House will be good enough to add the names of Gentlemen who will present them.

The Levée will be closed by the Native Officers of the Garrison being presented by their Commanding Officers.

Gentlemen wearing uniform will appear in full dress.

Gentlemen not wearing uniform will appear in evening dress.

The carriages of Gentlemen (except such as have the private entrée) attending the Levée will enter by the North-East Gate, set down under the Grand Staircase, and pass out by the North-West Gate.

Their Excellencies the Viceroy and the Marchioness of Ripon will hold a Drawing Room at Government House, Calcutta, on Friday, the 7th December 1883, at 9-30 P.M.

Ladies purposing to attend the Drawing Room are requested to send their cards and addresses to the Aide-de-Camp in waiting not later than the 3rd December 1883, after which "*No Cards*" will be received, and to bring with them to the Drawing Room two cards with their names legibly written on them—one to be given on

entering Government House, and the other to the Aide-de-Camp in waiting at the time of presentation.

Ladies who have not already been presented at the Court of St. James or at Government House are requested to send their Cards with their addresses and the name of the Lady by whom they are to be presented to the Aide-de-Camp in waiting as soon as possible.

Ladies who present others should themselves attend the Drawing Room.

The Carriages of those who have the private entrée will enter by the South-East Gate and set down at the South Entrance of Government House.

All other carriages will enter by the North-East Gate, set down under the Grand Stairs, and pass out by the North-West Gate.

The 5th October 1883.

His Excellency the Viceroy and Governor General will leave Simla on Tuesday, the 16th October, and will arrive in Calcutta, *vid* Kashmir and Lahore, on Saturday, the 1st December 1883.

All covers intended to reach His Excellency the Viceroy and Governor General and party* during His Excellency's journey should be addressed "Governor General's Camp," without the addition of any post town.

* H. W. Primrose, Esq., Private Secretary to the Viceroy.
Captain Lord William Beresford, V.C., Military Secretary to the Viceroy. (*a*)
Rev. Father H. S. Kerr, Chaplain to the Viceroy.
Surgeon-Major J. Anderson, C.I.E., Surgeon to the Viceroy.
Captain T. Hope, Under Secretary to Government, Foreign Department. (*b*)
Colonel A. H. Bamfield, Inspector General of Police, Punjab. (*d*)
Lieutenant the Hon'ble C. Harbord, (*c*)
Lieutenant Lord A. F Compton,
Lieutenant F. S. St. Quinton, } Aides-de-Camp.

(*a*) Will leave the Viceregal party at Jummoo.
(*b*) Will join the Viceregal party at Umballa on 17th.
(*c*) Do. do. Sialkot on 18th
(*d*) Do. do. Jummoo on 19th

All communications connected with business of a mere routine nature should be sent, as usual, to the head-quarters of the several Departments.

By Command,

WILLIAM BERESFORD, *Captain,*
Military Secretary to the Viceroy.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 1st October, 1883.

No. 16—CORRIGENDUM.—In the first line of paragraph 5 of the letter No. 609, dated 14th May, 1883, from the Senior Secretary to the Financial Commissioner, Panjáb, on the Criminal Procedure Code Amendment Bill, published at page 354 of the Extra Supplement to the *Gazette of India,* dated the 8th ultimo, *for* the word "non-efficient" *read* the words "more efficient."

D. FITZPATRICK,
Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—MEDICAL.

Simla, the 3rd October 1883.

No. 362.—The services of Surgeon R. R. H. Whitwell, Officiating Medical Officer, 12th Native Infantry, are temporarily placed at the disposal of the Chief Commissioner of Assam, with effect from the 20th instant.

PATENTS.

The 29th September 1883.

No. 988.—Specifications of the undermentioned inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open to public inspection, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department at the Presidency, upon payment of a fee of one rupee. A certified copy of any specification will be given to any person requiring the same on payment of the expense of copying :—

No. 142 of 1882.—Peter Jacob Van Maanen, of Salatiga, Isle of Java, Engineer and Inventor, for a new method of drying coffee, sugar, megass, indigo, cacao, coprah, and other produce at a low temperature by the circulating properties of heated air.

No. 31 of 1883.—George Dubern, Electrical Engineer, in the Town of Calcutta, No. 18, Elliott Road, for a cold storer and preserver.

No. 42 of 1883.—Henry Charles Smith, of Richmond, in the County of Surrey, England, Engineer, for improvements in the

treatment of fibre-bearing leaves and plants for the separation of the fibres therefrom, and for the washing, drying, and bleaching of the same, and in the machinery or apparatus employed therein.

No. 54 of 1883.—Frederic Isenbart Scard, of Demerara, British Guiana, Analytical Chemist, for improvements in the process of fermenting liquids.

No. 63 of 1883.—George Fry, of 57½, Old Broad Street, in the City of London, Merchant, for improvements in the extraction of saccharine matter from vegetable substances.

No. 65 of 1883.—Hermann Egells, Councillor of Commerce and Engineer, residing in Berlin, Prussia, German Empire, for improvements in apparatus for cooling and refrigerating liquids.

No. 91 of 1883.—Wilhelm Fischer, residing in the City of Leipsic, Saxony, German Empire, for improvements in pianofortes.

No. 93 of 1883.—Frank Jacob, of Woolwich, in the County of Kent, England, for improvements in the arrangement and application of electrical conductors.

No. 107 of 1883.—Daniel Lemart Davis, for improvements in cane mills.

No. 115 of 1883.—Peter Joseph Stollwerck, Heinrich Stollwerck, and Ludwig Stollwerck, trading under the style of Geber Stollwerck, all of Cologne, on the Rhine, in the Kingdom of Prussia and German Empire, for an improvement in the manufacture of effervescent sugar.

No. 120 of 1883.—August Kraemer, of Berlin, in the Empire of Germany, for an improved process of, and apparatus for, separating and preparing animal and vegetable fibres.

No. 127 of 1883.—John Frederick Cooke Farquhar and Walter Oldham, both of 24, Long Acre, in the County of Middlesex, England, for improvements in filtering apparatus.

A. MACKENZIE,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 4th October, 1883.

No. 2965 *I.*—In exercise of the powers conferred by Section 12 of the Code of Criminal Procedure, the Governor-General in Council is pleased to invest Captain W. Ashfield with the powers of a Magistrate of the 2nd Class, to be exercised within the limits of the Mhow Cantonment.

No. 2967 *I.*—In exercise of the powers conferred by Section 28 of Act III of 1880, the Governor-General in Council is pleased to invest Captain W. Ashfield, Assistant Cantonment-Magistrate of Mhow, with powers to try breaches of any Rules or Regulations made under Section 25 of the said Act, and applying to the said Cantonment.

No. 2969 *I.*—In exercise of the powers conferred by Section 28 of Act III of 1880, the Governor-General in Council is pleased to invest Colonel M. M. Procter, Assistant Cantonment-Magistrate of Morar, with powers to try breaches of any Rules or Regulations made under Section 25 of the said Act, and applying to the said Cantonment.

POLITICAL.

The 2nd October, 1883.

No. 2351 *G.*—With reference to Foreign Department Notification, No. 1589G., dated the 11th June, 1883, the recognition of the appointment by the Government of India of Mr. Joseph Tintner, as Acting Vice-Consul for Spain, at Bombay, has been confirmed by Her Majesty's Government.

No. 2354 *G.*—With reference to Foreign Department Notification, No. 1772G., dated the 11th July, 1883, the recognition of the appointment by the Government of India of Mr. J. Frame, as Vice-Consul for Denmark, at Bassein, has been confirmed by Her Majesty's Government.

The 4th October, 1883.

No. 2376 *G.*—With reference to Foreign Department Notification, No. 1747G., dated the 5th July, 1883, the recognition of the appointment by the Government of India of Mr. T. H. Rooke, as Acting Consular Agent for Italy, at Akyab, has been confirmed by Her Majesty's Government.

GENERAL.

The 3rd October, 1883.

No. 2360 *G.*—Assistant-Surgeon Abdul Rahim Hakim, Khan Bahadur, Native Assistant to the Political Resident in the Persian Gulf, is granted three months' privilege leave, with effect from the 20th October, 1883, or the subsequent date on which he may avail himself of the same.

C. GRANT,
Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 5th October 1883.

The following Addenda to the Codes of the Financial Department are published for general information :—

No. 3585.

C. P. C.

PAGE 21.

Chapter VIII.

Insert the following Rule under Section 42 :—

1. The pension of a Pilot who was in the service prior to the 30th August 1883, if drawn in England, is payable at the rate of **1s.** 11*d.* per rupee. The pension of a Pilot appointed to the service after that date will be paid at the rate of exchange fixed yearly for the adjustment of financial transactions between the Imperial and the Indian Governments.

No. 3602.

C. L. C.

PAGE 163.

Section 72, Rule 3.

Insert the following Note under the Rule :—

[NOTE.—This Rule operates only in the case of an officer who is absent during vacation, when privilege leave earned under the operation of the ordinary rules is not due to him. In cases in which privilege leave under the ordinary rules is due, enjoyment of the vacation or part thereof, not exceeding the amount of privilege leave due, shall be considered to be absence on privilege leave.]

No. 3642.—In exercise of the powers conferred by Section 8 of the Indian Stamp Act, 1879, the Governor General in Council is pleased to remit the stamp duty payable on receipts given by or on behalf of depositors in Presidency Savings Banks and State Railway Savings Banks for sums of money withdrawn from such Banks in all cases in which, but for this exemption, such receipts would be liable to stamp duty.

No. 3654.—The services of Major L. Conway-Gordon, R.E., Deputy Accountant General and *ex-officio* Under-Secretary to the Government of India, Public Works Department, who was temporarily employed on special duty in the Department of Finance and Commerce, are replaced at the disposal of the Public Works Department, with effect from the 16th September 1883.

No. 3665.—Surgeon Croasdaile Thompson, M.B., having been appointed to officiate as Deputy Assay Master of the Bombay Mint during the absence on furlough of Captain Gerald Ward Martin, or until further orders, received charge of the said office before noon on the 24th September 1883.

No. 3691.—Mr. T. H. Biggs, Officiating Assistant Comptroller General, attached to the Office of the Comptroller of Indian Treasuries, having returned from privilege leave, resumed charge of his duties from Babu Prán Kissen Ghose before noon on the 27th September 1883.

D. M. BARBOUR,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 5th October, 1883.

APPOINTMENTS.

No. 534.—ARMY REMOUNT DEPARTMENT—

Lieutenant-Colonel J. Ewing, Madras S. C., Deputy Quarter Master General, Madras, is confirmed in the appointment of Superintendent of Reserve Depôt, Hosúr, *vice* Colonel R. C. Stewart. Dated 5th March, 1883.

No. 535.—VETERINARY DEPARTMENT—

Inspecting Veterinary Surgeon G. A. Oliphant to be Principal Veterinary Surgeon in India. Dated 28th June, 1883.

No. 536.—MILITARY ACCOUNT DEPARTMENT—

Lieutenant G. A. Williams, Assistant Military Accountant, on probation, is confirmed in his appointment, with effect from the 7th September, 1882.

No. 537.—MEDICAL DEPARTMENT—

The following paragraphs of a Military letter from the Right Hon'ble the Secretary of State for India, No. 279, dated the 6th September, 1883, are published for general information :—

Para. 1. The undermentioned probationers for the Indian Medical Service, having completed a course of instruction at the Army Medical School, and being reported qualified, have been appointed Surgeons on the Bengal Establishment, their commissions as such bearing date the 31st March, 1883, the day of their joining at the Army Medical School :—

John More Young.
Granville Jameson.

2. They will be permitted to count as service for full pay pension the period of their residence at the Army Medical School, from the 31st March, 1883, to the 6th August, 1883, inclusive.

No. 538.—PUNJAB FRONTIER FORCE—

No. 4 Mountain Battery.

Lieutenant A. H. C. Birch, R.A., Officiating 2nd Subaltern, No. 3 Mountain Battery, to be 2nd Subaltern, *vice* Lieutenant C. C. Townsend, appointed 1st Subaltern.

FURLOUGH AND LEAVE.

No. 539.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Colonel H. H. Stansfeld, Infantry, (p. a.) for 274 days, under the regulations of 1868.

Lieutenant-Colonel (Brevet Colonel) T. Lamb, Bengal S. C., Deputy Commissioner, 2nd grade, Officiating 1st grade, Assam, (p. a.) for 273 days, under rule IX of the regulations of 1868, embarking on or after the 31st October, 1883.

Major G. F. L. Marshall, R.E., Executive Engineer, 1st grade, temporary Superintending Engineer, 3rd class, Under Secretary to the Government of India, Public Works Department, (p. a.) for one year and 121 days under rule IX of the regulations of 1868.

Major W. H. Meiklejohn, General List, Infantry, Wing Commander, 20th Native Infantry, (p. a.) for 260 days, under rule VIII, clause 2, and rule IX of the regulations of 1868, with effect from the 22nd June, 1883. (This cancels the furlough granted to Major Meiklejohn in G. G. O. No. 276 of 1883.)

Captain G. W. Martin, Bengal S. C., Deputy Assay Master, Bombay Mint, (m. c.) for 182 days, under rule XIV, clause 2, of the regulations of 1868.

Lieutenant R. V. Garrett, Bengal S. C., Wing Officer and Adjutant, 4th Infantry, Hyderabad Contingent, (p. a.) for one year, under rule I of the regulations of 1875.

Lieutenant V. C. Tonnochy, Bengal S. C., Wing Officer and Adjutant, 4th Sikh Infantry, (p. a.) for two years, under rule I of the regulations of 1875, embarking on or after the 30th October, 1883.

No. 540.—Lieutenant S. C. F. Peile, Bengal S. C., Sub-Assistant Commissary General, 1st class, is granted leave in India, (p. a.) for thirty days, with effect from the 10th September, 1883, under rule X of the regulations of 1875, in extension of that allowed in G. G. O. No. 455 of 1883.

No. 541.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India:—

Major R. P. Nisbet, Bengal S. C., (p. a.) for six days.
Major A. D. Campbell, Bengal S. C., (m. c.) for two months.
Surgeon A. E. R. Stephens, (m. c.) for three months.

LONDON GAZETTE.

No. 542.—The following extract is published for general information:—

"*London Gazette,*" *dated the 31st August, 1883, pages 4276-77.*

"WAR OFFICE;
Pall Mall, 31st August, 1883.

6th Bengal Cavalry.

To be Honorary Colonel.

Field-Marshal His Royal Highness Albert Edward, Prince of Wales and Duke of Cornwall, K. G., K.T., K.P., G.C.B., G.C.S.I., G.C.M.G., A.D.C. Dated 1st September, 1883.

7th Bengal Native Infantry.

To be Honorary Colonel.

Major-General His Royal Highness Arthur William Patrick Albert, Duke of Connaught and Strathearn, K.G., K.T., K.P., G.C.S.I., G.C.M.G., C.B., A.D.C. Dated 1st September, 1883.

20th (Punjab) Regiment of Bengal Native Infantry.

To be Honorary Colonel.

Field-Marshal His Royal Highness George William Frederick Charles, Duke of Cambridge, K.G., K.T., K.P., G.C.B., G.C.S.I., G.C.M.G., A.D.C. Dated 1st September, 1883.

29th Bombay Native Infantry (2nd Biluch Regiment).

To be Honorary Colonel.

Major-General His Royal Highness Arthur William Patrick Albert, Duke of Connaught and Strathearn, K.G., K.T., K.P., G.C.S.I., G.C.M.G., C.B., A.D.C. Dated 1st September, 1883.

INDIA OFFICE;
31st August, 1883.

The Queen has approved of the retirement from the Service of the undermentioned Officers of Her Majesty's Indian Military Forces:—

Lieutenant-Colonel and Brevet Colonel Thomas Edward Vander Gucht, of the Bengal Staff Corps. Dated 29th June, 1883.
Lieutenant-Colonel Thomas Nicholls Walker, of the Bengal Staff Corps. Dated 1st July, 1883.
Lieutenant-Colonel Francis James Rivers, of the Madras Staff Corps. Dated 9th June, 1883.
Major Henry French, of the Bombay Staff Corps. Dated 7th July, 1883.
Brigade-Surgeon Henry King, of the Madras Army. Dated 16th August, 1883.
Veterinary-Surgeon George Western, of the Madras Army. Dated 8th August, 1883.

The Queen has approved of the resignation of the Service by the undermentioned Officers:—

Surgeon Herbert Tyrrell Griffiths, of the Bengal Army. Dated 15th June, 1883.
Surgeon George Arthur Warburton, of the Bengal Army. Dated 20th June, 1883.

The undermentioned Officers are granted a step of Honorary Rank on retirement:—

BREVET.

To be Major-General.

Lieutenant-Colonel and Brevet Colonel Thomas Edward Vander Gucht, of the Bengal Staff Corps. Dated 29th June, 1883.

To be Colonels.

Lieutenant-Colonel Thomas Nicholls Walker, of the Bengal Staff Corps. Dated 1st July, 1883.
Lieutenant-Colonel Francis James Rivers, of the Madras Staff Corps. Dated 9th June, 1883.

To be Lieutenant-Colonel.

Major Henry French, of the Bombay Staff Corps. Dated 7th July, 1883."

HONORARY DISTINCTIONS.

No. 543.—Her Majesty the Queen, Empress of India, has approved of the undermentioned Regiments being in future designated as follows:—

The 6th Bengal Cavalry (The Prince of Wales').
The 7th Bengal Native Infantry (The Duke of Connaught's Own).
The 20th Punjab Native Infantry (The Duke of Cambridge's Own).
The 29th Bombay Native Infantry (The Duke of Connaught's Own).

PROMOTIONS.

No. 544.—The following promotions are made, subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major (Brevet Lieutenant-Colonel) Charles Richard Pennington,—4th October, 1883.
Major Charles Albert Dodd,—4th October, 1883.

To be Major.

Captain John Briscoe Watts,—2nd October, 1883.

BREVET.

To be Colonel.

Lieutenant-Colonel Gregory Colquhoun Grant, Bombay S. C.,—4th October, 1883.

No. 545.—NATIVE ARMY—

In G. G. O. No. 426 of 1883, promoting Jemadar Rachpal Singh, of the 6th Bengal Cavalry, for "27th July, 1883," read "19th October, 1882."

REWARDS.

No. 546.—GOOD SERVICE PENSIONS—

It is notified that on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer a good service pension on the undermentioned officer, with effect from the date specified :—

From the 1st May, 1883 in the room of Deputy Surgeon-General J. Lumsdaine, Bombay Medical Service, retired.

LIEUTENANT-COLONEL (BREVET COLONEL) THOMAS WILLIAM WEST PIERCE, BOMBAY STAFF CORPS.

Dates of Commissions.

Ensign ...	... 29th December, 1846.
Lieutenant ...	... 31st October, 1853.
Captain ...	... 13th January, 1860.
Major ...	.. 29th December, 1866.
Lieutenant-Colonel	... 29th December, 1872.
Brevet Colonel ...	... 29th December, 1877.

Appointments.

Attached to 19th Regiment, Native Infantry, from May to October, 1847.

Regimental duty with 10th Regiment, Native Light Infantry, from October, 1847 to February, 1856.

Officiating Quartermaster and Paymaster, 10th Regiment, Native Light Infantry, from February, 1856 to November, 1859.

Regimental duty from November, 1859 to June, 1860.

Served in Horse Transport Service, China, from June, 1861 to November, 1864.

Wing Commander, 10th Native Light Infantry, from December, 1864 to November, 1871.

2nd-in-Command, 10th Native Light Infantry, from November, 1871 to May, 1872.

Officiating Commandant, 10th Native Light Infantry, from May to July, 1872.

2nd-in-Command, 10th Native Light Infantry, from July, 1872 to May, 1877.

Officiating Commandant, 16th Native Infantry, from May, 1877 to April, 1878.

(Commanding Nusseerabad Brigade, Officiating from December, 1878 to January, 1879).

Commandant, 16th Native Infantry, from April, 1878 to present date.

War Services.

Served with a light field detachment in the Rajputana States in 1854 and 1855 under Sir Henry Lawrence, K.C.B. Served throughout the operations in Central India in 1858-59, including the siege and capture of Kotah, the re-occupation of the fort of Chandari, the battle of Kotah-ke-Serai, the storming and capture of the heights before Gwalior, and in the general action which ended in the capture of that city and fortress; at the siege and capture of the fort of Powri, in the subsequent pursuit of the rebels, and at the surprise and in the pursuit of the rebels under Maun Sing at Kundri on 11th November, 1858 (medal and clasp). In China in 1860 as a volunteer with the Horse Transport Service, and in command of the Depôt of the Military Train at Tientsin (medal). In Abyssinia in 1867-68, with the advance brigade under Colonel Field; employed in making roads from Koomaylie to Antalo; present at the assault and capture of Magdala (mentioned in despatches, medal). During the campaign of 1880 in Southern Afghanistan in command of 16th Native Infantry; commanded the garrison of Kach and repulsed an attack made by a body of Marris and *ghazis* (mentioned in despatches, medal).

MILITARY WORKS DEPARTMENT.

PROMOTIONS.

No. 547.—Deputy Assistant Commissary and Honorary Lieutenant J. H. O'Farrell, Sub-Engineer, 3rd Grade, is promoted to the rank of Assistant Engineer, 3rd Grade, with effect from 17th August, 1883.

G. CHESNEY,
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 1st October, 1883.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officers, on the dates specified, were received in the Military Department from the 11th September to the 1st October, 1883 :—

Corps.	Rank and Names.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Bengal Staff Corps ..	Colonel W. Musgrave ...	21st Sept., 1883	Simla ...	...	...
Army Medical Department	Surgeon-Major R. Jackson ...	24th Sept., 1883	Pachmarhi	...	...
1st Dragoon Guards ...	Lieutenant A. Waters ...	Do.	Meerut ...	...	...

E. H. H. COLLEN,
Officiating Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 2nd October 1883.

No. 225.—Mr. J. M. Span, Executive Engineer, 2nd Grade, Assam, is transferred temporarily to Madras.

W. S. TREVOR, *Colonel, R.E.,*
Secy. to the Govt. of India.

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E. N. BAKER,

Offg. Under-Secy. to the Govt. of Bengal.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 6, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

IN THE COURT OF THE JUDICIAL ASSISTANT COMMISSIONER, LAHORE.

IN THE MATTER OF THE INDIAN COMPANIES ACT, 1882, AND OF THE PUNJAB BANK, LIMITED.

Upon the application of the Official Liquidator, notice is hereby given that the Court will, on the 16th day of October 1883, proceed to pass orders in reference to the distribution of the remaining assets of the Punjab Bank, Limited.

The more immediate question for disposal is whether depositors are entitled to interest; or whether (depositors having been paid the amount of their respective deposits in full with interest to 30th June 1877) the whole of the surplus assets should be divided amongst the shareholders.

All persons concerned are desired to attend this Court on the above date, and to bring forward anything they may have to state in regard to the above question.

E. W. PARKER,
Judl. Asst. Commr., Lahore.

LAHORE,
The 14th June 1883.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 040062, of the 5 per cent. of Treasury Note, 1872, for R500, originally standing in the name of Gopika Baee, Manager of Vittal Rukhmai, Ramtek, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

GOPIKA BAEE,
Ramtek Tahsil, Ramtek,
Zilla Nagpur, C. P.

Lost

The lower half of Government Promissory Note, No. 032555, of the 4 per cent. of 1842-43, for R5,000, originally standing in the name of the Bank of Bengal, and last standing in the name of the proprietor Mr. J. L. Gallott, by whom it was never endorsed to any other person. Payment of the above Note and interest thereon have been stopped at the Public Debt Office, and an application is about to be made to Government for the issue of a duplicate in favour of the proprietor Mr. J. L. Gallott.

KING, HAMILTON & Co.,
7, Hare Street.

CALCUTTA,
The 28th September 1883.

Stolen.

The Government Promissory Notes, No. 009719, of 15th July 1870, for R500 and No. 006943, of 16th January 1872, for R500, both of the 4½ per cent.

R. MONKS, *Capt.*,
Depy. Comsy. of Ordnance.
Arsenal, Allahabad.

Destroyed.

The Government Promissory Note No. 038264, of the 4 per cent. of 1865, for R500, originally standing in the name of Gopaul Chunder Sreemany, and last endorsed to Brojo Coomary Dossy, the proprietress, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of duplicate in favor of the proprietress.

SOSHEE BHUSHAN BYSACK,
69, Beadon Street,
Calcutta

Partially destroyed by White-Ants.

The Government Promissory Note No. 949, of the 5 per cent. loan of 15th January 1830, for sicca R2,000, issued in the name of Armogatha Pillai, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon has been stopped at the Loan Office, and application is about to be made for payment to the undersigned of the principal and interest due.

N. VYTHILINGA PILLAI,
Grandson and Legal Representative of Armogatha Pillai, deceased.

NEGAPATAM,
The 10th September 1883.

Lost or Destroyed during the Rebellion

The Government Promissory Notes, Nos. 5916—17180, of 4 per cent. of 1832-33, for R39,000; 5878—11446, of 4 per cent. of 1832-33, for R3,000; 6284—16802 of 4 per cent. of 1832-33, for R3,000; 1961—10236, of 4 per cent. of 1835-36, for R3,000; originally standing in the name of Mohmudi Khanim, the proprietress, by whom they were never endorsed to any other person. Payment of the above Notes and interest thereupon have been stopped at the Loan Office, and application is about to be made to Government for the issue of duplicates in favour of the proprietress.

H. FRAISER, *M.E.*,
Attorney for Mohmudi Khanim,
New Bikarbgunge,
Lucknow, Oudh.

CALCUTTA,
The 2nd October 1883.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 6, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 4th October, 1883, and is hereby promulgated for general information:—

ACT NO. XVI OF 1883.

An Act for the protection of Inventions exhibited in the Exhibitions of India.

WHEREAS it is expedient that such protection as is hereinafter mentioned should be afforded to the inventors of new manufactures who are desirous of exhibiting them at Exhibitions to be held in India; It is hereby enacted as follows:—

Short title.

1. *(1)* This Act may be called the Protection of Inventions Act, 1883;

Commencement.

(2) And it shall come into force at once.

Act to be read with Act XV of 1859.

2. It shall be read with, and taken as part of, Act XV of 1859 (*for granting exclusive privileges to inventors*).

Inventions exhibited when to be deemed new though publicly used or made publicly known.

3. If, within six months from the time of the opening of an Exhibition, a person, being the inventor and exhibitor of any manufacture exhibited at that Exhibition, petitions the Governor General in Council, under Act XV of 1859, for leave to file a specification of his invention, the circumstance that the invention has at any time after the opening of the Exhibition been publicly used or made publicly known shall not prevent the invention being deemed to have been at the time of presenting the petition a new invention for the purposes of the said Act.

Meaning of term "Exhibition."

4. In this Act, "Exhibition" means the International Exhibition to be held in the years one thousand eight hundred and eighty-three and one thousand eight hundred and eighty-four at Calcutta, and any Exhibition to be held in India which the Governor General in Council may, on the application of any persons desirous of holding the Exhibition, by notification in the *Gazette of India*, declare to be, in the judgment of the Governor General in Council, calculated to promote Indian art or industry, and to prove beneficial to the mercantile, agricultural or industrial classes of Her Majesty's subjects in India.

D. FITZPATRICK,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 4th October, 1883, and is hereby promulgated for general information:—

ACT No. XVII OF 1883.

An Act to amend the Native Passenger Ships Act, 1876.

II of 1876. WHEREAS it is expedient to amend the Native Passenger Ships Act, 1876, with a view to provide for the better regulation of the passenger-traffic between British India and ports in the Red Sea; It is hereby enacted as follows:—

Short title. 1. (1) This Act may be called the Native Passenger Ships Act, 1883; and

Commencement. (2) It shall come into force on such day as the Governor General in Council directs by notification in the *Gazette of India*.

II of 1876. Addition to section 11 of the Native Passenger Ships Act, 1876. 2. After clause (e) of section eleven of the Native Passenger Ships Act, 1876, the following clause shall be added:—

"(ee) in the case of any ship sailing to any port in the Red Sea, that she is propelled principally by steam, and, if she is carrying more than one hundred passengers being Natives of Asia or Africa, that she has on board a medical officer licensed in accordance with rules made under this Act."

Substitution of new section for section 26 of same Act. 3. For section twenty-six of the same Act the following section shall be substituted:—

Bond where ship clears for port in Red Sea. "26. In the case of every ship sailing from any port in British India to any port in the Red Sea, the officer whose duty it is to grant a port-clearance for any such ship shall not grant the clearance unless and until the owner, agent or master of the ship and two sureties resident in British India have executed in favour of the Secretary of State for India in Council a joint and several bond, for the sum of Rs. 5,000, conditioned—

"(a) that the ship shall touch at Aden on the outward voyage and there obtain a clean bill of health, and shall do the same on the homeward voyage if the ship continues to carry more than sixty passengers; and

"(b) that the master and medical officer (if any) of the ship shall comply with on the outward voyage, and also on the homeward voyage if the ship continues to carry more than sixty passengers, the provisions of this Act and of such rules relating to ships sailing between ports in British India and ports in the Red Sea as the Governor General in Council may, from time to time, make under section forty-six."

Amendment of section 27 of same Act. 4. In section twenty-seven of the same Act, for the word "thirty" the word "sixty" shall be substituted.

Addition to section 28 of same Act. 5. To section twenty-eight of the same Act the following words shall be added:—"and the authority empowered to grant the same may refuse to grant a bill of health in the case of any ship on board of which the requirements of the rules made under section forty-six are not complied with."

Addition of new sections after section 28 of same Act. 6. After section twenty-eight of the same Act the following sections shall be added:—

Certain ships to carry medical officer. "28A. Every ship sailing from or to any port in British India to or from any port in the Red Sea and carrying more than one hundred passengers being Natives of Asia or Africa shall have on board a medical officer licensed in accordance with rules made under this Act.

Certain ships to be propelled by steam. "28B. Every ship sailing from or to any port in British India to or from any port in the Red Sea shall be propelled principally by steam.

Power for Local Government to direct medical inspection of passengers. "28C. (1) The Local Government may, from time to time, direct that no passenger shall be received on board any ship or any ship of a specified class sailing from any port in British India to any port in

the Red Sea unless and until he has been inspected, at such time and place as the Local Government may fix in this behalf, by a medical officer to be appointed by the Local Government in this behalf.

"(2) If, in the opinion of the officer making an inspection under this section, a passenger is suffering from any dangerously infectious or contagious disease, the passenger shall not be permitted to embark."

Addition of new sections after section 38 of same Act.

7. After section thirty-eight of the same Act the following sections shall be added:—

Penalty on master or medical officer of certain ships disobeying rules.

"38A. If the master of any such ship as is referred to in section twenty-seven, or any medical officer in charge of any such ship, wilfully breaks, or omits or neglects to obey, any rule with regard to those ships made under section forty-six, he shall be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

Penalty on master of certain ships sailing without medical officer.

"38B. If any ship sailing from or to any port in British India to or from any port in the Red Sea and carrying more than one hundred passengers has not on board a medical officer as required by section 28A, the master of the ship shall be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

Penalty on owner and master of certain ships not propelled by steam.

"38C. If any ship sailing from or to any port in British India to or from any port in the Red Sea is not principally propelled by steam, the owner and master shall each be punished with fine which may extend to five hundred rupees, or with imprisonment which may extend to three months, or with both.

Penalty on master receiving passenger in contravention of section 28C.

"38D. If the master of any ship, while a direction under section 28C is in force, knowingly receives on board his ship any person in contravention of that section or of the direction, he shall be punished with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees for each person so received, or with both."

Additions to section 46 of same Act.

8. After clause (b) of section forty-six of the same Act the following clause shall be added:—

"(bb) the licensing and appointment of medical officers in cases where they are required, under this Act, to be carried;"

and after clause (e) of the same section the following clauses shall be added:—

"(ee) the functions of the master, medical officer (if any) and other officers of the ship during the voyage;

"(eee) the access of intermediate or between decks passengers to the upper deck."

New section added to same Act.

9. To the same Act the following section shall be added, namely:—

Power to exempt ship from provisions of Act.

"50. The Local Government may, from time to time, with the previous sanction of the Governor General in Council, for any special reason and subject to such conditions as it thinks fit, exempt any ship or class of ships from any provision of this Act."

D. FITZPATRICK,

Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 6, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 4th October, 1883, and was referred to a Select Committee:—

No. 21 OF 1883.

A Bill to amend the Legal Practitioners Act, 1879, and the Indian Stamp Act, 1879.

XVIII of 1879.

WHEREAS it is expedient to amend the Legal Practitioners Act, 1879, in manner in this Act appearing;

I of 1879.

And whereas it is also expedient to amend the Indian Stamp Act, 1879, in so far as it relates to the duty chargeable on the enrolment of legal practitioners;

It is hereby enacted as follows:—

Short title.

1. (*1*) This Act may be called the Legal Practitioners Act, 1883; and

Commencement.

(*2*) It shall come into force at once.

Amendment of section 4 of Act XVIII of 1879.

2. In section 4 of the Legal Practitioners Act, 1879, for the words "as an advocate on the roll of the Chief Court of the Panjáb" the words "under section 41 of this Act" shall be substituted.

Addition of a proviso to section 13 of same Act.

3. To section 13 of the same Act the following proviso shall be added:—

"Provided that in any case in which the party on whose behalf any such pleader as aforesaid is retained is—

(*a*) a pardánashín woman, or

(*b*) unable for any sufficient cause to instruct the pleader in person,

the High Court shall not suspend or dismiss the pleader because he has taken instructions from a relative of the party deputed by him or her to instruct the pleader."

New section substituted for section 41 of same Act.

4. For section 41 of the same Act the following section shall be substituted, namely:—

Power for certain High Courts to enrol advocates.

"41. (*1*) A High Court not established by Royal Charter may, from time to time, with the previous sanction of the Local Government, make rules as to the qualifications and admission of proper persons to be advocates of the Court, and, subject to such rules, may enrol such and so many advocates as it thinks fit.

(*2*) Every advocate so enrolled shall be entitled to appear for the suitors of the Court and to plead or to act, or to plead and act, for those suitors, according as the Court may by its rules determine, and subject to those rules.

"(*3*) The High Court may dismiss any advocate so enrolled or suspend him from practice:

"(*4*) Provided that an advocate shall not be dismissed or suspended under this section unless he has been allowed an opportunity of defending himself before the High Court which enrolled him, and, except in the case of the Chief Court of the Panjáb, unless the order of the High Court dismissing or suspending him has been confirmed by the Local Government."

New section added to same Act.

5. To the same Act the following section shall be added, namely:—

Repeal of Acts I of 1846 and XX of 1853.

"42. Act I of 1846 (*for amending the law regarding the appointment and remuneration of pleaders in the Courts of the East India Company*), and Act XX of 1853 (*to amend the law relating to pleaders in the Courts of the East India Company*) are repealed."

Amendment of Schedules I & II of Act I of 1879. (Duty on enrolment of advocates.)

I of 1879.

6. In Article 27 of Schedule I of the Indian Stamp Act, 1879, the words "in exercise of powers conferred on such Court by letters patent," and in clause (*a*) of Article 11 of Schedule II of the same Act, the words "established by Royal Charter" are repealed.

STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to amend the Legal Practitioners Act, 1879, in certain respects in which experience has shown that the existing law is defective.

2. Section 13 of the Legal Practitioners Act, 1879, contains a provision that the High Court may suspend or dismiss any pleader who takes instructions in any case except from the party on whose behalf he is retained, or from a private servant of such party, or from some person who is the recognized agent of such party within the meaning of the Code of Civil Procedure. It has been brought to the notice of the Government that the practical operation of this provision is in certain cases attended with inconvenience to litigants and pleaders. In litigation in which pardánashín women are concerned, instructions must often, as a matter of necessity, be given through their near relatives. Again, there are cases in which male litigants, who have not the means of employing private servants, are unable from various causes, such as physical incapacity or old age, to instruct their pleaders in person. In such cases it seems right to allow the relatives of the litigants to instruct pleaders on their behalf. Section 3 of the Bill accordingly adds a proviso to section 13 of the Act enabling pleaders to take instructions from a relative of the party deputed by him or her to instruct the pleader when the party is a pardánashín woman or unable for any sufficient cause to instruct the pleader in person.

3. Under the Legal Practitioners Act, 1879, an advocate not ordinarily practising in his own province must, if he wishes to practise in such a province as the Central Provinces, for example, where the Judicial Commissioner has at present no power of enrolling advocates, first enrol himself as a pleader. As this state of the law is felt by certain persons to be a grievance, a new section has been added to the Act, empowering all High Courts not established by Royal Charter to enrol advocates as the Chief Court of the Panjáb is at present empowered to enrol them. As the power of suspension or removal would, except in the case of the Panjáb Chief Court, be vested in a single officer if it were conferred absolutely on the High Court, it has been thought well to make every order by any High Court, other than the Panjáb Chief Court, suspending or removing an advocate subject to confirmation by the Local Government.

4. The new section 42, which section 5 of the Bill adds to the Act, provides for the repeal of Acts I of 1846 and XX of 1853 in all places to which that section may be extended. The Madras High Court has noticed that these Acts have not as yet been expressly repealed in that Presidency, though a great portion of the Legal Practitioners Act, 1879, has been brought into operation there. These Acts are, it is believed, already repealed in all the provinces to which the Legal Practitioners Act, 1879, extends *proprio vigore*; but it is possible that they may be still unrepealed in some of the other provinces to which that Act has either already been or may hereafter be extended under the power conferred by its first section. The new section 42, taken with the first section of the Legal Practitioners Act, will enable the Local Government of any such province to repeal these Acts if still in force in it.

5. Lastly, section 6 of the Bill amends article 27 of schedule I and article 11 of schedule II of the Indian Stamp Act, 1879, by omitting the words which confine their operation to advocates of the chartered High Courts. As section 41 of the Legal Practitioners Act, 1879, empowers the Chief Court of the Panjáb to enrol advocates, and as the Bill will confer similar powers on the other non-chartered High Courts, the words in question are, as represented by the North-Western Provinces High Court, out of place, so far as advocates are concerned, and should therefore be omitted.

C. P. ILBERT.

The 19th September, 1883.

D. FITZPATRICK,
Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 6, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 17th March 1883.

From the 7th April next, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Reports, will be published at Simla. After the 31st March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at Simla.

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts is R5 per annum, payable in advance. When sent by post, R2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

	R	a	p.
Subscription for *Gazette* and Supplement per annum	16	0	0
Postage	5	8	0
Subscription for Supplement only	6	0	0
Postage	3	0	0
For a single copy of the *Gazette*	0	8	0
For a single copy of the Supplement	0	4	0

Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

SURVEY OF INDIA.

NOTIFICATIONS.

Simla, the 1st October 1883.

No. 383.—The privilege leave granted to Lieutenant F. B. Longe, R.E., Assistant Superintendent, Survey of India, in Notification No. 378, dated the 4th instant, is hereby cancelled at his own request.

No. 384.—Mr. J. Keating, Assistant Surveyor, 2nd Grade, is granted privilege leave for one month under Section 136, Chapter X, of the Civil Leave Code, with effect from such date as he may be allowed to avail himself of it.

G. C. DEPRÉE, *Colonel,*
Offg. Surveyor General of India.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATIONS.

Simla, the 7th September 1883.

No. 27.—The undermentioned Hospital Assistants of the military establishment are placed permanently at the disposal of the Agent, Governor General, for Rajputana:—

1st Class, No. 71, Nehal Chund.
2nd " " 138, Kirpa Ram.
2nd " " 187, Luchman Doss.
3rd " " 223, Guhabur Sing.
3rd " " 253, Lukhput Roy.
3rd " " 268, Syeedooddin.
3rd " " 305, Shaik Fazeolut Hoosain.
3rd " " 306, Hushmut Ally.

The 21st September 1883.

No. 28.—The undermentioned Hospital Assistants of the military establishment are permanently placed at the disposal of the Chief Commissioner for civil employment in Assam:—

2nd Class, No. 146, Meer Subdar Ally.
3rd " " 216, Moneeram Doss.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

EXAMINER OF FUND ACCOUNTS.

Calcutta, the 19th September 1883.

Statement of Deposits made with the Military Orphan Fund in trust for Soldiers' Children.

Date of deposit.	Name and rank of father.	Corps.	Names of children.	Amount. R	a.	p.
Prior to 1842	Collins, ——, Sergeant		Two children	157	14	1
,,	Lee, E., Corporal		Two children	111	9	6
,,	Smith, Henry, Sergeant		Elizabeth	828	0	0
,,	Smith, D., Sergeant Major		Margaret	78	6	5
,,	Story, ——, Sergeant		Thomas	117	5	4
,,	MacConnell, Sergeant		John	77	15	3
,,	Rutherford, Sergeant		Margaret	138	10	8
,,	Hewetson, William, Gunner		John	47	5	7
,,	Taylor, John, Private		John	214	11	11
,,	Conroy, Peter, Corporal		Thomas	274	14	6
,,	McCullum, ——, Conductor		John	354	6	10
,,	Gordon, James	59th Foot	James	589	2	2
,,	Casey, Jeremiah	87th ,,	Daniel	109	12	4
,,	Corbolly, Thomas, Private	59th ,,	Samuel	62	12	3
,,	Cassidy, ——, Corporal		John	61	3	9
,,	Hyde, Henry, Conductor		Thomas	187	1	10
,,	Hodgkinson, E., Troop Sergeant Major.	11th Dragoons	William	64	8	0
,,	Anderson, William, Corporal	H. C. 1st En. Regt.	Mary Anne Margaret	124	11	6
,,	White, W., Private	3rd Buffs	George and Mary Anne	18	13	9
,,	Minogue, T., Private	3rd ,,	Thomas	23	11	0
,,	Taylor, John, Bombardier		Elizabeth	43	0	0
,,	Neal, James, Private	59th Foot	James	43	0	0
,,	Sherrock, J., Corporal		Joseph	160	0	0
,,	Moore, Bombardier		Dorothy	5	9	5
,,	Lawson, Henry, Laboratory Sergeant.		George	11	8	2
,,	Creighton, James, Corporal	13th L. Infy.	Mary Ann	16	12	0
,,	McCoy, ——, Sub-Conductor		John and George	958	3	2
,,	Long, R., Sergeant	Allahabad Magazine Establishment.	Ann and Robert D.	137	3	9
,,	Baker, H., Gunner	4th Co., 3rd Bn. Arty.	James	32	1	4
,,	Hills, ——, Gunner	1st Co., 3rd R. A.	Sophia	30	1	1
,,	Burns, James, Gunner	Artillery	Hannah	10	5	9
,,	McKenny, R., Bombardier	1st Co., 4th Bn. Arty.	Ann Eliza	134	6	5
,,	Smith, J., Gunner	1st Co., 2nd Bn. Arty.	Margaret	6	6	5
,,	Byrne, F., Hospital Sergeant	2nd Bn. Arty.	Charles	123	13	4
,,	Flynn, J., Gunner	3rd Troop, 1st Bde. H. Arty.	Elizabeth	6	1	4
,,	Fagan, J., Gunner	1st Co., 3rd Bn. Arty.	Mary and James	11	12	9
,,	Johnson, C., Gunner	1st Co., 5th B. Arty.	William	3	0	6
,,	Twoomey, M., Gunner	4th Co., 3rd B. Arty.	Michael, William, and Margaret.	21	2	11
,,	Ahern, William, Gunner	4th Co., 2nd B. Arty.	John	65	11	9
,,	McCormick, J., Gunner	4th Co., 2nd Bn. Arty.	Bernard	116	10	9
,,	Gavin, J., Gunner	2nd Co., 3rd Bn. Arty	Thomas and James	189	3	6
,,	Bryan, D., Sergeant		Mortimer	12	10	11
,,	Reid, ——, Sergeant	Sappers and Miners	Eleanor and Eunice	68	6	5
,,	South, John, Sergeant		Elizabeth Martha	310	0	0
,,	Cunningham, Mathew, Private	44th Foot	Michael	37	14	6
,,	Blyth, John, Conductor		Children (names not recorded).	12	12	3
,,	Smith, T., Sergeant		Esther and Amelia	23	15	0
,,	Pierce, Qr. Mr. Sergt.	20th N. I.	Thomas	711	15	2
,,	Driver, J., Sergt. Major		Robert	141	7	1
June 29, 1853	(Not Recorded)		Bryan, Margaret and Wm.	53	8	3
	Canty, John, Bombardier	3rd Co., 4th B. Arty.	John (died 11th May 1842)	272	2	8
June 29, 1849	(Not recorded)		Daly Robert	23	9	1
	Patterson, John, Sergt.	1st Co., 4th B. Arty.	William H.	26	7	10
	Davis, D., Sergt.	4th Troop, 1st Bde., H. A.	Thomas	23	15	2
Dec. 28, 1842	Wilson, T., Bazar Sergt.		Sophia	132	9	0
Mar. 24, 1843	Nowlon, L., Farrier Sergt.	4th Troop, 2nd B. H. A.	Ellen	112	9	0
Apl. 3, ,,	Farrell, James, Gunner	2nd Co., 5th B. Arty.	Charlotte	4	2	8
,, ,, ,,	Roach, Edward, Private	1st En. Lt. Infy.	David and Austel	7	13	3
Mar. 9, 1844	Sheeham, B., Gunner	3rd Co., 3rd B. Arty.	John and Patrick	2	1	8
June 21, ,,	Evans, George, Sergt.	1st Co., 2nd Bn. Arty.	Mary Ann and Catherine	19	14	9
Sep. 19, ,,	Andrews, ——, Private	44th Foot	George	200	0	0
Nov. 16, 1844	Gale, ——, Private	10th Foot	John Thomas	28	12	0
,, 20, ,,	Sullivan, John, Bombardier	1st Co., 2nd B. Arty.	John	130	0	0
Jan. 6, 1845	Dawe, John, Gunner	3rd Co. ,, ,,	William Henry	55	12	9
,, 6, ,,	Barnes, Peter, Corporal	1st Co. ,, ,,	Mary Ann	64	2	11
,, 6, ,,	Monaghan, Michael, Sergt.	1st Co. ,, ,,	James	156	12	5
,, 15, ,,	Godfrey, ——, Sergt. Major		Harriett M. and James	31	14	1

Date of deposit.	Name and rank of father.	Corps.	Names of children.	Amount. R a. p.
Feb. 14, 1845	Fry, ——, Bugle Major	6th B. Arty.	James	12 6 9
" 14, "	Hannoo, John, Drummer	68th Regt. N. I.	Mary	28 8 3
July 9, "	Meaney, John, Sergt. Major	2nd B. H. A.	Henry and James	292 15 8
" 9, "	Murphy, Thomas, Bombardier	2nd T., 3rd Bde., H. A.	Ellen	77 4 11
" 9, "	Tate, William, Staff Sergt.	4th Co., 5th B. Arty.	Catherine Ann	167 15 5
" 9, "	Daley, Owen, Gunner	3rd Co. " "	Owen and William	14 3 1
" 7, "	Hay, A., Sergt. Major		Thomas	101 5 4
Sep. 1, "	Ryan, ——, Sergt.		Julia B. and George J.	120 13 0
Jan. 7, 1846	Everett, Richard, Bombardier	5th Co., 5th B. Arty.	Caroline and Eliza	28 10 10
Aug. 8, "	McEnemy, Thomas, Conductor		Hannah	152 0 9
	Glasseen, John, Corporal		Ellen Sarah	66 10 3
	Ridley, Henry, Gunner		Henry	34 9 3
Oct. 16, "	Fowles, John, Sergt.	Artillery	Sarah Terrence and James	3 2 0
" 16, "	Lewis, Thomas, Gunner	"	Thomas	20 5 3
July 19, 1847	Lunn, Adam, Farrier		Adam T. and John	79 14 0
" "	Clarke, William, Bombardier	1st T., 3rd B., H. Arty.	Children's names not recorded.	104 10 8
" "	Prince, W., Sergt.	1st " 1st B., H. Arty.	Ditto ditto	125 15 10
" 6, 1847	Dobbins, Francis, Gunner		Martha	83 3 5
Jan. 11, 1848	Byrnes, ——, Corporal		Maria	59 0 0
" 7, "	Willford, C., Qr.-Mr. Sergt.		Ann Louisa and Mary	200 15 0
June 26, "	Mathews, M., Sub-Conductor		Rachael	12 2 2
July 6, "	Braithwaite, W., Staff Sergt.		C. William and William H.	148 3 5
Jan. 13, 1849	Doherty, Michael, Sergt.		Oliver H. and Henrietta	77 8 10
May 9, "	Sheehan, D., Private	2nd En. Regt.	James	36 5 6
June 2, "	Moore, Benjamin, Private	1st En. B. F.	Sarah C.	9 8 4
" 2, "	Crowley, Charles, Private	" "	John	7 6 1
Oct. 12, "	Deare, W., Conductor		Emiline	50 0 0
Nov 21, "	Moget, ——, Sergt. Major		George	69 14 4
Feb. 18, 1850	Peal, Robert, Sergt.	3rd Co., 1st B. Arty.	Robert Henry	69 7 10
" 18, "	Boote, Daniel, Gunner	1st Co., 4th B. Arty.	James	26 3 0
June 29, "	Uniack, Patrick, Sergt.	1st Co., 3rd B. Arty.	John	29 15 0
July 18, "	Barker, J., Sergt.		William Robert	97 14 2
	Sheehan, P., Gunner	Artillery	Patrick	23 5 6
Oct. 29, "	Lees, James, Corporal	2nd En. Regt.	Elizabeth	25 14 6
April 15, 1851	Mulvey, Robert, Corporal	2nd E. Regt	Richard	28 1 11
Mar. 2, 1852	O'Hanlon, Patrick, Qr. Mr. Sergt.		Patrick and Catherine Mary	277 7 10
Sep. 14, "	Wade, Wm., Sergt.	1st Co., 4th B. Arty.	Sarah Ann, William Henry, Elizabeth, Esther, Jane, Wallis, and Ann.	72 9 5
Nov. 4, "	Hodgins, Adam, Gunner	2nd Co., 5th. B. Arty.	William	9 11 11
Feb. 1, 1853	Edwards, Michael, Gunner	2nd Co., 5th B Arty.	Jane and Bridget	36 5 9
Apl. 21, "	Staples, Edward, Sergt.	Sappers and Miners	E. W. H.	97 2 6
Sep. 13, "	Brown, Michael, Sergt.	Arracan Bn.	John	49 10 3
Dec. 2, "	Prendergast, J., Sub-Conductor	Ferozepore Magazine Establishment.	Eliza, Margaret Sarah, and Robert.	181 8 8
Jan. 24, 1854	Galway, Robert, Bombardier	1st Co., 2nd B. Arty.	William	206 1 2
Oct. 16, 1848	Butcher, H., Sergt. Major	Sirmoor Bn.	Johanna, Frederick, and David Edwin.	99 6 1
Jan. 18, 1855	Monrowd, George, Sub-Conductor	Ordnance Dept.	James, Frederick, Alfred, Georgiana, and Mary (died 15th June 1857).	184 14 9
Sep. 24, "	Franks, G., Bazar Sergt.		Mary	566 3 10
Oct. 15, 1857	Earle, Edward, Sergt.	Calcutta Town Guard	William Edward	209 14 0
Mar. 30, 1860	Eldridge, James, Riding Master	7th Lt. Cavy.	Walter Benjamin	495 4 6
Apl. 27, "	Rabbitt, Thomas, Sub-Conductor	Ordnance Dept.	George Thomas, Sarah Ann, Walter, and Edward William.	47 15 4
June 23, "	Smith, Joseph, Magazine Sergt.	Ditto	Step children and legatee Isabella Yates and John Andrew Armstrong (died 28th October 1860).	235 8 8
Dec. 1860	McDonnel, John, Private	97th Foot	Charles	25 15 6
Feb. 13, 1861	Scott, William, Sergt.	2nd Frs.	William, Annie and Emma	214 2 9
Apl. 27, "	Byrne, John, Conductor		Catherine and Lawrence Andrew.	85 0 0
May 17, "	McConnel, Thos., Gunner	1st Co., 6th B. Arty.	Alice and Charlotte	167 7 0
Mar. 20, 1862	McDonnell, John, Sergt.	Ordnance Dept.	Maria and Catherine, and Edwin Joseph and Henry John.	356 3 6
	Pope, John, Sergt.	Commissariat Dept.		
June "	Keddie, J., Private	2nd En. B. Frs.	Jane and James	86 0 0
July 26, "	Lockhart, Hugh, Sergt.	42nd Foot	Georgina Sherriff, Elizabeth, and Alexina Anderson.	600 0 0
Jan. 27, 1863	Briggs, George, Sub-Conductor		Hannah and Mariah	73 5 0
July 22, "	Lowton, William, Color Sergt.	24th Foot	William Joseph	152 14 2
Jan. 1864	Jones, John, Gunner	G. Battery, 22nd B. R. Arty.	Henrietta Dalzell	89 5 10
Mar. 10, " May 19, "	Anderson, William, Gunner	5th B., 25th B. R. A.	Duncan	35 4 11
July 18, 1865	Rowland, J., Private	2nd Dragoon Guards	Sophia M., Elizabeth Ann, (married) and George Edward.	12 0 0
Sep. 11, "	Blower, P., Park Sergt.		Sarah Ann	42 0 0

Date of deposit.	Name and rank of father.	Corps.	Names of children.	Amount. R a. p.
June 25, 1866	Mead, William, Bombardier	4-25th Royal Arty.	Mary Ann and Thomas	4 0 0
Jan. 17, 1867	Hannay, John, Gunner	E-16 Royal Arty.	Charlotte	168 7 5
Oct. 31, „	Hutchinson, John, Sergt.	Army Comt. Dept.	Rose	26 2 0
Nov. 29, „	Craker, Charles, Sergt.	2nd Dragoon Guards	Constantine	65 15 4
Feb. 14, 1868	Coates, Robert, Corporal	Royal Arty.	Ann Frances and Rosina Mary.	141 15 1
Feb. 1842	McCarthy, Quarter Master Sergt.	. . . . .	John	61 2 3
Feb. 3, 1842	(Not recorded)	. . . . .	Wilson, Sophia, Thomas, and Elizabeth.	204 7 8
Dec. 1869	Rice, James, Sergt.	C-S. R. A.	Martha and William	1,114 8 0
Feb. 1870	Thompson, Edward, Sergt.	R. A.	William James	39 13 0
Apl. 29, „	Upson, D., Corporal	R. S. and M.	Alexander and David	331 4 4
Oct. 9, 1871	York, R., Sergt.	Artillery	Henry J., Jane Elizabeth, Amelia Lavinia, Mary Ann (died 15th May 1872) Walter Charles.	84 4 10
Feb. 17, 1873	Lemon, George, Driver	R. H. A.	Margaret	74 6 9
July 17, „	Rogers, G. J., Conductor	Commissariat Dept.	William George	1,541 5 7
May 4, Dec. 4, } „	Mitchell, R., Trumpet Major	R. A.	Maud	165 1 9
Feb. 11, 1876	Thompson, Edward, Sergt.	8th B., R. A.	Margaret Emma	48 9 4
Oct. 31, „	Trollope, Henry, Sergt.	62nd Foot	John Henry	728 15 0
Dec. 20, „	Clarke, H., Drum Major	2-1 The Royal Scots	Ada, Annie, Rose, Emma, and Harry J.	475 8 6
Mar. 2, 1877	Longhurst, Chas., Bazar Sergt.	R. H. A.	Eliza Maria, Agnes Emma, and Caroline.	456 0 0
Aug. 13, „	Meehan, Peter, Private	2nd B. R. Scots	Joseph	37 1 8
Sep. 22, „	Murphy, Wm., Private	12th Foot	Earnest and Reuben	40 7 3
Jan. 8, 1879	Utting, J., Sub-Conductor	Ordnance Dept.	Frederick James, George Edward, and Albert Edward.	240 0 0
Feb. 21, 1880	Donohue, Andrew, Private	29th Foot	Ann, Mary Ann, and William.	150 0 0
Dec. 20, „	Holland, George, Sergt.	85th Foot	Constance Rebecca and Annie Theresa.	223 4 0
Jan. 16, 1883	Lyas, A., Private	2nd B., Warwickshire Regt.	Adolphus George and Wallace.	125 10 3
„ 17, „	Tough, Charles, Sergt. (step-father late Gunner S. Hobcroft).	7-1 London Dn., R. A.	Charles George, Munnie Mahy, Thomas Henry, and Emma Ellen.	243 7 3
Apl. 30, „	Gillon, Thomas, Pioneer Sergt.	1 B., East Lanc. Regt.	John and Thomas Charles	26 0 0

Besides the above the following are in the custody of the Examiner, Fund Accounts:—

On account orphan Tough	A 4 per cent. Government Promissory Note for R1,500 and a Guernsey Savings Bank Deposit Book containing £64-1-1, also a Pocket Account Book.
„ „ Mead	One gold wedding-ring.
The children of late Mrs. White	H. M.'s 79th Regt.—A packet containing sundries.
Orphan Maud Mitchell	One box containing sundries.

NOTE.—Interest on these deposits ceases from the date on which the Ward comes of age or leaves the Institution.

Applications for payment of the deposits should be made direct to the Examiner of Fund Accounts, Calcutta, who will supply the necessary form of receipt, &c.

G. L. SUTHERLAND, *Surgeon-Major*,
Examiner, Fund Accounts.

Statement of the Affairs of the Bank of Bengal for the week ending 2nd October 1883.

LIABILITIES.	R a. p.	R a. p.
Capital paid-up		2,00,00,000 0 0
Reserve Fund		35,10,581 4 4
Public Deposits at Head Office	77,54,874 14 2	} 2,60,82,017 12 8
Public Deposits at Branches	1,83,27,142 14 6	
Other Deposits at Head Office and Branches		2,02,23,991 9 11
Bank Post Bills, &c.		4,77,036 5 6
Sundries		11,87,366 14 10
RUPEES		7,14,80,993 15 3

ASSETS.	R a. p.	R a. p.
Government Securities		52,52,219 0 0
Other authorized Investments		57,50,182 8 0
Loans on Government and other authorized Securities		1,34,44,468 8 8
Accounts of Credit on Government and other authorized Securities		52,06,378 9 8
Bills discounted and purchased		1,99,95,350 5 11
Balances with other Banks		4,70,·81 12 4
Bullion		1,02,838 5 9
Dead Stock		11,94,293 4 1
Stamps		7,502 1 0
Sundries		5,99,961 3 2
		5,20,23,275 10 7
Cash and Currency Notes at Head Office	70,13,130 10 0	} 1,94,57,718 4 8
Cash and Currency Notes at Branches	1,24,44,587 10 8	
RUPEES		7,14,80,993 15 3

***STATEMENT** of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 30th September 1883.*

PARTICULARS.	3½ per cent. Transfer Loan of 1853-54.	4 per cent. Loans								4½ per cent. Loans				Transfer Loan of 1879, seven shillings per cent. Portion.	5 per cent. Debenture Loan of 1867-68.	5 per cent. Loan of 1856-57.	GRAND TOTAL.
		Of 1832-33	Of 1835-36.	Of 1842-43.	Of 1854-55	Transfer of 1865.	Reduced 4 per cent. Loan of 1879.	Reduced 4 per cent Loan of 1841.	Total.	Of 1870.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.	Total.				
Balance of 15th September 1883	54,100	12,94,327	29,55,900	2,40,41,800	1,02,31,100	2,67,62,937	2,66,61,000	...	9,19,47,564	47,81,600	1,03,59,100	10,02,78,700	11,54,19,400	1,26,500	2,000	60,300	20,76,09,764
Add—																	
Amount enfaced at Madras between 16th and 30th September 1883	...	...	...	60,000	...	25,000	20,000	...	1,05,000	...	...	...	...	...	...	...	1,05,000
Amount enfaced at Bombay between 16th and 30th September 1883	...	..	..	3,000	13,000	2,14,500	7,000	...	2,37,500	...	4,500	22,500	27,000	...	...	...	2,64,500
Amount enfaced at Calcutta between 16th and 30th September 1883	...	...	...	52,700	43,600	...	1,07,200	...	2,03,500	...	3,000	42,000	45,000	...	...	...	2,48,500
	54,100	12,94,327	29,55,900	2,41,57,500	1,02,87,700	2,70,02,437	2,67,95,200	...	9,24,93,564	47,81,600	1,03,66,600	10,03,43,200	11,54,91,400	1,26,500	2,000	60,300	20,82,27,764
Deduct—																	
Amount written off in the London Registers	...	...	2,500	2,00,000	40,500	2,40,900	54,500	..	5,38,400	3,000	25,000	1,70,500	1,98,500	...	...	...	7,36,900
Balance on 30th September 1883	54,100	12,94,327	29,53,400	2,39,57,500	1,02,47,200	2,67,61,537	2,67,40,700	...	9,19,55,164	47,78,600	1,03,41,600	10,01,72,700	11,52,92,900	1,26,500	2,000	60,300	20,74,90,864

NOTE.—From 9th June 1867 to 31st July 1883, enfaced from India 4,799 lakhs; re-transferred from London, 4,079 lakhs.

„ 1st Aug. 1883 to 15th Aug. „ „ „	4 „	„ „	13 „
„ 16th „ „ to 31st „ „ „ „	3 „	„ „	6 „
„ 1st Sept. „ to 15th Sept. „ „ „	19 „	„ „	5 „
„ 16th „ „ to 30th „ „ „ „	5 „	„ „	7 „
	4,830 lakhs.		4,110 lakhs.
	4,110 „		
Balance against India	720 lakhs.		

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 1st October 1883.

R. HARDIE,
Secretary and Treasurer.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The following changes in the Regulations for the Examinations of Female Candidates having been sanctioned by the Senate and approved by His Excellency the Governor General of India in Council, are published for general information.

For the Regulations for the First Examination in Arts, Bachelor of Arts, and for the Degree of M. A., the following Regulations have been substituted, with effect, as regards the First Examination in Arts, from 1st of January 1884, and as regards the Bachelor of Arts, and for the Degree of M. A., from 1st of January 1885.

The first alteration refers to Rule 3 in the Regulations for the F. A. Examination of Female Candidates the word "Physics" has been substituted for the words "the subjects included in the second Mathematical paper in the F. A. Examination."

The second alteration refers to the omission of Rule 2 in the Regulations for the B. A. Examination of Female Candidates.

The third alteration refers to the omission of the 1st Clause of Rule 3 in the Regulations for the B. A. Examination of Female Candidates.

The fourth alteration adds the Regulations that "The M. A. Examination shall be the same for females as for males."

G. BELLETT,
Registrar.

SENATE HOUSE,
The 11th August 1883.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 5th October 1883.

No. 10.—Mr. G. L. Towers, an Assistant Superintendent of the 1st grade, is allowed furlough for 12 months under Section 49 of the Civil Leave Code, with effect from the forenoon of the 11th September 1883.

A. J. L. CAPPEL.
Director General of Telegraphs in India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.

Indore Residency, the 29th September 1883.

No. 2625.—In continuation of Notification No. 2218, dated 27th August 1883, Lieutenant-Colonel A. L. Playfair, Cantonment Magistrate, Morar, is granted extension of privilege leave from 10th to 31st October 1883.

By Order,
C. E. YATE, *Capt.,*
for 1st Asst. Agent, Govr. Genl., for Central India.

No. 2629.—Captain George Edward Money, Bengal Staff Corps, 3rd Squadron Commander, Central India Horse, is granted ninety days' privilege leave from the 20th November 1883, or such subsequent date as he may avail himself of it.

By Order,
A. M. MUIR,
2nd Asst. Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 27th September 1883.

No. 14.—Mr. R. Ewing, Executive Engineer, 4th Grade, Personal Assistant to Superintending Engineer, Central India, and in charge of Works at Indore, ceased to hold the Office of Personal Assistant from the afternoon of the 13th instant, on which date he was relieved of the charge of the Works.

No. 15.—Mr. H. E. Grant, Assistant Engineer, 2nd Grade, and Mr. R. Ewing, Executive Engineer, 4th Grade, respectively, made over and received charge of the Gwalior Division on the afternoon of the 18th instant.

By Order,
C. S. THOMASON, *Col., R.E.,*
Secy. to Agent, Govr. Genl., for Central India, P. W. D.

BOARD OF REVENUE.

NOTIFICATION.

Calcutta, the 27th September 1883.

No. 1135½ B.—The following rules have been made under section 9 of Act VIII of 1878 by the Board of Revenue, Lower Provinces, with the sanction of the Local Government, and are under Section 204 of the same Act notified for general information:—

CALCUTTA INTERNATIONAL EXHIBITION, 1883-84.

Custom House Arrangements.

1. All entries of goods for the Exhibition must be passed at the Custom House in accordance with the arrangements made by the Collector of Customs.
2. In respect of dutiable goods the Exhibition building is appointed a public warehouse under the provisions of section 15 of Act VIII of 1878, of which Mr. Jules Joubert shall be deemed to be the keeper for the purposes of section 96 of that Act.
3. Packages containing dutiable goods, upon which duty has not been paid, must be entered for bond and appraised and taken in charge of an officer to the Exhibition building in the usual manner. Pending appraisement and removal to the Exhibition building, all such packages will be allowed to remain rent-free in a portion of the Custom House premises set apart for the purpose.

4. At the close of the Exhibition, exhibitors will have to account to the Custom House authorities for all dutiable goods admitted into the Exhibition in accordance with the bond bill of entry. Goods intended for delivery in Calcutta on sale or otherwise will on payment of duty be cleared from bond, and goods intended for re-exportation will be re-shipped from bond in the usual manner.
5. The charges mentioned in the schedule attached to these rules are remitted in respect of goods intended for the Exhibition.
6. No duty will be payable for wines, spirits, or other liquors consumed in the Exhibition for tasting or judging purposes, and a certificate of the amount thus consumed must be obtained from the Secretary to the Executive Committee of the Exhibition and presented by exhibitors to the Custom House officer when accounting for the dutiable goods admitted into the Exhibition. Without such certificate duty will be assessed on all dutiable goods shown by the bills of entry as having been admitted into the Exhibition and which are not forthcoming at its close.
7. The Custom House officers will not have custody of, or be in any way responsible for, goods in the Exhibition building, the custody of which as a public warehouse will rest with Mr. Jules Joubert.
8. These rules apply only to goods intended *bonâ fide* for Exhibition.

SCHEDULE.

	R	a.	p.
Entry.			
1. Wharf rent for any time over four days during which they lie at the Custom House .		...	
2. Form of bond	1	0	0
3. Two warehousing chalans .	0	1	0
4. Peon's fee	0	4	0
5. Officer's fee	4	0	0
Clearance.			
6. Two clearance chalans . .	0	1	0
7. Officer's fee	4	0	0
8. Re-gauging fee (if in cask) .	1	0	0
Re-shipment.			
9. Preventive Officer's fee . .	4	0	0

C. E. BUCKLAND,

Offg. Secy. to the Board of Revenue.

CHIEF COMMISSIONER, AJMER-MERWARA.

NOTIFICATIONS.

Mount Abu, the 28th September 1883.

No. 815.—The Chief Commissioner, Ajmer-Merwara, is pleased, under Section 360 of the Code of Civil Procedure, to invest the Judges of the Court of Small Causes at Ajmer and Beawar with the powers conferred on a District Court by Sections 344 to 359 (both inclusive) of the said Code.

No. 817.—Lieutenant T. C. Pears, Assistant Commissioner, Merwara, is granted privilege leave for two months, with effect from the forenoon of the 19th September 1883.

No. 818.—Rae Bishen Sarup, Deputy Magistrate, Kekree, is placed in charge of the duties of Assistant Commissioner, Merwara, with effect from the forenoon of 19th September 1883, *vice* Lieutenant Pears.

No. 819.—Rae Bishen Sarup is invested for the time being with the powers of a Magistrate of the 2nd Class as defined in Section 32 of the Code of Criminal Procedure and with powers to commit cases for trial to the Court of Sessions under Section 206, Criminal Procedure Code, and with civil powers of a Sub-Judge, 1st Class, to hear suits not exceeding R10,000 in value.

No. 820.—Munshi Allah Nur Khan, Officiating Reader of the Court of Assistant Commissioner, Merwara, is appointed to officiate as Deputy Magistrate, Kekree, with effect from date of assuming charge, *vice* Rae Bishen Sarup.

No. 821.—Munshi Allah Nur Khan is invested with the powers of a Magistrate of the 2nd Class as defined in Section 32 of the Criminal Procedure Code and with civil powers to hear suits of a civil nature not exceeding R100 in value.

No. 822.—Under Section 39, Ajmer Courts' Regulation, Mr. E. J. Kitts, C.S., is appointed to be Magistrate of the Districts both of Ajmer and of Merwara.

By Order,

E. A. FRASER,

1st Asst. to the Chief Commr.

CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

Bangalore, the 29th September 1883.

No. 1080—350.—Mr. K. Ganapathy, Subedar and 2nd Class Magistrate of the Mercara Taluk, is hereby appointed under Section 5 of Act XIII of 1859 to exercise the powers vested in a Magistrate of Police under that Act.

By Order,

H. WYLIE, *Major,*

Secretary to the Chief Commr. of Coorg.

COMMISSIONER NORTHERN INDIA SALT REVENUE.

NOTIFICATION.

Agra, the 10th September 1883.

No. 8219.—Mr. F. Ashton, Assistant Commissioner, on return from leave, assumed charge of the Sambhar Division from Mr. J. Bolster, Inspector, on the 8th September 1883, afternoon.

A. B. CAREY,

Commr., Northern India Salt Revenue.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Simla, the 1st October 1883.

No. 49.—Mr. H. J. Oddie, Assistant Engineer, 1st Grade, has been granted by Her Majesty's Secretary of State for India leave for three months on medical certificate, in extension of the nine months' furlough granted to him by the Manager, Punjab Northern State Railway, in his Notification No. 1 of 9th April 1883.

H. F. HANCOCK. *Col., R.E.,*
Offg. Director General of Railways.

Report of a Deserter from the 1st West Riding Regiment of Foot, dated at Nowshera, this 25th day of September 1883.

Number, Rank, and Name,—No. 9Bde.—1814, Private James Wood.
Age,—24 years 11 months.
Size,—5 feet 5 inches.
Colour of—
Complexion, fresh; Hair, light brown; Eyes, blue.
Date of Desertion,—20th September 1883.
Place of Desertion,—Nowshera.
Date of Enlistment,—11th November 1878.

At what Place Enlisted,—Shorncliffe.
Parish and County in which Born,—Near the town of Holyhead (Isle of Anglesea.)
Marks,—None.
Trade,—Labourer.
Coat or Jacket,— .
Waistcoat,— .
Breeches or Trowsers,— . } Regimental khaki.
REMARKS.—
Under 5 years' service.

E. G. FENN, *Major,*
Comdg. 1st West Riding Regt.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that in March 1882, treasure, consisting of 60 silver one-rupee coins, were found in the ruined house of one Vencataragava Charry, in the village of Melnallathur, in the Trivellore Taluq, of the Chingltput District.

All persons claiming the treasure, or any part thereof, are required to appear personally or by agent before the Collector of Chingleput, at his Office at Saidapet, on the 5th day of February 1884, in order to the matter being inquired into and determined in accordance with the provisions of this Act.

FREDERICK HILL,
Collector.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act, VI of 1878, that on or about the 11th August 1883, the undermentioned articles, valued at about R18, were found under ground in the vacant house site of Thevanai a resident of Kolanipalayam, hamlet of Mettupalayam village, Dharapuram Taluk, Coimbatore District:—

3	Rupees of	1835.
13	do.	1840.
2	do.	1862.
18		

All persons claiming the said treasure, or any part thereof, are hereby required to appear personally or by agent before the Collector at his Office, on Tuesday, the 11th March 1884, at 10 A.M., in order that the matter may be enquired into and determined in accordance with the provisions of the Act.

G. D. LEMAN,
Collector.

COIMBATORE COLLECTOR'S OFFICE,
The 24th September 1883.

TREASURE TROVE.

Notice is hereby given under Section 5 of the Indian Treasure Trove Act, VI of 1878, that in the village of Amalner, Taluka Jamkhed, of the Ahmednagar District, the undermentioned treasure was found on the 17th August 1883, in the field (Survey No. 19) of one Piraji *alias* Potitboa wd. Khanduji:—

	R	a.	p
Gold Ornaments.			
1. Getha (necklet worn by men) .	127	0	0
2. Two Mohoras	37	8	0
Silver Ornaments.			
3. Saklis	10	10	0
4. Rupees 13 in cash (Arcot) .	13	0	0
5. Copper pot containing the above treasure	0	8	0
TOTAL .	189	2	0

Any one who may have a claim to the said treasure, or a portion thereof, may personally or by an agent appear before the Mamledar of Jamkhed, on the 29th March 1884, when that officer will institute an enquiry into the matter under the provisions of the Act above quoted.

J. ELPHINSTON,
Acting Collector.

AHMEDNAGAR,
The 29th September 1883.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED OF		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1883.	R	R	R	R	R	R
Sept. 24	2,90,426	...	...	2,90,750	50,34,571	36,40,420
" 25	...	...	...	2,90,750	50,34,571	36,40,420
" 26	...	...	...	2,90,750	50,34,571	36,40,420
" 27	1,17,264	...	...	4,08,015	50,34,571	36,40,420
" 28	...	...	...	4,08,015	50,32,860	36,40,420
" 29	...	...	...	4,08,015	50,32,860	36,40,420

J. F. TENNANT, *Major-Genl., R.E.,*
Mint Master.

CALCUTTA MINT,
The 1st October 1883.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		R	
W16	D 20—12483	100	Rattan Singh, Raees and Mafeedar, Etah.
	„ —12484	100	

ALLAHABAD,
The 3rd October 1883.

W. COWLEY,
Asst. Acctt. General,
In charge of Paper Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		R	
191	P 44—87765	100	Babu Roma Nath Dutt.
	P 9—89847	50	
194	P 13—49523	100	Babu S R. Dass.
195	P 39 04355	50	Chand Baburchi.
196	P 11—59017	500	Jageeri Mull.
	„ —59020	500	
	„ —59021	500	
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The 5th October 1883.

J. TAYLOR,
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Unclaimed Letters held in the Calcutta General Post Office on 4th October 1883.

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Craven, D. H.
Dutta & Co., R.
Gregg & Co.
Hawes & Co.
Heriot, J.
Hubbard, C. E.
Inman, Captain.
Jones, A. F.
Moore, William James.
Oehme, D. J.
Read, Mrs. C.
Rosiolo, F. A.
Sawyer, C. H.
Sullivan, S.

Letters marked "Care of Post Office."

Agist, John.
A. Q R.
A. X Y. Z.
B. B.
Barber, C. J.
Barber, R. J.
Battersby, Leslie C.
Borry, J.
Bradley, Walter.
Bradshaw, D. E.
Brown, John.
Burlington, Charles.
Camar, Madame A.
Campbell, Dr. M. R.
Chase, J.
Coutt, P. S.
Crispini, C. Umberta.
Croose, Richard Victoria.
Crowether, John.
Dalyell, Mrs. R. F.
D'Cruz, A.
Dean, William Edward.
Dyett, B. H. R.
Krter, Frau. Merrie.
"Felis."
Fergus, Mrs. M.
Field, Miss Fanny.
Fount, P. S.
Ffrench, H. d'F.
Gahan, Capt. R. L.
Geissid, Lean.
Hallett, W. O.
Hallewell, J. A.
H. R. A.
Hilbert, J.
Hucker, Geo.
Ingels, H. V.
J. B. H M.
Jones, H.
Jones, John.
Karoly, S.
Kimmins, W. J.
Kirkbride, J.
Langley, Manly G.
Lee, Frederick.
Lloyd, John Henry.
Lynam, B.
McKay, James B.
M. M. M.
Mifsud, George.
Mosse, W. Forbes.
Muir, John C.
Murphy, T.
Nordt, Miss Minnie.
Pearson, H. J. F. G.
Potts, H. J. D.
Rachel.
Raina, —.
Rathergurd, R. C.
Read, Robert.
Riviere, Howard.
Rode, Capt. J.
Ross, C. Henry.
Ryan, J. H.
Schaeffer, F. B.
Scott, Montagu Hill.
Specht, Otto.
Spencer, Mrs. L.
Tancovici, Mendel.
Tayfenberg, Marco.
Thomson, C. W.
Tomlinson. Capt. Joseph S.
Tucker, Mrs.
VansAgnew, Lieut. P. A.
Williams, Mrs. F. A.
Williamson, W. F.
Wyndham, W. G.
Young, Mrs. J.

Registered Letters.

Anderson, Geo.
Kemp, A. Garnett.
Joseph, Mrs. A. L.
McDonald, David.

Calcutta, the 6th October 1883.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date.	Per Steamer
	1883.	
Persian Gulf	6th Oct.	From Bombay.
Persian Gulf	13th „	From Bombay.
Madras, Ceylon, and Intermediate Ports .	12th „	Str. *Sirdhana.*
Colombo, Penang, Singapore, Hong-Kong, Shanghai, Yokohama, and Australian Colonies	16th „	From Bombay.
Foreign Mails *viâ* Bombay	9th „	From Bombay.*
Do. Book Post and Pattern Packets .	8th „	From Bombay.
Rangoon and Moulmein	11th „	Str. *Rajpootana.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	11th „	Str. *Commilla.*
Madras, Ceylon, Batavia, Singapore & China	8th „	French Str. *Tibre.*
Straits and Hong-Kong	6th „	Strs. *A. Apcar & Moray.*

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E. HUTTON,
Presidency Post Master.

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گورنمنٹ سنکونا فبري فیوج

یہہ دوا کونینائین کا خوب قائم مقام هی اور کلکتہ کے
بوٹانکل گارڈن یعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرایک
ملازم سرکاري واسطے سرکاري کام اور خیرات کے اور سیوائے اونکے
جو کوئي ایک مشت بیس پونڈ خرید لینے سے بقیمت نقد حسب
نرخ ذیل خرید کرسکتے هین یعنے نرخ چار اونس کے ٹین کا
چار روپیہ آٹھہ آنہ ; آٹھہ اونس کے ٹین کا آٹھہ روپیہ آٹھہ آنہ;
یک پونڈ کے ٹین کا سولہ روپیہ آٹھہ آنہ'

اور عوام‌الناس بوٹانکل گارڈن یعنے کمپني با کے
سپرنٹنڈنٹ صاحب سے بقیمت نقد حسب نرخ ذیل خرید
کرسکتے هین یعنے نرخ چار اونس ٹین کا پانچ روپیہ آٹھہ آنہ ;
آٹھہ اونس کے ٹین کا دس روپیہ آٹھہ آنہ ; ایک پونڈ کے ٹین کا
بیس روپیہ

یہہ دوا کلکتہ کے بڑے بڑے ولایتي اور دیسي دوا خانونمیں
کتي هی ماسیوائے قیمت مذکورۂ بالا کے محصول ڈاک چار
ور آٹھہ اونس کے ٹین کا آٹھہ آنہ ; اور ایک پونڈ کے
ٹین کا بارہ آنہ

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HENRY F. BLANFORD,
Meteorological Reporter
to the Government of India.

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SUPPLEMENT TO
The Gazette of India.

Nº 40.] CALCUTTA, SATURDAY, OCTOBER 6, 1883.

OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time, containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

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GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

[TELEGRAPH.]

ABSTRACT OF FOREIGN TRAFFIC FOR THE MONTH OF JUNE 1883.

CLASS OF MESSAGES.	ROUTE. West. Via Teheran. No.	Via Teheran. Indian Value.	Via Turkey. No.	Via Turkey. Indian Value.	Persian Gulf. No.	Persian Gulf. Indian Value.	Via Suez. No.	Via Suez. Indian Value.	East. Via Amur. No.	Via Amur. Indian Value.	Via Madras. No.	Via Madras. Indian Value.	Via Rangoon. No.	Via Rangoon. Indian Value.	Native Burma. No.	Native Burma. Indian Value.	Ceylon. No.	Ceylon. Indian Value.	TOTAL. No.	TOTAL. Indian Value.
INDIAN.		R a.		R a.		R a.		R a.		R a.		R a.		R a.		R a.		R a.		R a.
Sent	3,325	15,170 14	75	147 11	32	125 14	3,214	8,644 4	...	...	161	391 14	938	3,495 2	392	544 9	1,629	2,902 6	9,766	31,422 10
Received	2,018	9,617 15	153	593 3	35	124 11	3,578	12,330 0	...	...	146	408 2	852	2,969 3	...	...	1,571	2,905 7	8,353	28,948 9
TOTAL	5,343	24,788 13	228	740 14	67	250 9	6,792	20,974 4	...	...	307	800 0	1,790	6,464 5	392	544 9	3,200	5,807 13	18,119	60,371 3
TRANSIT. From East to West—																				
Recd. Viâ Madras	42	301 2	2	8 4	1	4 14	770	—8,015 10	...	...	...	...	...	...	...	...	...	...	815	—7,701 6
Recd. „ Rangoon	247	1,255 8	1	1 2	10	24 12	3,918	15,666 12	...	...	...	...	...	...	...	...	...	...	4,176	17,318 2
Recd. „ Laingha	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Recd. „ Paumben	37	164 6	...	...	...	...	414	1,178 1	...	...	...	...	...	...	...	...	...	...	451	1,342 7
From West to East—																				
Sent. Viâ Madras	164	808 2	24	113 4	1	3 4	545	1,998 0	...	...	...	...	...	...	...	...	...	...	734	2,921 10
Sent. „ Rangoon	865	3,898 2	74	288 12	3	9 6	2,797	10,847 10	...	...	...	...	...	...	...	...	...	...	3,739	15,043 14
Sent. „ Laingha	...	...	2	7 3	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	7 3
Sent. „ Paumben	107	417 14	13	86 14	...	...	217	851 8	...	...	...	...	...	...	...	...	...	...	337	1,356 4
From West to West—																				
Recd. Viâ Bombay sent viâ	...	...	...	...	3	9 4	...	...	...	...	...	...	...	...	...	...	...	...	3	9 4
From East to East—																				
Recd. Viâ Paumben sent viâ	...	...	2	...	...	...	...	...	...	...	14	53 3	49	133 6	...	...	...	...	63	185 9
Recd. „ Madras sent viâ	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	10	44 14	10	44 14
Recd. „ Rangoon sent viâ	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	48	221 15	48	221 15
TOTAL	1,463	7,115 2	116	455 7	13	50 8	8,661	33,536 5	...	...	14	53 3	49	133 6	...	...	58	266 13	10,378	30,599 12
GRAND TOTAL																			28,497	90,970 15

ABSTRACT OF FOREIGN TRAFFIC WITH INDIA BY THE INDO-EUROPEAN AND RED SEA ROUTES FOR THE MONTH OF JUNE 1883.

ROUTE.		Number of Messages by each Route (exclusive of Transit). To India.	From India.	Total.	Percentage of Number. To India.	From India.	Total.
INDO-EUROPEAN	Viâ Teheran	2,018	3,325	5,343	34·89	50·03	42·99
	„ Turkey	153	75	228	2·65	1·13	1·83
	Persian Gulf viâ Karachi	35	32	67	0·60	0·48	0·54
RED SEA	Viâ Suez	3,578	3,214	6,792	61·86	48·36	54·64
	TOTAL	5,784	6,646	12,430	100·00	100·00	100·00

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY TRAFFIC.

No. XXXV of 1883.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Latest return received.	Railways.	Total mean length open.	Receipts for week ending 9th September 1882. Total.	Per mile open.	Total mean length open.	Receipts for week ending 8th September 1883. Total.	Per mile open.	Total Receipts from 1st April to 9th September 1882. Total.	Per mile open per week.	Total Receipts from 1st April to 8th September 1883. Total.	Per mile open per week.	Total Increase in 1883-84.	Total Decrease in 1883-84.
			R	R		R	R	R	R	R	R	R	R
	Guaranteed.												
5th Sept. 1883	Eastern Bengal	172	1,65,499	962	172	(a)92,867	540	21,14,[illegible]64	581	(a)19,22,698	486	...	1,91,971
8th ditto	Oudh and Rohilkhund	547	72,238	132	547	87,399	160	22,26,884	176	25,89,784	206	3,62,900	...
8th ditto	Sind, Punjab & Delhi	676	1,58,624	235	749	1,61,970	216	41,35,724	265	52,57,068	307	11,21,344	...
8th ditto	Madras	861	1,19,773	139	861	1,12,185	130	31,72,892	160	29,51,831	149	...	2,21,061
8th ditto	South Indian	655	75,964	116	655	78,377	120	17,41,194	115	17,85,777	119	44,583	...
15th ditto	Great Indian Peninsula	1,450	3,04,315	210	1,451	3,03,825	209	1,45,55,190	483	1,53,41,870	459	7,86,680	...
8th ditto	Bombay, Baroda and Central India	461	1,07,638	233	461	1,10,053	239	45,37,974	426	51,05,818	482	5,67,844	...
	TOTAL	4,822	10,04,051	208	4,896	9,46,676	193	3,24,84,522	291	3,49,54,841	311	24,70,319	...
	State.												
15th Sept. 1883	East Indian	1,507	6,59,136	437	1,509	8,06,621	535	1,92,87,291	553	2,27,08,916	654	34,21,625	...
8th ditto	Calcutta and South-Eastern	33	2,731	83	56	4,550	81	84,923	115	1,31,812	108	46,889	...
15th ditto	Nalhati	27	1,262	47	27	1,530	57	30,201	48	37,082	60	6,881	...
15th ditto	Northern Bengal	230	34,294	149	239	35,200	147	8,16,621	152	8,88,585	165	71,964	...
15th ditto	Tirhoot	75	9,277	124	166	16,793	101	2,85,492	151	3,72,457	99	86,965	...
11th Aug. 1883	Patna-Gya	57	7,099	125	...	(b)	...	(c)1,69,136	155	(d)1,53,249	141	...	15,887
8th Sept. 1883	Muttra-Hathras	29	3,275	113	29	2,948	102	51,856	77	57,808	87	5,952	...
8th ditto	Cawnpore-Furrakhabad	87	7,912	91	87	6,996	80	1,49,399	74	1,49,924	75	525	...
15th ditto	Dildarnagar-Ghazipur	12	569	47	12	646	54	20,507	74	21,783	79	1,276	...
15th ditto	Rajputana-Malwa	1,116	1,57,980	141	1,117	1,57,620	141	45,33,448	175	53,19,967	207	7,86,519	...
8th ditto	Wardha Coal	45	8,443	188	45	10,378	231	2,33,046	224	3,16,165	305	83,119	...
15th ditto	Nagpur & Chhattisgarh	98	3,755	38	149	5,646	38	2,53,496	112	6,13,293	179	3,59,797	...
8th ditto	Rangoon and Irrawaddy Valley	161	15,676	97	161	20,828	129	6,09,851	16[illegible]	6,10,991	165	1,140	...
15th ditto	Sindia	75	4,523	60	75	4,390	59	1,37,713	79	1,36,488	[illegible]9	...	1,225
8th ditto	Punjab Northern	409	47,177	115	421	46,923	111	12,95,584	139	13,79,345	143	83,761	...
8th ditto	Indus Valley and Kandahar	660	1,05,580	160	660	83,099	126	18,59,327	122	33,62,288	221	15,02,961	...
8th ditto	Muttra-Achnera	23	2,480	108	23	1,880	82	29,697	56	33,710	64	4,013	...
15th ditto	Kaunia-Dhurla	32	1,316	41	32	1,993	62	33,139	45	42,720	58	9,581	...
8th ditto	Rewari-Ferozepore	...	...	...	89	6,890	77	...	...	1,51,061	74	1,51,061	...
	TOTAL	3,169	4,13,349	130	e3,388	4,08,310	121	1,05,93,436	144	1,37,78,728	174	31,85,292	...
	Assisted Company.												
15th Sept. 1883	Bengal Central	...	...	...	35	1,782	51	...	...	48,498	60	48,498	...
	Native States.												
8th ditto	Bhavnagar-Gondal	194	8,240	42	193	7,457	39	4,17,155	93	4,53,155	102	36,000	...
8th ditto	Nizam's	121	17,745	147	121	11,748	97	3,85,220	138	3,43,007	123	...	42,213
8th ditto	Mysore	86	5,319	62	86	4,881	57	1,24,790	63	1,16,517	59	...	8,273
8th ditto	Jodhpore	19	1,080	57	19	480	25	(f)3,079	15	16,320	37	13,241	...
	TOTAL	420	32,384	77	419	24,566	59	9,30,244	98	9,28,999	96	...	1,245
	GRAND TOTAL	9,918	21,08,920	213	(e)10,247	21,87,955	213	6,32,95,493	276	7,24,19,982	306	91,24,489	...
	GROSS ESTIMATED EXPENSES	...	...	...	...	...	...	3,24,13,526	142	3,64,23,175	154	...	...
	NET RECEIPTS	...	...	...	...	...	...	3,08,81,967	134	3,59,96,807	152	51,14,840	...

(a) Exclusive of the Company's share of the earnings of the Bengal Central Railway.
(b) Return not received.
(c) Total receipts from 1st April to 12th August 1882.
(d) Total receipts from 1st April to 11th August 1883.
(e) Excludes mileage of Patna-Gya Railway (57).
(f) Total receipts from 24th June to 9th September 1882.

R. A. SARGEAUNT, *Major, R.E.,*
Offg. Under-Secretary.

SIMLA,
The 29th September 1883.

GOVERNMENT OF INDIA.

DEPARTMENT OF FINANCE AND COMMERCE.

SUPPLEMENT TO THE STATEMENT OF PRICES CURRENT OF FOOD-GRAINS FOR THE 2nd HALF OF AUGUST 1883 PUBLISHED IN PAGES 1614 AND 1615 OF THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED 29th SEPTEMBER 1883.

QUANTITIES PER RUPEE IN SEERS OF 80 TOLAHS.

Provinces.	Districts.	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of last year.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of last year.	Rice. Best sort. Present fortnight.	Rice. Best sort. Past fortnight.	Rice. Best sort. Corresponding fortnight of last year.	Rice. Common. Present fortnight.	Rice. Common. Past fortnight.	Rice. Common. Corresponding fortnight of last year.
		S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.
British Burma.	**Arrakan Division.**												
	Akyab	6 6	...	6 6	...	..	...	7 8	...	13 0	10 0	...	15 0
	Kyoukpyoo	..	...	..	..	...	...	8 0	...	17 14	9 7	...	19 6
	Sandoway	...	.	...	...	..		17 2	...	22 14	19 2	...	26 13
	Pegu Division.												
	Rangoon Town	12 2	11 2	15 10	...	...	...	10 8	11 6	12 12	12 3	12 3	13 2
	Tharrawaddy	...	...	..	..	...	...	7 $2\frac{3}{7}$	7 $2\frac{3}{7}$	10 $13\frac{3}{7}$	7 $14\frac{2}{21}$	7 $14\frac{2}{21}$	13 $6\frac{3}{7}$
	Prome	9 11	10 6	12 2	...	...	...	9 9	9 9	12 8	13 1	13 1	17 0
	Irrawaddy Division.												
	Henzada	...	...	...	...	.	...	11 15	11 15	14 5	15 10	15 10	19 8
	Thonegwa	..	...	...	...	...	...	8 6	8 6	10 12	10 7	10 7	14 11
	Thayetmyo	9 4	9 4	11 7	.	...	...	10 3	10 3	11 10	11 13	11 13	13 13
	Tenasserim Division.												
	Moulmein	12 2	12 2	10 0	...	...	...	9 0	9 0	12 10	12 3	12 3	20 4
	Tavoy	..	...	...	...	..	..	12 6	...	...	17 15	..	...
	Mergui	...	...	...	...	..	...	15 6	15 6	...	17 11	17 11	...
	Toungoo	..	...	...	...	...	...	12 13	12 13	18 5	14 3	14 3	21 5
	Shwaygyin	...	...	...	...	...	...	10 10	9 13	10 10	12 7	11 5	12 7
	Salween	..	...	...	...	...	...	7 4	...	7 4	10 8	...	10 8

Districts.	Great Millet (Cholum, Jowar), *Holcus Sorghum*. Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of last year.	Bulrush Millet (Cumboo, Bajra), *Penicillaria Spicata*. Present fortnight.	Bulrush Millet. Past fortnight.	Bulrush Millet. Corresponding fortnight of last year.	Lesser Millets, Ragi, &c. (Kavaru, Veragoo, Sawee, Cheena, Coraloo, Murhwa, Nuglee, &c.), *Panicum Miliaceum*, *Eleusine Coracana*, &c. Present fortnight.	Lesser Millets. Past fortnight.	Lesser Millets. Corresponding fortnight of last year.	Gram. Present fortnight.	Gram. Past fortnight.	Gram. Corresponding fortnight of last year.
	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.
Arrakan Division.												
Akyab	...	...	...	...	...	..	...	...	...	10 0	...	10 0
Kyoukpyoo	...	...	..	...	...	...	...	...	...	4 0	...	4 0
Sandoway	...	...	...	...	...	...	...	...	..	...	...	...
Pegu Division.												
Rangoon Town	...	..	...	...	...	...	...	...	...	19 2	19 7	19 7
Tharrawaddy	...	..	...	...	...	...	...	...	...	17 $13\frac{3}{7}$	16 $5\frac{1}{16}$	13 $9\frac{1}{5}$
Prome	...	...	...	...	...	...	...	...	...	15 9	15 9	15 9
Irrawaddy Division.												
Henzada	...	...	...	...	...	...	...	...	...	...	..	...
Thonegwa	...	...	...	...	...	...	...	...	...	16 13	16 13	16 0
Thayetmyo	...	...	...	...	...	...	...	...	...	13 13	13 13	11 1
Tenasserim Division.												
Moulmein	...	...	...	...	...	...	...	...	...	12 3	12 3	11 1
Tavoy	...	...	...	...	...	...	...	...	..	...	...	...
Mergui	...	...	...	...	...	...	...	...	...	...	...	...
Toungoo	...	...	...	...	...	...	...	...	...	12 9	12 9	12 9
Shwaygyin	...	...	...	...	...	...	...	...	...	...	...	...
Salween	...	...	...	...	...	...	...	...	...	...	...	...

Districts.	Firewood. Present fortnight.	Firewood. Past fortnight.	Firewood. Corresponding fortnight of last year.	Salt. Wholesale. Present fortnight.	Salt. Wholesale. Past fortnight.	Salt. Wholesale. Corresponding fortnight of last year.	Salt. Retail. Present fortnight.	Salt. Retail. Past fortnight.	Salt. Retail. Corresponding fortnight of last year.
	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.
Arrakan Division.									
Akyab	120 0	...	...	40 0	...	40 0	35 0	...	32 0
Kyoukpyoo	50 0	...	130 0	...	...	...	30 0	...	*
Sandoway	469 11	...	469 11	..	...	...	39 0	...	28 6
Pegu Division.									
Rangoon Town	320 0	320 0	320 0	50 11	50 11	50 11	22 10	22 10	22 10
Tharrawaddy	535 $11\frac{3}{7}$	536 $11\frac{3}{7}$	535 $11\frac{3}{7}$	...	...	...	35 $11\frac{3}{7}$	35 $11\frac{3}{7}$	27 $7\frac{11}{21}$
Prome	139 11	139 11	139 11	25 5	25 5	29 9	16 9	16 9	18 10
Irrawaddy Division.									
Henzada	183 8	183 8	183 8	29 9	29 9	29 9	29 9	29 9	29 9
Thonegwa	246 0	246 0	184 8	33 12	33 12	44 5	32 4	32 4	30 6
Thayetmyo	245 0	245 0	245 0	25 5	25 5	20 13	18 15	18 15	14 2
Tenasserim Division.									
Moulmein	220 0	220 0	220 0	35 8	35 8	47 7	25 5	25 5	35 8
Tavoy	399 3	..	...	24 2	...	...	16 1	...	...
Mergui	428 0	428 0	...	24 5	24 5	...	14 36	14 36	...
Toungoo	24 0	24 0	24 0	3 3	27 1	30 12	2 10	18 12	18 12
Shwaygyin	250 0	250 0	250 0	35 6	32 3	32 8	18 14	18 14	18 14
Salween	...	...	...	...	...	...	...	...	...

* Rs. 48 per 100 maunds, wholesale.

D. BARBOUR.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 2nd OCTOBER 1883.

GENERAL REMARKS.—In the Madras Presidency rain has fallen in varying quantities in all districts except Travancore, but more is still needed for dry crops in a few places. In Mysore the dry crops are withering in all districts from want of rain. In the Bombay Presidency rain has fallen in most districts, but more is urgently wanted in the Southern Mahratta Country. No rain fell in Sind during the week, and the river was on the 1st instant 2 feet 4 inches below the previous year's level. In Hyderabad and the Berars the rainfall has been again heavy and a break is needed. In Rajputana and the Central India States, light and fairly general rain fell during the week, and prospects are on the whole good. In British Burma rain has fallen in all districts and the agricultural condition of the province continues satisfactory. In Assam and Bengal the rainfall has been general, and the weather continues seasonable. More rain is however wanted in several places in the Bengal Presidency for the transplanted rice crop, especially on the high lands. Rain has continued in the southern and eastern districts of the Central Provinces, and the prospects of the rice crop are improving. A break is needed in Nagpur and Wardah for the cotton and millets and in the north of the provinces for preparation of ground for *rabi* sowings. In the North-Western Provinces and Oudh no rain has fallen during the week, and the rainy season is believed to be over. Prospects are on the whole fair, but more rain would be beneficial in many districts. In the Punjab the rainfall of the week has been confined to three districts only, but prospects are on the whole good.

Harvesting of paddy, *cumboo, ragi*, gingelly, &c., continues in the Madras Presidency, and the *kharif* is being cut in a few places in the Bombay Presidency. *Rabi* sowing is also in progress in Bombay. The damage from locusts is reported to be slight. In the North-Western Provinces and Oudh, Punjab, Rajputana, and the Central India States the *kharif* harvest is in progress and ploughing and sowing for the *rabi* are also commencing. In Bengal the early crops have been almost all harvested, with a generally fair outturn, though in some districts the jute crop is below the average.

There has been no increase of cattle-disease in British Burma, and elsewhere it is slight. A few deaths from cholera are still reported and seasonal fever is prevalent in some places, otherwise the public health is good.

Prices are either stationary or falling.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Madras—(Oct. 3rd)		
Bellary ...	·43 (average of five stations).	Standing crops wet generally good. Dry withering in black and red soils.
Kurnool ...	1·85 (average of seven stations).	Rain still wanted in three taluks. Standing crops withered in Cumbum division; elsewhere good. Harvest *cumboo* and indigo, yield one-half to three-fourths. Cattle-disease in six taluks.
Ganjam ...	1·10 (average of seventeen stations).	Standing crops generally thriving.
Kistna ...	1·51 (average of twelve stations).	Dry crops generally recovering, but still need rain. Harvest *cumboo* and gingelly, yield below half. Small-pox and cattle-disease in parts.
Chingleput (Madras) ...	·51 (average of seven stations).	Standing crops withering for want of rain. Harvest *kar*, paddy, &c., yield one-fourth. Measles and cattle-disease slight in parts.
Coimbatore ...	·50 (average of three stations).	Dry crops want rain in nine taluks. In one improved from recent rain. Harvest paddy, *cholum, ragi*, and *cumboo* in parts, yield average. Nine deaths from cholera in two taluks. Fever and small-pox in parts.
Tanjore ...	·92 (average of four stations).	Standing crops generally good, but rain needed in all but three taluks. Harvest paddy, *cholum, ragi, cumboo*, and gingelly, yield below average. 32 deaths from cholera.
Madura ...	·53 (average of four stations).	Standing crops fading. Harvest paddy in two taluks, yield average in one and poor in the other.
Malabar ...	·27 (average of six stations).	Standing crops good. Harvest continues. Second crop cultivation progressing. Small-pox in nine taluks; fever in four. Cattle-disease slight in one taluk.
Travancore ...	......	Harvesting almost over. One death from small-pox; fever and dysentery prevail. Rain still needed in parts.
		General Remarks.—General prospects fair.
Bombay—(Oct. 3rd)		
Kurrachee ...	No rain	River at Kotri on 1st 9 feet 10 inches against 12 feet 2 inches on same date last year. Rats doing some damage to rice crops in talukas Tatta and Shahbandar. *Kron* worm still in Tatta. Fever in six talukas. Cattle-disease in four talukas. Small-pox prevalent in three villages, in districts 14 fresh cases, 5 deaths, 1 remaining sick. Wheat, red rice, and *bajri* in Kurrachee 24, 28 and 34, in Sehwan 32 and 35, in Ghorabari 20, 30 and 36, and in Shahbandar 20, 32 and 42 lbs. per rupee, respectively.
Hyderabad ...	......	*Kharif* harvesting in progress. River has fallen 1 foot 10 inches since last week and was 2 feet 4 inches lower on 1st October than on the same date last year. Small-pox in one, fever in three, and cattle-disease in three talukas. Wheat 25, *bajri* 39, *juari* 48, red rice 26, and white rice 22 lbs. per rupee.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Bombay—*contd.*		
Ahmedabad ...	·37	Total rainfall 20·05. Crops healthy. Slight fever in some talukas. *Bajri* 28 and wheat 25½ lbs. per rupee.
Baroda ...	·72	Total rainfall 45·11. Crops in good condition. Public health fair. Cholera decreasing in Naosari division. *Bajri* 27 and rice 22 lbs. per rupee.
Surat ...	4·01	Total rainfall 51·84. Crops healthy. Cholera in Pardi, 14 cases, 3 fatal, 11 recovered. Destruction of locusts carried on. *Juari* 40 and *nagli* 42 lbs. per rupee.
Nasik ...	Heavy and continuous rain throughout district.	Cotton, *bajri*, and *urd* damaged. *Rabi* sowings retarded for want of break. Locusts throughout the district doing damage to crops in rare cases. No cholera. Wheat 28, *bajri* 28, and rice 22 lbs. per rupee.
Colaba (Bombay) ...	Slight rain daily, 1·97.	Total rainfall to date 79·00, being 10·79 above average. Abnormal temperature 3° to 1° cool. Vapour in air normal. Abnormal wind northerly. Thunder on 27th and 29th.
Poona ...	Good rain throughout district.	Cholera has almost disappeared. *Bajri* 40 and *juari* 49, in Poona *bajri* 34 and *juari* 43 lbs. per rupee.
Ahmednagar ...	Rain in all talukas—maximum at Shrigonda, 8·99; minimum at Sangamner, 3·05.	The excessive rain is reported to have injured the *bajri* crops in some places and to have retarded the sowing operations for the *rabi* crops. Cholera 45 attacks, 15 deaths. *Bajri*—maximum 60 lbs. in Jamkhed, minimum 36 in Kopargaon. *Juari*—maximum 72 in Jamkhed, minimum 48 in Kopargaon.
Sholapur ...	3·46	Total rainfall 36·68. *Kharif* crops in good condition. *Rabi* sowings commenced everywhere. Cholera 32 cases, 18 fatal. *Juari* 63 and *bajri* 51 lbs. per rupee.
Dharwar ...	Slight rain at nine out of fourteen stations; maximum being ·60 at Hubli, and minimum ·12 at Karajgi.	Rain wanted urgently everywhere both to save standing crops which are withering and to enable late crops, including cotton, in some parts to be sown. *Ragi* and *sawan* being harvested in western talukas. Cotton seed has not germinated well in some talukas for want of sufficient moisture. Public health fair. Prices steady.
Kanara ...	Karwar, 4·63; Kumpta, 3·11; Sirsi, ·13; Hallial, ·16.	Total rainfall 136·07. Small-pox in Honawar. Rice harvest continues on coast. Common rice in Karwar 12½, in district average 14½ seers per rupee. Weather fair.
Rajkot ...	·60	Total rainfall 25·97. General health good. Weather cool. Cholera in Paprali, Und, and Chavangar. *Bajri* 29 and *juari* 34 lbs. per rupee.
		General Remarks.—Rain in most districts of the Presidency. Heavy in some, but urgently wanted in the Southern Mahratta Country. River low in Sind. *Kharif* harvested in a few districts. *Rabi* sowing in progress. Little damage from locusts. Slight fever, small-pox, and cattle-disease in a few places.
Bengal—(Oct. 3rd)		
Chittagong ...	7·14	Weather seasonable. Prospects favourable. Rain has done good to standing crops. Prices steady. Cattle-disease still continues.
Dacca ...	1·26	*Aus* rice and jute being cut. Prospects of crops in Nawabgunge unfavourable owing to sudden rise of water.
24-Pergunnahs (Calcutta)	2·26	Prospects of late rice continue favourable, but more rain is required. Threshing of early rice still going on. Price of common rice stationary. Health of people generally good.
Moorshedabad ...	·57	Weather hot and cloudy with occasional slight showers. Rainfall during week very beneficial to late rice crop which has however suffered greatly from late drought. A good deal of fever in north of district
Rajshahye ...	·34; slight rain in north.	Weather generally clear. Rain urgently wanted for transplanted paddy. Sugarcane fair.
Burdwan ...	·43; Culna, 3·54; Cutwa, 2·69; Raneegunge, ·05.	Rice crops likely to suffer seriously if rain does not fall immediately, in Cutwa especially. Prospects are unfavourable. Public health fair.
Rungpore ...	·94	Weather seasonable. Prospects of crops fair. But more rain is wanted. Fever prevalent in some places.
Bhagalpur ...	*Nil*	Rain urgently wanted for high land paddy. Otherwise prospects favourable.
Purneah ...	·24	Prospects of crops fair. More rain wanted. Fever prevalent.
Patna ...	*Nil*	Gathering of *bhadoi* crops nearly completed. Much rain wanted in South Behar. Cholera still reported from Behar sub-division.
Durbhunga ...	·45	Weather hot. Rain badly wanted for rice crop which was looking very well. Outturn of *bhadoi* crops fair.
Hazaribagh ...	·05	Days warm. Mornings and evenings cool. *Bhadoi* crops harvested with a fair outturn. Fields being prepared for *rabi* crops. A general want of rain being felt for standing paddy crop. Public health good.
Cuttack ...	·71	Weather hot and clear. Early rice being reaped and gathered. Late rice growing well. Prospects of crops good. Public health good. Cattle-disease in some places in Kendrapara sub-division.
		General Remarks.—Rain in varying quantities fell in almost all districts during the week, but the fall in most parts of the province was very slight. More rain is very urgently wanted in several places for the transplanted rice crop, especially on the high lands. Early crops have been almost all gathered in generally with a fair outturn, though in some districts these crops especially jute have been under average. Fever is prevalent in some districts; otherwise public health is still pretty fair.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
N. W. Provinces and Oudh—		
Benares (Oct. 2nd)	No rain	Anxiety beginning to be felt for want of rain. Fever continues. Prices steady. Condition of cattle good.
Allahabad („ 3rd)	......	Rainy season over and autumnal commenced. Crops doing fairly well. Early rice being harvested. Cholera cases *nil.* Slight autumnal fever. Prices easy.
Gorakhpur (Sept. 30th)	......	Weather bright and clear during the week. Crops flourishing, but more rain required to secure a full rice crop and for the *rabi* sowings. Prospects excellent. Prices steady with a tendency to fall. Cholera has disappeared from the jail, but is spreading in the city.
Jhansi (Oct. 1st)	No rain	Prospects good. More rain would be an advantage. *Bajri, tili*, and cotton are in flower. Prices stationary. Health of people and cattle good.
Agra („ 2nd)	No rain	Fever in four parganas. Prices stationary. Rain needed both for present crops and *rabi* sowings, none having fallen for more than two weeks.
Bareilly („ „)	......	*Rabi* sowings begun. Rain badly wanted. Cholera almost gone.
Meerut („ „)	No rain	General condition favourable. *Rabi* ploughings in progress and gram being sown. Prices steady
Kumaun („ „)	No rain	Weather seasonable. Reaping of *kharif* in progress. Outturn fair. Ploughing for *rabi* commenced. Prices stationary. Cattle-disease prevalent. Health good.
Lucknow („ „)	No rain	Weather clear. Rice is being cut and threshed. *Hewat* crops excellent. Condition of people good and of cattle normal. Markets well supplied. Prices steady.
Partabgarh („ „)	No rain	Prices almost stationary. *Kuari dhan* being cut; *jarhan* suffering from drought in parts of tahsil Patti. Slight fever reported in Kunda and cattle-disease in Sadr.
Sitapur („ „)	No rain	General health good. Gram sowings commenced, but west wind drying soil too quickly. Prices on the whole falling.
Fyzabad („ „)	No rain	*Kharif* crops are being cut. Prospects good. Public health good.
Rae Bareli („ 1st)	No rain	Weather bright. Wind westerly. More rain wanted. Health of men and condition of cattle good. Supplies abundant. Prices steady.
Cawnpore („ 2nd)	No rain	Sky almost cloudless. Rain needed for *rabi* sowings. *Juari* and *bajri* will be about 12 annas. Rice almost entirely failed, but is not one of the staple crops. Cholera is reported from one police station only and fever is prevalent. Cattle-disease in parganas Akbarpur, Sarh, and Salempur. Prices slightly fallen.
Farukhabad („ „)	......	Bright clear weather in early part of week, now very slightly overcast and warmer. Fever is prevalent in the parts which had the heaviest rainfall and where there is new canal irrigation.
		General Remarks.—No rain has fallen during the week and the rainy season appears to be over. More rain would be an advantage in many districts, but prospects are on the whole fair. Cholera has disappeared from Allahabad and almost disappeared from Barielly, it is reported from one police station in Cawnpore, and is spreading in Gorakhpur city. Season fever is reported from several districts.
Punjab—(Oct. 2nd)		
Delhi ...	......	Health good. Prices of barley and *juari* slightly risen. Prices of other food-grains stationary.
Hissar ...	......	Health good. Rain required in Rohtak and Jhajjar. Crops elsewhere in good condition. Prices stationary.
Umballa ...	......	Health good. *Kharif* yield expected to be below the average. *Rabi* sowings delayed for want of rain. Prices stationary.
Jullundur ...	......	Health and *kharif* prospects good. Prices falling.
Amritsar ...	......	Health and condition of crops good. Prices falling.
Sialkot ...	......	Health and harvest prospects good. Prices stationary.
Ferozepore ...	......	Health and *kharif* prospects good. Prices falling.
Lahore ...	......	Health and *kharif* prospects good. *Rabi* ploughings continue. Prices falling.
Rawal Pindi ...	·40	Fever in two tahsils. *Kharif* prospects good in four tahsils and average in four others. Prices rising.
Mooltan ...	......	Health and *kharif* prospects good. Prices stationary.
Dera Ismail Khan ...	·70	*Kharif* crops in *daman* and *thall* lands average; in irrigated lands fair. *Rabi* ploughings commenced. Prices slightly rising.
Peshawar ...	·10	Rain much more wanted. Slight fever prevalent. Prices falling.
		General Remarks.—Slight rain has fallen in the Rawal Pindi, Dera Ismail Khan, and Peshawar districts. Seasonal fever in Rawal Pindi and Peshawar; health elsewhere good. The crop prospects are generally good, and the prices of food-grains are either falling or stationary.
Central Provinces—(Oct. 3rd)		
Nagpur ...	1·17	Weather cloudy. Clear weather needed for crops. Cholera abating. Prices of wheat and *juari* slightly fallen.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Central Provinces— *contd.*		
Jubbulpore ...	......	Weather clear with bright sunshine. Crops in fair condition. Cotton in flower and thriving. Rain wanted. Prices stationary. Health good.
Saugor (Oct. 2nd)	1·7	Rain not general. Weather hot. Prospects favourable. A few showers would be beneficial to crops and to *rabi* ploughings. Prices stationary. Health fair.
Seoni ...	......	Weather cloudy and unusually hot. Sowings commenced. Fever prevalent. Wheat 22¼ and rice 16 seers per rupee.
Hoshangabad ...	Occasional showers	Weather hot and cloudy. Prospects good. Land ready for *rabi* sowings. Health good. Wheat 15 and rice 9 seers per rupee.
Khandwa ...	·30	Weather occasionally cloudy. Seventeen deaths from cholera. Prices stationary.
Raipur ...	·38	Crops thriving, but more rain wanted. Grasshoppers numerous and destructive to rice in Simoga. Cholera in Raipur and a few villages in Droog.
Sambalpur (Sept. 29th)	3·91	Weather very favourable. Prospects in north and west improving. Fever increasing. Common rice 36 seers per rupee. *General Remarks.*—Rain has continued in the south and east of the provinces, and the prospects of the rice crops are improving. Clear weather is needed in Nagpur and Wardha for the cotton and millets, and to allow of the proper preparation of the ground for the *rabi* sowings in the north of the provinces. There has been little or no rain, and some moderate falls would be beneficial.
British Burma— (Sept. 29th)		
Akyab	3·28	Rainfall to date 174·69. One death from cholera in town, otherwise public health good. 114 deaths of cattle in Writtang and Minbya, elsewhere health of cattle good. Transplanting season over. General appearance of crops good. Season favourable.
Rangoon ...	2·34	Rainfall to date 73·33. One death from small-pox, otherwise public health good. Price of paddy from Rs. 79 to 88 per 100 baskets.
Bassein ...	1·72	Rainfall to date 82·34. Public health good. Slight cattle-disease in Lemyethna and Yegyi townships, 63 deaths in Keboung township. Paddy plants in good condition. Price of paddy Rs. 80 to 100 per 100 baskets.
Amherst (Moulmein) ...	2·25	Rainfall to date 162·23. Public health good. 31 deaths of cattle reported from Hlaingbwey township. Crops healthy in Moulmein town. Public health good. Progress and general appearance of crops good. No damage from drought, flood, or insects. Health of cattle good.
Toungoo ...	1·64	Rainfall to date 73·64. Public health and health of cattle good. Transplanting progressing. Price of paddy Rs. 65 per 100 baskets.
Kyoukphyoo (Sept. 22nd)	0·82	Rainfall to date 152·65. The following deaths from cholera are reported:—Kyoukphyoo township, Thaludoung circle 2, Kinmugiu 6, Raucree township, Myoma circle 8, Thinbegine 4, Hounnyouk 1, Ponsabgin 1, Cheduba township, Minbyin circle 2 and Dabyncha-ing circle 1. Health of cattle good. Crops progressing favourably.
Sandoway („ „)	1·62	Rainfall to date 195·87. Public health good. Crops continue healthy.
Hanthawaddy ...	......	Public health and health of cattle good. Three-fourths of land has been ploughed in Hlaing township; ploughing has been completed in Hmajbi and Tamanding townships. Some of the crops in the Aingkaloung, Bawlé, and Myoungtango circles, Hlaing township, have been destroyed by floods. Wages of ploughing labour 60 baskets of paddy per man in Hlaing township. Prices of paddy from Rs. 80 to 100 per 100 baskets.
Pegu ...	3·28	Rainfall to date 114·61 Four deaths from fever in Pegu, otherwise public health good. Slight cattle-disease in Kadanbaw circle and Syriam township, 2 deaths returned from latter. Prospects of crops good, although rain scanty. Price of paddy Rs. 80 to 85 per 100 baskets.
Tharrawaddy ...	2·80	Rainfall to date 89·97. Public health good. Fifteen deaths of cattle in Minhla and Tapun townships; health of cattle in all other townships, except Gyobingouk where slight cattle-disease prevails, good. Ploughing, sowing, and transplanting progressing. Transplanting and sowing nearly completed. Crops healthy. Price of paddy Rs. 93 to 125 per 100 baskets.
Prome ...	1·28	Total rainfall to date 40·88. Public health and health of cattle good. Mahathaman however reports 5 deaths of cattle. Ploughing and planting progressing. More rain wanted in some places, but no loss owing to drought has been reported. Standing crops are in good condition. Price of paddy Rs. 90 per 100 baskets.
Thonegwa ...	4·27	Total rainfall to date 75·39. Public health and health of cattle good. 3,500 acres destroyed by flood in Thagain circle, Donabyoo township. Increase of cultivation in other parts of the township owing to protection offered by embankments. Area of crops destroyed in Shwayloung township not yet ascertained. Inquiries are being made. Slight damage to low lying crops in Pantanow township. Crops in Pyapon and Didaye townships good. Price of paddy Rs. 90 to 95 per 100 baskets. Seedlings for transplanting insufficient in Shwayloung township. Transplanting progressing in damaged areas of Thonegwa and Yandoon townships.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
British Burma—*contd.*		
Henzada ...	0·62	Rainfall to date 76·72. Two deaths from small-pox in Henzada township, otherwise public health good. Plants in good condition in Henzada sub-division. Information from Myanoung not received.
Thayetmyo ...	0·90	Rainfall to date 29·47. Public health good. Forty-three deaths of cattle in Myede. Rice crop still suffers seriously for want of rain.
Shwaygyin ...	2·33	Rainfall to date 130·62. Public health fair. Fifty-two deaths of cattle reported from Mou and Kyankmaw circles. Transplanting and sowing nearly finished. General appearance of crops good. Crops suffer from floods in low ground, but on the whole a fair increase in total cultivation may be expected. Price of paddy Rs. 75 per 100 baskets.
Tavoy ...	2·40	Rainfall to date 181·80. Public health and health of cattle good. General appearance of crops good.
Mergui ...	......	No report received.
		General Remarks.—Rainfall for the week considerably less than the corresponding week of last year, especially on the coast and in the interior of the Tennasserim division. Total rainfall up to date still deficient compared with last year, notably in Bassein and the Tennasserim coast districts. Public health good. No increase of cattle-disease with the exception of parts of Thyetmyo, in which the crops are suffering from want of rain and in parts of Thonegwa, where there have been destructive floods. The agricultural condition of the Province is satisfactory, and prospects good. Price of paddy keeps up.
Assam—(Oct 3rd)		
Gauhati ...	·79	Weather seasonable. Mornings and nights cool. Prospects of *sali* crops good. Public health fair. Cattle-disease still reported from the interior.
Sylhet ...	0·33	State and prospects of crops good. Public health also good.
Cachar ..	2·00	Weather warm. Prospects of *sali* crops good. Reaping of *aus* crops continues. Common rice 16⅜ seers per rupee. Four deaths from small-pox reported from Sadr.
Dibrugarh ...	3·10	Weather seasonable. Prospects of crops good. Public health good.
Mysore and Coorg—(Oct. 3rd)		
Bangalore ..	·38	Dry crops withering for want of rain. Prospects critical for dry crops Wet crops in good condition. Public health good.
Mysore ..	No rain	Dry crops withering. Prospects of season doubtful. Agricultural operations partly suspended.
Mercara ...	·55	Coffee crops ripening fast. Picking of cardamoms proceeding. Outturn good. Rice crops doing well. *Ragi* harvest commenced. Outturn under the average. Prices of food-grains continue to fall. Public health generally good.
		General Remarks.—Dry crops withering in all districts from want of rain. General health good. Prices stationary. Murrain prevalent in the Kadur district.
Berar & Hyderabad—(Octr. 3rd)		
Amraoti ..	2·23	Continuous rainfall has done some injury to cotton and millet crops. The break now in the weather, if it continues, will improve the crops. Wheat 16 and *juari* 26 seers per rupee.
Akola ...	2·17	Crops in good condition. Generally a long break is now needed.
Hyderabad ...	Average rainfall 2·10	Total from 1st January 28·18. Standing crops flourishing. Reaping of *kharif* crops continues. Cholera prevails in one taluka and fever and ague in another. Prices—wheat 15¾, coarse rice 10¾, white *juari* 24, yellow *juari* 26¼, and tur 23¼ seers per current sicca rupee.
Central India States—(Oct. 3rd)		
Indore ...	1·37	Prices slightly falling.
Morar (Gwalior) ..	*Nil*	Fever in Lashkar. Prospects good.
Sutna ...	0·32	Prospects good.
Rutlam ...	......	No report received.
Neemuch ...	0·31	Reaping of *mukka* completed. Land being prepared for *rabi*. Agricultural prospects and public health good.
Goona ..	0·25	Wheat 23 seers 12 chittacks per rupee. Health and crops good.
Bhopal ...	.. ..	No report received.
Agar ...	*Nil*	Crops and prospects good.
Sehore ...	*Nil*	Weather clear. Crops and public health good.
Nowgong ...	*Nil*	*Kharif* prospects fair. Prices steady. Health good.
Manpur (Bhopawar) ...	2·20	Prospects good. Late showers have helped to fill the tanks. Slight cholera reported at Barwani.
Rajputana—		
Abu (Oct. 3rd)	·72	Weather occasionally heavy and cloudy with thunderstorms and showers; otherwise clear and seasonable.
Sirohi (Sept. 30th)	·33; two or three heavy showers.	Tanks and wells full. Health and crop prospects very fair. Weather warm.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Rajputana—*contd.*		
Marwar („ 28th)	No rain	Four months' water in Jodhpore city. Tanks and wells filling up. Health and crops good. Sky daily clear and cloudless. Weather close and sultry. Prospects of rain. Prices stationary.
Meywar („ 29th)	·13	Tanks and wells full. Health good. Crops fairly good. *Rabi* sowings commenced.
Harowti („ „)	*Nil*	*Rabi* operations continue, but rain needed. Weather cloudy, heat great. Health good. Prices stationary. Small-pox among cattle in Kherar district.
Jhallawar („ 28th)	......	Weather seasonable. Health and prospects good.
Ajmere (Oct. 2nd)	......	*Kharif* being harvested. *Rabi* cultivation going on. Thunderstorm with slight rain on first.
Jeypore („ „)	Slight rain	Weather cloudy. More rain wanted for *rabi*. Prices steady. Fever prevalent.
Bhurtpore ...	......	No report received.
Ulwur (Oct. 2nd)	No rain	Prices steady. Health good.

ABSTRACT SHOWING THE RESULT OF EMIGRATION FROM THE PORT OF CALCUTTA DURING THE MONTH OF JUNE 1883.

No. I.—As to age and sex.

	Natal.				Fiji.				Total.		
	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	Grand Total.
Under 2 years	10	8	18	38·37 women to every 100 men.	9	7	16	39·45 women to every 100 men.	19	15	34
From 2 to 10 years	24	19	43		11	9	20		35	28	63
„ 10 „ 20 „	73	27	100		106	34	140		179	61	240
„ 20 „ 30 „	162	59	221		217	87	304		379	146	525
„ 30 „ 40 „	21	10	31		7	10	17		28	20	48
„ 40 „ 50 „	2	3	5		2	...	2		4	3	7
Above 50	...	...	...		...	...	...		...	...	...
GRAND TOTAL ...	292	126	418		352	147	499		644	278	917

No. II.—As to places whence emigrants come to Calcutta for embarkation.

	Natal.			Fiji.			Total.		
Orissa	1	...	1	1	1	2	2	1	3
Western Bengal	1	...	1	...	...	...	1	...	1
Central ditto	...	...	...	...	...	...	...	...	...
Eastern ditto	...	...	...	...	...	...	...	...	...
Behar	64	12	76	9	6	15	73	18	91
North-Western Provinces	105	50	155	187	86	273	292	136	428
Oudh	42	8	50	98	45	143	140	53	193
Central India	6	6	12	13	1	14	19	7	26
Punjab	8	...	8	36	7	43	44	7	51
Nepal	6	1	7	7	1	8	13	2	15
Mixed, Madras & Bombay, &c.	59	49	108	1	...	1	60	49	109
GRAND TOTAL ...	292	126	418	352	147	409	644	273	917

No. III.—As to caste and religion.

		Natal.			Fiji.			Total.	
Brahmins, high caste	Hindoos	35	17	52	108	39	147	143	56	199
Agriculturist	Hindoos	77	13	90	88	31	119	165	44	209
Artisans	Hindoos	13	5	18	10	10	20	23	15	38
Low castes	Hindoos	147	81	228	100	40	140	247	121	368
Musulmans		20	10	30	46	27	73	66	37	103
Christians		...	...	...	...	...	...	...	...	...
Grand Total ...		292	126	418	352	147	499	644	273	917

Memo.

	Male.	Female.	Total.
1. Hindoos ...	578	236	814
2. Musulmans ...	66	37	103
3. Christians ...	...	...	...
Total ...	644	273	917

E. C. BUCK,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

ABSTRACT OF THE PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA, ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS UNDER THE PROVISIONS OF THE ACT OF PARLIAMENT 24 & 25 VIC., CAP. 67.

The Council met at Government House, Simla, on Thursday, the 4th October, 1883.

PRESENT:

His Excellency the Viceroy and Governor General of India, K.G., G.M.S.I., G.M.I.E., *presiding*.

His Excellency the Commander-in-Chief, G.C.B., C.I.E.

Lieutenant-General the Hon'ble T. F. Wilson, C.B., C.I.E.

The Hon'ble C. P. Ilbert, C.I.E.

The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.

The Hon'ble T. C. Hope, C.S.I., C.I.E.

The Hon'ble Rájá Siva Prásád, C.S.I.

The Hon'ble W. W. Hunter, LL.D., C.I.E.

The Hon'ble J. W. Quinton.

The Hon'ble D. G. Barkley.

PROTECTION OF INVENTIONS BILL.

The Hon'ble Mr. Ilbert moved that the Report of the Select Committee on the Bill for the protection of inventions exhibited in the Exhibitions of India be taken into consideration. He stated that the Bill appeared to have been

generally accepted as useful and sufficient, and the only alterations made by the Committee were alterations of a verbal nature.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill as amended be passed.

The Motion was put and agreed to.

NATIVE PASSENGER SHIPS ACT, 1876, AMENDMENT BILL.

The Hon'ble MR. ILBERT also moved that the Report of the Select Committee on the Bill to amend the Native Passenger Ships Act, 1876, be taken into consideration. He said :—

"The object of this Bill is to give effect to certain international arrangements with respect to the pilgrim-traffic in the Red Sea. On looking into the matter, it was found that most of what was required could be effected by means of alterations in the rules made under our Native Passenger Ships Act, but that it would also be necessary to make one or two amendments in the Act itself, and it was for this purpose, and this purpose only, that the present Bill was prepared.

"The local officers have directed attention to various points, other than those covered by the amending Bill, in which it appears to them that the Passengers Act is defective. We admit the existence of some of these defects, and the question as to the best mode of remedying them is at this moment under the consideration of the Home Department, and will shortly be brought under the consideration of the Legislative Department. But in the meantime, as the present Bill is urgently required, we think it desirable not to postpone its passing until the more general amending measure can be prepared and passed. I mention this in order that it may not be supposed that some of the very useful suggestions which we have received have been overlooked. Some of the criticisms which have been passed on the Bill seem to be based on an imperfect apprehension of the limited scope of the Act which we propose to amend. For instance, it has been suggested by some that the provisions of the Bill may interfere in an inconvenient manner with the traffic of cargo-ships trading to the Red Sea, and by others that we ought to obtain a more extensive control over all passenger-ships trading to or from ports in the Red Sea to British India or elsewhere. But if you look at section 2 of the Passengers Act, you will find that the scope and operation of the Act are restricted within very narrow limits. The Act extends to the whole of British India, and applies—

"to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty;

"to all Native Indian subjects of Her Majesty without and beyond British India; and

"subject to the exceptions mentioned in section 2, to vessels carrying more than thirty passengers, being Natives of Asia or Africa."

"But the section expressly provides that nothing in the Act is to apply—

"to any ship of war or transport belonging to, or in the service of, Her Majesty;

"to any ship of war belonging to any Foreign Prince or State;

"to any sailing vessel not carrying as passengers more than thirty Natives of Asia or Africa;

"to any steamer not carrying as passengers more than sixty of such Natives; or

"to any sailing vessel or steamer not intended to convey passengers to or from any port in British India.

"The Act does not apply to mere cargo-ships; it does not apply to ships carrying passengers, other than Native passengers as defined by the Act; it does not apply even to those ships unless they carry a minimum number of such passengers, nor unless those passengers happen to be bound either to or from some port in British India. Thus, the Act would not apply to a ship carrying Native passengers from Jeddah to Ceylon, or *vice versâ*, even though

No. III.—As to caste and religion.

	Natal.			Fiji.			Total.		
Brahmins, high caste ... ... Hindoos	35	17	52	108	39	147	143	56	199
Agriculturist .. .. Hindoos	77	13	90	88	31	119	165	44	209
Artisans ... . Hindoos	13	5	18	10	10	20	23	15	38
Low castes ... ... Hindoos	147	81	228	100	40	140	247	121	368
Musulmans	20	10	30	46	27	73	66	37	103
Christians	...	...	..	...	...	..	...	...	...
Grand Total ...	292	126	418	352	147	499	644	273	917

Memo.

	Male.	Female.	Total.
1. Hindoos ...	578	236	814
2. Musulmans ...	66	37	103
3. Christians ...	...	..	...
Total ...	644	273	917

E. C. BUCK,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

ABSTRACT OF THE PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA, ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS UNDER THE PROVISIONS OF THE ACT OF PARLIAMENT 24 & 25 VIC., CAP. 67.

The Council met at Government House, Simla, on Thursday, the 4th October, 1883.

PRESENT:

His Excellency the Viceroy and Governor General of India, K.G., G.M.S.I., G.M.I.E., *presiding.*
His Excellency the Commander-in-Chief, G.C.B., C.I.E.
Lieutenant-General the Hon'ble T. F. Wilson, C.B., C.I.E.
The Hon'ble C. P. Ilbert, C.I.E.
The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.
The Hon'ble T. C. Hope, C.S.I., C.I.E.
The Hon'ble Rájá Siva Prásád.
The Hon'ble W. W. Hunter, LL.D., C.I.E.
The Hon'ble J. W. Quinton.
The Hon'ble D. G. Barkley.

PROTECTION OF INVENTIONS BILL.

The Hon'ble Mr. Ilbert moved that the Report of the Select Committee on the Bill for the protection of inventions exhibited in the Exhibitions of India be taken into consideration. He stated that the Bill appeared to have been

generally accepted as useful and sufficient, and the only alterations made by the Committee were alterations of a verbal nature.

The Motion was put and agreed to.

The Hon'ble Mr. Ilbert also moved that the Bill as amended be passed.

NATIVE PASSENGER SHIPS ACT, 1876, AMENDMENT BILL.

The Hon'ble Mr. Ilbert also moved that the Report of the Select Committee on the Bill to amend the Native Passenger Ships Act, 1876, be taken into consideration. He said :—

"The object of this Bill is to give effect to certain international arrangements with respect to the pilgrim-traffic in the Red Sea. On looking into the matter, it was found that most of what was required could be effected by means of alterations in the rules made under our Native Passenger Ships Act, but that it would also be necessary to make one or two amendments in the Act itself, and it was for this purpose, and this purpose only, that the present Bill was prepared.

"The local officers have directed attention to various points, other than those covered by the amending Bill, in which it appears to them that the Passengers Act is defective. We admit the existence of some of these defects, and the question as to the best mode of remedying them is at this moment under the consideration of the Home Department, and will shortly be brought under the consideration of the Legislative Department. But in the meantime, as the present Bill is urgently required, we think it desirable not to postpone its passing until the more general amending measure can be prepared and passed. I mention this in order that it may not be supposed that some of the very useful suggestions which we have received have been overlooked. Some of the criticisms which have been passed on the Bill seem to be based on an imperfect apprehension of the limited scope of the Act which we propose to amend. For instance, it has been suggested by some that the provisions of the Bill may interfere in an inconvenient manner with the traffic of cargo-ships trading to the Red Sea, and by others that we ought to obtain a more extensive control over all passenger-ships trading to or from ports in the Red Sea to British India or elsewhere. But if you look at section 2 of the Passengers Act, you will find that the scope and operation of the Act are restricted within very narrow limits. The Act extends to the whole of British India, and applies—

"to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty;

"to all Native Indian subjects of Her Majesty without and beyond British India; and

"subject to the exceptions mentioned in section 2, to vessels carrying more than thirty passengers, being Natives of Asia or Africa."

"But the section expressly provides that nothing in the Act is to apply—

"to any ship of war or transport belonging to, or in the service of, Her Majesty;

"to any ship of war belonging to any Foreign Prince or State;

"to any sailing vessel not carrying as passengers more than thirty Natives of Asia or Africa;

"to any steamer not carrying as passengers more than sixty of such Natives; or

"to any sailing vessel or steamer not intended to convey passengers to or from any port in British India.

"The Act does not apply to mere cargo-ships; it does not apply to ships carrying passengers, other than Native passengers as defined by the Act; it does not apply even to those ships unless they carry a minimum number of such passengers, nor unless those passengers happen to be bound either to or from some port in British India. Thus, the Act would not apply to a ship carrying Native passengers from Jeddah to Ceylon, or *vice versâ*, even though

the ship happened to touch at Aden on its way. Again, the section to which I have referred is so framed as to exclude from the operation of the Act those ships over which we have no jurisdiction, and over which our Indian legislature, with its limited powers, cannot give us jurisdiction. We have done our best to meet the difficulty arising from want of jurisdiction in such cases by requiring the owner, agent or master of every ship carrying Native passengers, and proceeding from a port in British India to the Red Sea, to execute a bond which is conditioned for the observance of the requirements of the Act both on the outward and on the homeward voyage, and which can be enforced in Indian Courts. We are only concerned with the pilgrim-traffic to and from British India, and I have been informed—though I cannot vouch for the accuracy of the information—that almost all the ships engaged in this traffic start from British Indian ports and sail under the British flag. If that is the case, I do not apprehend that there will be any practical difficulty in enforcing the provisions of the Act. But whether it is so or not, we cannot exceed the powers of our legislature, and if it should appear desirable to obtain more extensive control over foreign ships or over British ships when outside British Indian waters, we must seek the assistance of the British legislature, acting if necessary in concert with the Governments of foreign States. A precedent for legislation of the kind required will be found in the Imperial Merchant Shipping Act of 1876 (39 and 40 Vict., c. 80, s. 37).

"Under these circumstances, we have not thought it necessary to make more than two substantive alterations in the Bill as introduced. The first of the alterations which we have made relates to the power to be conferred on the Government to require an assurance as to the state of health of the passengers before embarkation. The Bill as introduced empowered the Government to require passengers to produce a medical certificate, but it has been pointed out that, while the obtaining of such certificates might in many cases involve considerable trouble and delay to those concerned, the certificate would not always afford a guarantee that the holder of it was not at the moment of embarkation free from disease. We have accordingly substituted for the power to require certificates a power to subject passengers to a medical inspection before embarkation, and to prevent the embarkation of any person who may appear to be suffering from any dangerously infectious or contagious disease.

"The other alteration which we have made consists in the addition to the Bill of a section empowering the Local Government, with the previous sanction of the Governor General in Council, to exempt for sufficient reason any class of ships from any provision of the Act. This section has been inserted at the suggestion of the Bombay authorities, who represent that, under exceptional circumstances, some of the provisions of the Act as now amended might operate inconveniently; for instance, if at a time when steamers were being taken up for a military expedition and only sailing vessels could be procured for Native passenger-traffic, we were to insist rigidly on the condition as to a Native passenger-ship bound for the Red Sea being propelled principally by steam.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill as amended be passed.

The Motion was put and agreed to.

LEGAL PRACTITIONERS BILL.

The Hon'ble MR. ILBERT introduced the Bill to amend the Legal Practitioners Act, 1879, and the Indian Stamp Act, 1879, and moved that it be referred to a Select Committee consisting of the Hon'ble Sir Steuart Bayley, the Hon'ble Mr. Quinton and the Mover.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill and Statement of Objects and Reasons be published in the local official Gazettes in English and in such other languages as the Local Governments might think fit.

The Motion was put and agreed to.

CATTLE-TRESPASS ACT, 1871, AMENDMENT BILL.

The Hon'ble MR. ILBERT also presented the Report of the Select Committee on the Bill to amend the Cattle-trespass Act, 1871.

PANJÁB LOCAL SELF-GOVERNMENT BILL.

The Hon'ble MR. BARKLEY presented the Report of the Select Committee on the Bill to make better provision for Local Self-government in the Panjáb.

INDIAN PORTS ACT, 1875, AMENDMENT BILL.

The Hon'ble MR. ILBERT moved for leave to introduce a Bill to amend the Indian Ports Act, 1875. He explained that this was a small Bill which had been prepared at the suggestion of the Financial Department, and that its object was to amend section 47 of the Indian Ports Act, 1875, in such a way as to make it clear that the pensions of port-officers might be charged against the port-account.

The Motion was put and agreed to.

The Council adjourned to Wednesday, the 10th October, 1883.

D. FITZPATRICK,

Secretary to the Government of India,

Legislative Department.

SIMLA;
The 5th October, 1883.

Printed and Published for the GOVERNMENT OF INDIA *at the* GOVERNMENT CENTRAL BRANCH PRESS, *Simla.*



The Gazette of India

EXTRAORDINARY.

Published by Authority.

SIMLA, MONDAY, OCTOBER 8, 1883.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

No. 203.

Simla, the 8th October 1883.

A vacancy having occurred in the office of an Ordinary Member of the Council of the Governor General of India by the resignation of Major the Hon'ble Sir Evelyn Baring, K.C.S.I., C.I.E., R.A., Her Majesty has been graciously pleased to appoint Sir Auckland Colvin, K.C.M.G., of the Bengal Civil Service, to be an Ordinary Member of the Council of the Governor General of India. Sir Auckland Colvin assumed charge of his office this day under the usual salute.

By order of the Governor General in Council,

A. MACKENZIE,
Secretary to the Government of India.

Printed and Published for the GOVERNMENT OF INDIA *at the Govt. Central Branch Press, Simla.*



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 13, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 4th October, 1883, and was referred to a Select Committee:—

No. 21 of 1883.

A Bill to amend the Legal Practitioners Act, 1879, and the Indian Stamp Act, 1879.

XVIII of 1879. WHEREAS it is expedient to amend the Legal Practitioners Act, 1879, in manner in this Act appearing;

I of 1879. And whereas it is also expedient to amend the Indian Stamp Act, 1879, in so far as it relates to the duty chargeable on the enrolment of legal practitioners;

It is hereby enacted as follows:—

Short title. **1.** (*1*) This Act may be called the Legal Practitioners Act, 1883; and

Commencement. (*2*) It shall come into force at once.

XVIII of 1879. Amendment of section 4 of Act XVIII of 1879. **2.** In section 4 of the Legal Practitioners Act, 1879, for the words "as an advocate on the roll of the Chief Court of the Panjáb" the words "under section 41 of this Act" shall be substituted.

Addition of a proviso to section 13 of same Act. **3.** To section 13 of the same Act the following proviso shall be added:—

"Provided that in any case in which the party on whose behalf any such pleader as aforesaid is retained is—

(*a*) a pardánashín woman, or

(*b*) unable for any sufficient cause to instruct the pleader in person,

the High Court shall not suspend or dismiss the pleader because he has taken instructions from a relative of the party deputed by him or her to instruct the pleader."

New section substituted for section 41 of same Act. **4.** For section 41 of the same Act the following section shall be substituted, namely:—

"41. (*1*) A High Court not established by Royal Charter may, from time to time, with the previous sanction of the Local Government, make rules as to the qualifications and admission of proper persons to be advocates of the Court, and, subject to such rules, may enrol such and so many advocates as it thinks fit.

Power for certain High Courts to enrol advocates.

(*2*) Every advocate so enrolled shall be entitled to appear for the suitors of the Court and to plead or to act, or to plead and act, for those suitors, according as the Court may by its rules determine, and subject to those rules.

"(*3*) The High Court may dismiss any advocate so enrolled or suspend him from practice:

"(*4*) Provided that an advocate shall not be dismissed or suspended under this section unless he has been allowed an opportunity of defending himself before the High Court which enrolled him, and, except in the case of the Chief Court of the Panjáb, unless the order of the High Court dismissing or suspending him has been confirmed by the Local Government."

New section added to same Act. **5.** To the same Act the following section shall be added, namely:—

"42. Act I of 1846 (*for amending the law regarding the appointment and remuneration of pleaders in the Courts of the East India Company*), and Act XX of 1853 (*to amend the law relating to pleaders in the Courts of the East India Company*) are repealed."

Repeal of Acts I of 1846 and XX of 1853.

6. In Article 27 of Schedule I of the Indian Stamp Act, 1879, the words "in exercise of powers conferred on such Court by letters patent," and in clause (*a*) of Article 11 of Schedule II of the same Act, the words "established by Royal Charter" are repealed.

Amendment of Schedules I & II of Act I of 1879. (Duty on enrolment of advocates.) I of 1879.

STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to amend the Legal Practitioners Act, 1879, in certain respects in which experience has shown that the existing law is defective.

2. Section 13 of the Legal Practitioners Act, 1879, contains a provision that the High Court may suspend or dismiss any pleader who takes instructions in any case except from the party on whose behalf he is retained, or from a private servant of such party, or from some person who is the recognized agent of such party within the meaning of the Code of Civil Procedure. It has been brought to the notice of the Government that the practical operation of this provision is in certain cases attended with inconvenience to litigants and pleaders. In litigation in which pardánashín women are concerned, instructions must often, as a matter of necessity, be given through their near relatives. Again, there are cases in which male litigants, who have not the means of employing private servants, are unable from various causes, such as physical incapacity or old age, to instruct their pleaders in person. In such cases it seems right to allow the relatives of the litigants to instruct pleaders on their behalf. Section 3 of the Bill accordingly adds a proviso to section 13 of the Act enabling pleaders to take instructions from a relative of the party deputed by him or her to instruct the pleader when the party is a pardánashín woman or unable for any sufficient cause to instruct the pleader in person.

3. Under the Legal Practitioners Act, 1879, an advocate not ordinarily practising in his own province must, if he wishes to practise in such a province as the Central Provinces, for example, where the Judicial Commissioner has at present no power of enrolling advocates, first enrol himself as a pleader. As this state of the law is felt by certain persons to be a grievance, a new section has been added to the Act, empowering all High Courts not established by Royal Charter to enrol advocates as the Chief Court of the Panjáb is at present empowered to enrol them. As the power of suspension or removal would, except in the case of the Panjáb Chief Court, be vested in a single officer if it were conferred absolutely on the High Court, it has been thought well to make every order by any High Court, other than the Panjáb Chief Court, suspending or removing an advocate subject to confirmation by the Local Government.

4. The new section 42, which section 5 of the Bill adds to the Act, provides for the repeal of Acts I of 1846 and XX of 1853 in all places to which that section may be extended. The Madras High Court has noticed that these Acts have not as yet been expressly repealed in that Presidency, though a great portion of the Legal Practitioners Act, 1879, has been brought into operation there. These Acts are, it is believed, already repealed in all the provinces to which the Legal Practitioners Act, 1879, extends *proprio vigore;* but it is possible that they may be still unrepealed in some of the other provinces to which that Act has either already been or may hereafter be extended under the power conferred by its first section. The new section 42, taken with the first section of the Legal Practitioners Act, will enable the Local Government of any such province to repeal those Acts if still in force in it.

5. Lastly, section 6 of the Bill amends article 27 of schedule I and article 11 of schedule II of the Indian Stamp Act, 1879, by omitting the words which confine their operation to advocates of the chartered High Courts. As section 41 of the Legal Practitioners Act, 1879, empowers the Chief Court of the Panjáb to enrol advocates, and as the Bill will confer similar powers on the other non-chartered High Courts, the words in question are, as represented by the North-Western Provinces High Court, out of place, so far as advocates are concerned, and should therefore be omitted.

C. P. ILBERT.

The 19th September, 1883.

D. FITZPATRICK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 10th October, 1883, and was referred to a Select Committee:—

No. 22 OF 1883.

A Bill to amend the Indian Ports Act, 1875.

WHEREAS it is expedient to amend section 47 of the Indian Ports Act, 1875, so as to provide that the pensions or gratuities (if any) of persons employed in any port under that Act shall be charged to the Port Fund account of the port; It is hereby enacted as follows:—

XII of 1875.

1. In the fourth paragraph of section 47 of the said Act, for the words "All expenses, including the pay and allowances of all persons upon the establishment of the port" the words "All expenses, including the pay, allowances, pensions and gratuities (if any) of all persons employed in the port" shall be substituted.

Amendment of section 47 of the Indian Ports Act, 1875.

STATEMENT OF OBJECTS AND REASONS.

IT has recently been ruled by the Government of India in the Finance Department that service in establishments paid from port funds managed by the Government is qualifying service for pension, provided that the port fund pays for such service. It has now been brought to notice by the Government of Bombay that section 47 of the Indian Ports Act, 1875, which regulates the accounts of port-dues, does not authorize provision for pensioning employés either by investment of part of the port funds, or by the purchase of pensions from Government, or otherwise. As it seems to the Government that, when it administers a port fund, it should have the power of ordering the payment of pensions out of that fund, the present Bill, which modifies section 47 of the Indian Ports Act so as to give the Government the desired powers, has been prepared.

C. P. ILBERT.

The 10th October, 1883.

D. FITZPATRICK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 10th October, 1883:—

No. 23 of 1883.

A Bill to give effect to certain unregistered instruments of partition relating to immoveable property in the Madras Presidency, and to remove doubts as to the titles conferred thereby.

WHEREAS it is expedient to give effect to certain unregistered instruments of partition relating to immoveable property in the Madras Presidency, and to remove doubts as to the titles conferred thereby; It is hereby enacted as follows:—

Certain unregistered instruments of partition to have same force and effect as registered instruments.

1. Notwithstanding anything contained in any Act to the contrary, instruments of partition relating to immoveable property in the Madras Presidency, which have been executed before the passing of this Act and have not been registered, shall have the same force and effect as if they had been registered under the law in force at the time when they were executed:

Provided that this Act shall not—

(a) apply to any unregistered instrument of partition which has been superseded by an instrument of partition duly registered, or

(b) affect the title of a transferee in good faith of property, whether he has or has not had notice of an unregistered instrument of partition relating to that property, or

(c) affect any right established by a final decree of a Court of competent jurisdiction.

Compensation to person deprived of right owing to transfer under section 1, clause (b).

2. When any person to whom any right has accrued on the partition or any person claiming under that person has by any such transfer as is mentioned in section one, clause (b), been deprived of any right created by the partition, he shall be entitled to recover compensation in damages from any sharer who has joined in the transfer or, if the sharer is dead, from the assets, if any, in the hands of the heirs of the sharer:

Provided that suit be brought within three years after the date on which this Act comes into force or within three years from the date of the transfer, if the transfer is made after this Act come into force.

STATEMENT OF OBJECTS AND REASONS.

SECTION 17 of the Registration Act, XX of 1866, relates to instruments of which the registration is compulsory, and section 18 to instruments of which the registration is optional.

2. Clause (7) of the latter section includes "Instruments of Partition" among other instruments. The High Court at Madras, shortly after the passing of the Act, recorded an extra-judicial opinion that partition-deeds relating to immoveable property were governed by section 18 of the Act, and that their registration was therefore optional. This opinion was promulgated and acted upon.

3. The Act of 1866 was repealed by the Registration Act, VIII of 1871, which, however, reproduced clause (7), section 18 of the former Act; but the Act of 1871 was in turn repealed by the Registration Act, III of 1877. Section 18 of this Act revised the list of documents the registration of which was optional, and partition-deeds have been omitted from the list.

4. The Madras High Court now says that, of late, grave doubts have been entertained as to the correctness of the opinion recorded by it in the matter of the registration of partition-deeds referred to above, and recommends that, in view of the serious consequences to persons who may have acted on the opinion of the Court, and of the dissensions which may be excited in families by the disturbance of such arrangements, resort should be had to legislation to quiet titles. The High Court further suggests that such legislation should take the form of the present Bill. Under these circumstances, the Government of India deems it the most fitting course to accept the proposals of the High Court without modification, and accordingly the present Bill has been prepared.

C. P. ILBERT.

The 11th October, 1883.

D. FITZPATRICK,
Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 41.} SIMLA, SATURDAY, OCTOBER 13, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 12th October 1883.

Programme of His Excellency the Viceroy's Arrival in Calcutta.

His Excellency the Viceroy and Governor General will arrive in Calcutta by a special train on Saturday, the 1st December 1883, at 8 A.M. Railway time.

His Excellency will be received at the Howrah Railway Station by the Chairman of the Corporation and Commissioner of Police for the Town of Calcutta and the Magistrate of Howrah, and at Government House by the Lieutenant-Governor of Bengal, Members of His Excellency's Council, the principal Civil and Military Officers, and other Gentlemen who are desirous of attending.

A Guard of Honor of Native Troops, with Band, will be drawn up outside the Howrah Railway Station.

The route taken will be by the Hooghly Bridge, Strand Road, and Esplanade Row.

His Excellency will be escorted from Howrah Station to Government House by His Excellency's Body-Guard.

A Guard of Honor of British Infantry, with Band, will be drawn up in front of the Grand Staircase of Government House.

A Viceregal Salute will be fired from the Ramparts of Fort William as His Excellency passes the Hooghly Bridge.

Full dress will be worn by Officers entitled to uniform. Gentlemen not entitled to wear uniform will appear in morning dress.

By Command,

WILLIAM BERESFORD, *Captain,*
Military Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 8th October 1883.

No. 203.—A vacancy having occurred in the office of an Ordinary Member of the Council of the Governor General of India by the resignation of Major the Hon'ble Sir Evelyn Baring, K.C.S.I., C.I.E., R.A., Her Majesty has been graciously pleased to appoint Sir Auckland Colvin, K.C.M.G., of the Bengal Civil Service, to be an Ordinary Member of the Council of the Governor General of India. Sir Auckland Colvin assumed charge of his office this day under the usual salute.

MEDICAL.

The 10th October 1883.

No. 380.—The services of Surgeon E. F. H. Dobson are temporarily placed at the disposal of the Chief Commissioner of Assam.

POLICE.

The 11th October 1883.

No. 303.—The services of the two military officers named below are placed at the disposal of the Chief Commissioner of Assam for employment as Commandants of the Frontier Police Corps, Assam :—

Lieutenant W. F. C. C. Plowden, 5th Bengal Cavalry.

Lieutenant E. H. Molesworth, 13th Native Infantry.

ECCLESIASTICAL.

The 10th October 1883.

No. 257.—The services of the Reverend G. W. Manson, B.D., Officiating Senior Chaplain of the Church of Scotland on the Bengal Establishment, are replaced at the disposal of the Government of the North-Western Provinces and Oudh, with effect from the date on which he may be relieved of his duties by the Reverend G. G. Gillan.

A. MACKENZIE,
Secy. to the Govt. of India.

INDIAN EMPIRE.

NOTIFICATION.

Simla, the 11th October, 1883.

No. 32 I. E.—Under the authority of Her Majesty's Warrant for the Institution of the Order of the Indian Empire, the undermentioned gentleman is declared to be, *ex-officio* and for life, a Companion and Member of the aforesaid Order :—

The Honorable Sir Auckland Colvin, K.C.M.G., of the Bengal Civil Service, Member of the Council of the Governor-General.

C. GRANT,
Secretary to the Order of the Indian Empire.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 10th October, 1883.

No. 3024 I.—In exercise of the powers conferred by Section 12 of the Code of Criminal Procedure, the Governor-General in Council is pleased to invest Kishan Lall, Kamavisdar of pargana Manpur, in Central India, with the powers of a Magistrate of the 2nd Class, to be exercised within the limits of that pargana.

MILITARY.

No. 2395 G.—Lieutenant P. A. Watson, Bombay Staff Corps, Wing Officer, 20th Regiment of Bombay Native Infantry, is appointed to officiate as Wing Officer of the Bhopal Battalion, *vice* Lieutenant C. G. Harris.

GENERAL.

No. 2398 G.—Pandit Dharam Narain, Rai Bahadur, Mir Munshi of the Central India Agency, and Officiating Native Assistant to the Governor-General's Agent in Ceneral India, is confirmed in the appointment of Native Assistant, with effect from the 28th April, 1882, *vice* Pandit Sarup Narain, C.I.E., appointed a Political Assistant of the 3rd Class.

C. GRANT,
Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 12th October 1883.

No. 3758.—Mr. J. Westland, B.C.S., having returned from privilege leave, resumed charge of his duties as Comptroller General and Head Commissioner of Paper Currency before noon on the 6th October 1883.

Mr. A. C. Tupp, B.C.S., received charge of the office of Accountant General, Bengal, from Mr. E. W. Kellner after noon on the 5th October 1883.

Mr. E. W. Kellner received charge of the office of Deputy Comptroller General from Mr. C. E. Crawley after noon on the 5th October 1883.

No. 3765.—*Abstract of the Accounts of the Department of Issue of Paper Currency on the 30th September 1883, published as required by Section 27 of the Indian Paper Currency Act XX of 1882.*

CIRCLES OF ISSUE.	Whole amount of Notes in circulation.	RESERVE IN SILVER COIN AND BULLION.		
		Coin.	Bullion.	Total.
	Rs.	Rs.	Rs.	Rs.
Calcutta ...	6,28,29,815	92,20,815	35,66,221	1,27,87,036
Allahabad ..	78,15,845	80,26,030		80,26,030
Lahore ...	75,47,330	75,62,620	..	75,62,620
Bombay ...	4,59,24,300	3,82,72,046	33,79,004	4,16,51,050
Kurrachee ...	32,66,570	31,07,325	18,790	31,26,115
Madras ...	1,37,89,000	75,11,035	8,10,000	83,21,035
Calicut ..	10,97,335	8,18,300	.	8,18,300
Rangoon ...	16,79,360	16,87,070	... ..	16,87,070
Total ...	14,39,80,155	7,02,05,271	77,74,918	8,39,80,189
Price paid for Government Securities of the nominal value of Rs. 6,25,37,700 held under Section 19 of the Act .				5,90,09,966
GRAND TOTAL ...				14,39,80,155

D. M. BARBOUR,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 12th October, 1883.

APPOINTMENTS.

No. 548.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Secretary of State for India :—

Lieutenant Henry Francis Kelly Waldron, East Surrey Regiment, Officiating Squadron Officer, 3rd Bengal Cavalry,—11th August, 1882.

No. 549.—PUNJAB FRONTIER FORCE—

2nd Punjab Infantry.

Lieutenant C. Davidson, North Lancashire Regiment, a candidate for the Bengal Staff Corps, to be Officiating Wing Officer, on probation, with effect from the 17th September, 1883.

FURLOUGH AND LEAVE.

No. 550.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Major W. B. Birch, Bengal S. C., 2nd Assistant Superintendent of Port Blair and the Nicobars, (p. a.) for one year and 269 days, under rule IX of the regulations of 1868. (This cancels the furlough granted him in G. G. O. No. 414 of 1883.)

Lieutenant B. Duff, Bengal S. C., Wing Officer and Adjutant, 9th Native Infantry, (p. a.) for one year, under rule I of the regulations of 1875, embarking on or after the 13th November, 1883.

No. 551.—Lieutenant-Colonel (Brevet Colonel) H. R. Wintle, Infantry, is granted furlough in India (p. a.) for one year, under rule IX of the regulations of 1868.

No. 552.—With reference to G. G. O. No. 306 of 1883, Surgeon G. A. Cones has been granted by the Right Hon'ble the Secretary of State for India furlough (m. c.) for 273 days, under rule VI of the regulations of 1875, with effect from the 1st May, 1883.

LONDON GAZETTE.

No. 553.—The following extracts are published for general information :—

" *London Gazette," dated the 7th September, 1883, page 4400.*

" INDIA OFFICE ;
7th September, 1883.

Her Majesty the Queen has approved of the following Admissions to the Staff Corps made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenant.

Lieutenant George Henry John Moore, from the Royal Irish Regiment. Dated 2nd June, 1880, but to rank from 3rd March, 1880.

* * * *"

" *London Gazette," dated the 11th September, 1883, page 4152.*

" WAR OFFICE ;
Pall Mall, 11th September, 1883.

MEMORANDA.

* * * *

The undermentioned Deputy Commissaries and Honorary Lieutenants of the Bengal Establishment to have the honorary rank of Captain on retirement. Dated 28th July, 1882 :—

Thomas Gill.
William Durham.

To be Honorary Lieutenant :—

Deputy Assistant Commissary George Brady, Hyderabad Contingent. Dated 13th July, 1883."

PROMOTIONS.

No. 554.—The following promotion is made, subject to Her Majesty's approval :—

BENGAL STAFF CORPS.

To be Major.

Captain Frank Ranken Cave Voyle,—9th October, 1883.

REWARDS.

No. 555.—GOOD SERVICE PENSIONS—

It is notified that on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer a good service pension on the undermentioned officer, with effect from the date specified :—

From the 14th June, 1883, in the room of Colonel R. Murray, Bengal Staff Corps, succeeded to the Colonel's allowance.

LIEUTENANT-COLONEL (BREVET COLONEL) RICHARD BARTER, C.B., BENGAL STAFF CORPS.

Dates of Commissions.

Ensign	28th April, 1846.
Lieutenant	3rd April, 1849.
Captain	11th April, 1858.
Major	28th April, 1866.
Lieutenant-Colonel	28th April, 1872.
Brevet Colonel	28th April, 1877.

Appointments.

Regimental duty, 75th Foot,—April, 1846, to April, 1858.
Commanded two troops of Military Police Cavalry, employed with the British Army in Rohilkhand,—April, 1858, to August, 1858.
Commandant, Bijnour Military Police,—August, 1858, to March, 1861.
Superintendent of Police, 1st Grade, North-Western Provinces,—April, 1861, to February, 1862.
Commandant, 15th Native Infantry,—February, 1862, to 1st April, 1883.
Brigadier-General Commanding a Brigade in Southern Afghanistan,—October, 1878, to August, 1880.

War Services.

Indian Mutiny 1857-58.—Battle of Badli-ke-Serái (severely wounded); siege, storm and capture of Delhi; battles of Bulandshahr, Aligarh and Agra; relief of Lucknow; occupation of, and actions near, the Alambagh. (Medal and two clasps.)

Afghan War, 1878-80.—Battle of Ahmed Khel and action of Arzú. (Despatches,—G. G. O. No. 326 of 1880; medal and clasp and C. B.)

MARINE DEPARTMENT.

ORGANISATION.

No. 42.—With reference to Marine Circular No. 26, dated 11th October, 1883, the Governor General in Council directs that the officers of the Indian Marine be graded as follows with seniority as stated opposite their names:—

*Commanders.**

Walter John Powell	... 19th December, 1864.
Anthony Gwyn	... 5th February, 1876.
Maurice Bean	... 26th October, 1877.
Edward Bishop	... 19th July, 1879.
Boyle Purdon Creagh	... 30th September, 1880.
William Marcus Edwards	8th October, 1880.
C. J. Cuthbert	... 1st December, 1880.
W. C. Hotham	... 11th July, 1882.

Supernumerary.†

William Seymour Downing	*24th April, 1866.*
A. Campbell	... *31st August, 1867.*
William James Platts	... 31st August, 1868.
Even Davies	... 1st July, 1872.
~~*H. A. Street*~~	... *22nd December, 1876.*
E. H. Fenk	... *26th October, 1877.*
G. Wilson	... *14th October, 1878.*
E. H. Ensor	... *14th May, 1879.*
P. J. Falle	... *14th May, 1879.*
H. J. Pryce	... 20th April, 1881.
J. S. Barrett	... 1st July, 1881.
J. Robertson	... 14th October, 1881.

First Grade Officers.

Ranking as Officers of six years' seniority.

G. D. Nash	... 3rd August, 1857.
E. R. Shopland	... *11th April, 1871.*
G. Peck	... 5th May, 1874.
J. Clarke	... 13th October, 1880.
B. A. Dougherty	... 13th October, 1880.
T. G. R. Finny	... 13th October, 1880.
G. A. D. Haviland	... 13th October, 1880.

* The names of officers seconded for appointment on shore and in Marine Surveys are in italics.

† Will take relative rank with other Commanders according to date of seniority.

Ranking as Officers of three years' seniority.

D. P. Jones	... 3rd July, 1881.
C. C. Hearsey	... 19th April, 1882.
* *H. B. Simpson*	... *19th April, 1882.*
W. Aves	... 11th July, 1882.
C. W. Hewett	... 11th July, 1882.
T. H. Butterworth	... 11th July, 1882.
H. S. Black	... 1st December, 1882.
P. Downes	... 27th December, 1882.

Under three years' seniority.

F. M. Barwick	... 13th October, 1880.
* *W. H. W. Searle*	... *15th December, 1880.*
W. Chandler	... 5th January, 1881.
W. H. Crozier	... 5th January, 1881.
E. J. Beaumont	.. *11th July, 1882.*
R. D. C. Brownlow	... 11th July, 1882.
J. P. Casey	... 11th July, 1882.
G. L'E. Mathias	... 26th September, 1882.
C. W. R. Hooper	... 8th October, 1882.
H. B. Hooper	... 1st December, 1882.
G. Holland	... 1st December, 1882.
G. A. Lye	... 1st December, 1882.

Second Grade Officers.

V. McCarthy	... 27th December, 1882.
C. F. Wight	... 27th December, 1882.
A. G. Mallock	... *21st July, 1881.*
W. Mitchell	... 1st October, 1881.
A. W. Deane	... 19th October, 1881.
C. F. Fletcher	... 26th November, 1881.
W. J. McCausland	... 3rd November, 1882.
G. A. Rose	... 10th February, 1883.
R. H. Thompson	... 26th March, 1883.
G. J. Baugh	... 12th April, 1883.
S. Warden	... *25th May, 1883.*
H. W. Beresford	... 14th June, 1883.
A. J. G. Piffard	... 12th August, 1883.

Third Grade Officers.

G. H. Pigott	... 8th October, 1879.
W. Beaumont	... 13th January, 1881.
C. E. J. Monkhouse	... 13th January, 1881.
A. D. Stewart	... 29th August, 1881.
H. A. Livermore	... *27th September, 1883.*
R. D. F. Piffard	... 1st December, 1881.
A. H. E. M. McCausland	... 11th April, 1882.
B. Ashburner	... 20th April, 1882.
T. S. Edwards	... 22nd January, 1883.

Officers on Probation.

A. C. Yorstoun	... 1st April, 1883.
H. C. Owen	... 1st April, 1883.
A. T. Leach de Berry	... 29th August, 1883.

2. Future appointments to the Marine service will be made by the Secretary of State for India. Applications from candidates in India will be forwarded through the Director of Marine to the Government of India for submission to Her Majesty's Government.

3. Letters of appointment to the Indian Marine bearing the signature of the Viceroy and Governor General will in future be issued to officers of the Marine service, and Warrants under the signature of the Director to all warrant officers.

No. 43.—PRECEDENCE—

The officers of the Indian Marine will be graded as follows in the Table of Precedence :—

Commanders—To stand below "Under Secretaries to the Government of India" in No. 72, Officers of the 2nd class graded list of Civil officers.

First Grade Officers of six years' seniority and Chief Engineers—To stand below "Superintendents, Telegraph Department, 1st and 2nd grades," in No. 77, Officers of the 3rd class graded list of Civil officers.

Port Officers—The eight appointments of Port Officer enumerated in G. G. O. No. 41 to be included in No. 70, Master Attendants.

Deputy Director in No. 69.

2. The Governor General in Council is pleased to assign to Commanders the official title of Captain, such designation to carry with it no relative rank or precedence beyond what is above accorded.

3. The following officers of the late Indian Navy holding shore appointments are also granted the official title of Captain :—

Captain G. O'B. Carew	... Deputy Director, Indian Marine.
Lieutenant A. W. Stiffe	... Port Officer, Calcutta.
" G. B. Hewett	... Staff Officer, Bombay Dockyard.
" F. Warden	... Port Officer, Rangoon.
" H. Morland	... " " Rangoon.
" G. C. Parker	... " " Karachi.
" J. Brebner	... Acting Port Officer, Calcutta.
Mr. W. H. Thynne	... Port Officer, Aden.

No. 44.—PORTS—

The following Port appointments are to be filled by officers of the Indian Marine :—

Port Officer, Calcutta.
" " Madras.
" " Bombay.
" " Rangoon.
" " Karachi.
" " Aden.
" " Akyab.
" " Moulmein.

Assistant Port Officer, Calcutta.
" " " Madras.
" " " Bombay.
" " " Rangoon.
Conservator, River Indus.

2. Marine officers on appointment as Port officers or to the Dockyard staff will be seconded in their respective grades on the Marine list.

3. The tenure of the above port and other shore appointments is limited to five years.

No. 45.—GUARDS—

Military guards for services as Marines on board Indian Government vessels will be detailed from the Native Army under the orders of the senior local Military officer on the application of the Director of Marine.

No. 46.—COLORS—

With the sanction of the Lords Commissioners of the Admiralty, all vessels of the Indian Marine will wear the blue ensign of Her Majesty's Fleet, with the Star of India in the fly as its distinguishing badge.

MARINE SURVEYS.

No. 47.—With reference to Marine Circular No. 20, dated the 24th August, 1883, the Governor General in Council is pleased to direct that the officers of the Indian Marine Survey shall be graded as follows, with effect from he 15th June 1883 :—

Surveyor in charge.

Commander L. S. Dawson, R N.

Assistant Surveyors, 1st Class.

Lieutenant A. Channer, R.N.
Navigating Lieutenant T. C. Pascoe, R.N.

Assistant Surveyor, 2nd Class.

Commander P. J. Falle, Indian Marine.

Assistant Surveyors, 3rd Class.

Mr W. H. Searle, Indian Marine.
Mr. H. B. Simpson, ditto.

Assistant Surveyors, 4th Class.

Mr. E. J. Beaumont, Indian Marine.
Mr. H. A. Livermore, ditto.
Mr. A. G. Mallock, ditto.
Mr. S. Warden, ditto.

The Assistant Surveyors are arranged alphabetically in each grade, and the arrangement does not indicate precedence, or seniority.

RESIGNATIONS.

No. 48.—Mr. K. Martin, Assistant Engineer, Indian Marine, is permitted to resign his appointment.

No. 49.—The services of Messrs. W. Legate, Assistant Engineer, 1st class, and J. W. Peacock, Assistant Engineer, 2nd class, Indian Marine, who have absented themselves without leave, are dispensed with. Dated 9th September, 1883.

G. CHESNEY,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 10th October 1883.

No. 226.—Major T. J. Willans, R.E., Executive Engineer, 1st Grade, is appointed to officiate as Superintending Engineer and Secretary to the Chief Commissioner of Assam in the Public Works Department, during the absence on privilege leave of Lieutenant-Colonel J. M. McNeile, R.E., or until further orders.

The 11th October 1883.

No. 229.—Mr. W. C. Rennie, Executive Engineer, 1st Grade, sub. *pro tem.*, Railway Branch, is transferred from the Establishment under the Government of Bengal to that under the Director General of Railways.

Mr. C. H. Croudace, Executive Engineer, 2nd Grade, Railway Branch, is transferred from the Establishment under the Chief Commissioner, Assam, to that under the Government of Bengal for employment in the Railway Branch.

The 12th October 1883.

No. 230.—The services of Mr. M. J. Monckton, Executive Engineer, 4th Grade, temporary rank, Bengal, are placed temporarily at the disposal of the Foreign Department for employment in the Meywar State.

TELEGRAPH.

The 10th October 1883.

No. 227.—The following is published for general information :—

No. 287T., dated 9th October 1883.

RESOLUTION—By the Government of India, Public Works Department.

Utilisation of Postal agency in the operations of the Telegraph Department.

Read—

Paragraph 6 of Public Works Department Resolution No. 169-90T., dated 31st May 1881.

Letter from Director General of Telegraphs, No. 454, dated 14th July 1883.

Public Works Department letter No. 253T., dated 22nd August 1883, to the Director General of Telegraphs.

Letter from Director General of Telegraphs, No. 480T., dated 29th August 1883.

OBSERVATIONS.—In pursuance of the orders of the Government of India, the Director General of Telegraphs now submits a scheme, drawn up in consultation with the Director General of the Post Office, for utilising the agency of the Post Office in extending the operations of the Telegraph Department. The following are the main heads of this scheme, which has the cordial approval of the Government of India :—

1. To constitute every Post Office in the empire a receiving office or depôt for the receipt of "Inland" telegrams from the public, whence "Inland" telegrams will be despatched by post to the nearest telegraph station, whether such station be a Government office or an office of a licensed telegraph system.

The charge to the public for a telegram received at a Post Office to be the same as the charge for a telegram received at a Telegraph Office.

2. To train a number of Post Office officials in telegraph duties (their pay while under training and all connected expenses being borne by the Telegraph Department) for the purpose—

(*a*) of combining telegraph with postal work at telegraph stations where the work can be done efficiently and cheaper by using the agency of the Post Office ; and

(*b*) of working branch telegraph stations, off the present main routes, which it is proposed to establish in Post Offices.

3. To erect short lines of telegraph inexpensively constructed, connecting the existing telegraph system with the Post Offices in towns in the vicinity, with the object of bringing the advantages of the telegraph within the reach of people off the main routes, thus providing a large extension of its sphere of usefulness at the least possible expense to the State.

The extent of these connections must be limited by financial considerations, but it is hoped that Local Governments and Administrations will be ready to contribute towards the expense involved, when it is known that this expense under the arrangements now sanctioned will be reduced to a minimum.

4. It has also been proposed by the two Directors General that, in order to remove friction and to facilitate the combined working, the Postal Department shall make no charge for postage, registration, &c., of articles on Telegraph service, and that all telegrams sent by the Post Office shall be considered as "on the service" "of the Telegraph Department," and transmitted without charge over the lines of the Telegraph Department, and of all licensed telegraph systems. This proposal is approved by the Government of India, and may be carried into effect from such date as may be arranged by the two Departments.

5. Detailed rules for the guidance of Postal telegraph receiving offices will be drawn up by the heads of the two Departments concerned, but it may be generally stated that inland telegrams tendered at such offices may be paid for either in cash or in postage labels, while in the case of branch telegraph stations established in Post Offices payment may be made in telegraph stamps also.

6. As regards the adjustment of accounts between the Postal and Telegraph Departments, the former will debit the latter with the usual discount on the sale of postage stamps used in payment for telegrams, and with the actual extra expenditure incurred in working Postal telegraph offices.

7. The Government of India is unwilling to bind either Department by the issue of further precise instructions, and confidently leaves the development of the scheme in the hands of the two Directors General, subject to their submitting from time to time such of their proposals as may require the sanction of higher authority.

The desired economical extension of the telegraph will depend largely on cautious tentative measures adopted, with the consent of both Departments, in the light of experience gained by actual working.

8. In conclusion, His Excellency the Viceroy in Council desires to express his recognition of the spirit in which the two Directors General have taken up this scheme for the development of telegraphic communication in India, and his appreciation of the liberal and ready manner in which the Director General of the Post Office has met the proposals of the Director General of Telegraphs.

ORDER.—Ordered, that copy of this Resolution be forwarded to the Local Governments and Administrations noted on the margin, to the Department of Finance and Commerce and to Her Majesty's Secretary of State for information; also that copy be forwarded to the Director General of Telegraphs for information and guidance and to the Publisher of the *Gazette of India* for publication in the Gazette.

The Governments of Madras, Bombay, Bengal, North-Western Provinces and Oudh, and the Punjab, Public Works Department.
The Chief Commissioners, Central Provinces, British Burma, Assam, and Coorg.
The Resident at Hyderabad
The Agents to the Governor General for Central India, Rajputana, and Biluchistan.
The Accountant General, Public Works Department.
The Director General of Railways.
The Director General of Telegraphs in India.
The Director-in-Chief, Indo European Telegraph.

No. 228.—With reference to the above Resolution, the Governor General in Council is pleased under the provisions of Section 8 of Act I of 1876, entitled an Act to amend the law relating to Telegraphs in India, to prescribe the following revision of Rule 12 of the "General Rules relating to the conduct of all Electric Telegraphs licensed under the Telegraph Act to transmit paid messages for the public," issued under Government of India, Public Works Department, Civil Works Resolution No. 203-35T., dated Simla, May 2nd, 1882, *viz.*:—

12. Messages on the service of the Government Telegraph Department shall be transmitted without charge to or from all licensed Telegraph Offices. Messages on the service of the Government Telegraph Department shall include messages on the service of the Postal Department.

No. 47 C. & I.

RESOLUTION—By the Government of India, Public Works Department.

Warora Colliery and Wardah Coal Railway.

Read—

Report by the Chief Engineer, Central Provinces, on the working of the Warora Coal Mines, dated 2nd May 1882.

Public Works Department letter to the Chief Commissioner, Central Provinces, No. 322 R.A., dated 16th April 1883, calling for a detailed statement of expenditure on works connected with the Warora Colliery.

Letter from Central Provinces, No. 3618, dated 18th June 1883, submitting the statement.

RESOLUTION.—Coal was first raised from the Warora Colliery to any considerable extent in 1876-77, when the output was 10,700 tons. In 1877-78 the output was increased to nearly 41,000 tons, and in 1878-79 to 43,000 tons. These quantities were obtained from the pits known as Nos. (1) and (2), of which No. (1) was merely a pumping shaft, the coal being raised from No. (2); and as the demand for coal increased, it became necessary to sink another pumping shaft, known as No. (3), to the south and to the dip of Nos. (1) and (2), as well as another pit, No. (4), to the west and rise of No. (3). No. 3 shaft was commenced first, and had been sunk to a depth of 18 feet, when the pumping

machinery broke down (in the beginning of 1879), and the sinking of this shaft had to be stopped until October 1879. It was then recommenced, and by December of that year had reached a depth of 148 feet, when further accidents to the pumping machinery and the necessity for thorough examination and repairs delayed work until December 1880. No. 3 shaft was then completed and connected with the main workings, and in February 1881 No. 4 pit was finished. In consequence of these arrangements the output of coal rose to 7,000 tons a month in the beginning of 1882, when a fifth pit was commenced to the south of Nos. 3 and 4, with the aid of which it is calculated that the output can be raised to 12,000 tons a month. Of this amount it is estimated that about 9,000 tons would be large coal—a quantity sufficient to meet all demands likely to arise during the next few years.

2. The total quantity of Warora coal consumed on Indian Railways during the year 1882 was 47,892 tons. The consumption per train mile was 104 lbs. on the Wardah Railway and 67 lbs. on the Nagpur-Chhattisgarh. This coal is inferior to Bengal coal in quality. At its best 3 tons of Warora coal may be taken as capable of doing the work of 2 tons of Karharbali coal, which is nearly equal to English coal. The inferior quality must necessarily somewhat restrict the demand for locomotive purposes; the consumption might, however, be greatly increased during the next few years if the price at the pit's mouth could be reduced.

Great Indian Peninsula Railway	...	38,813
Nagpur-Chhattisgarh	...	5,188
Wardah Coal State Railway	...	3,591
Total	...	47,892

3. The actual cost of cutting and raising the coal is about Rs. 1-4 per ton, but the price at present charged is Rs. 5 per ton, which would appear more than sufficient to cover all expenses and give a fair return on the capital which has been expended on the works.

4. If the price at the pit's mouth can be reduced to Rs. 3 per ton, there is every reason to believe that the area of demand would be greatly increased and that more than double the present quantity would be sold.

It may also be fairly assumed that the quality will improve as the collieries are more developed and the coal is worked to the dip.

The Rajputana Railway could probably consume some 20,000 tons per annum on the Khandwa-Neemuch section of that line; the Great Indian Peninsula might profitably take another 20,000 tons or more in addition to their present demand for use on the Dhond-Manmad, and on the section of their main line between Bhusawal and Nandgaon; and the quantity consumed on the Wardha Coal line would be largely increased by the extra traffic.

The Nagpur-Chhattisgarh line will in any case consume a much larger quantity than it has done in previous years, owing to its extension being now completed and open for traffic.

5. On the whole, the total annual consumption of coal from these collieries on Railways during the next few years will doubtless (if the above reduction in its price can be effected) fall but little short of 1,00,000 tons, distributed roughly as follows:—

	Tons.
By the Great Indian Peninsula Railway	60,000
„ Rajputana	20,000
„ Nagpur-Chhattisgarh	12,000
„ Wardha State Railway	6,000
	98,000

In the event of the Nagpur-Bengal Railway being constructed, another 10,000 tons per annum might possibly be consumed.

6. The capacity of the coal-field was estimated by Mr. Walter Ness, after trial borings, to amount to 20 million tons of easily workable coal, and this estimate is considered to be rather under than over the mark. The field will therefore suffice for the supply of all demands likely to be made upon it during the next 150 years. The existing arrangements provide for working an area of 191 acres, from which it is calculated that 1,600,000 tons can be raised without any difficulty, so that no large expenditure on new works is likely to be necessary for another 10 or 12 years at least.

7. Up to the close of the year 1878-79, the Warora Colliery was treated as a separate undertaking, the accounts being separately recorded. For various reasons, the Government of India considered it advisable that the colliery and the Wardah Valley State Railway should be combined and placed under one common management. This arrangement was carried into effect from the 1st April 1879, the combined undertaking being designated the Wardah Coal State Railway. The Capital Account of the colliery was closed on 31st March 1879, when it was ruled that all future expenditure of whatever nature connected with the collieries should be charged to Revenue.

8. The Capital Account of the Colliery, as now shown by the accounts, stands at Rs. 7,04,710, *viz.* :—

	Rs.
Works	3,40,031
Tools, Plant and Machinery	2,03,960
Establishment	1,62,525
	7,06,516
Less—Refunds on Capital Account	1,806
	7,04,710

but in addition there has been expended on new minor works to close of the year 1882-83 a sum of Rs. 2,67,112, which under the special orders issued in connection with the colliery has been charged to Revenue, but which would ordinarily have been charged to Capital.

The Revenue Accounts, as they now stand, show a net loss to end of 1882-83 of Rs. 62,724 ; and if to this be added the interest on capital sunk in the undertaking, the loss to the State will stand at Rs. 3,44,569.

9. The following table shows in detail the capital expended, the interest thereon, the net revenue realised, and the net profit or loss to the State to close of the year 1882-83, according to the accounts as they now stand :—

Year.	Amount of Capital expended	Interest on Capital.	Total.	Net Revenue realised.	Interest more than Revenue realised.	Revenue realised more than Interest.
	Rs.	Rs.	Rs.	Rs	Rs.	Rs.
1871-72	69,852	1,081	70,933	...	1,081	...
1872-73	1,01,234	5,164	1,06,398	...	5,164	...
1873-74	2,16,318	12,357	2,28,675	...	12,357	...
1874-75	1,66,583	21,101	1,87,684	...	21,101	...
1875-76	99,316	27,369	1,26,715	—1,386	28,755	...
1876-77	41,539	30,573	72,112	—26,569	57,142	...
1877-78	1 ,290	31,631	47,924	63,952	...	32,318
1878-79	13,703	32,311	46,014	43,555		11,244
1879-80	—20,155	32,165	12,010	—42,003	74,169	...
1880-81	...	31,712	31,712	—2,03,906	2,35,618	...
1881-82	...	28,189	28,189	13,812	14,377	...
1882-83	...	28,189	28,189	89,822	...	61,633
Total ...	7,04,710	2,81,845	9,86,555	—62,724	3,44,569	...

10. Although the financial results as given in the above table appear far from satisfactory, the Government of India is satisfied that the colliery has been successfully worked, at least during later years. Drawbacks have occurred from various causes beyond the control of officers connected with the management, due chiefly to the absence of new and suitable machinery—a want which has now been supplied,—and the results appear the more unfavorable owing to the heavy charges for new works which during the past few years have been made against the Revenue Account. The charges for new works debited to Revenue amount, as stated above, to Rs. 2,67,112, and the account has also been burdened with an excessive charge on account of certain machinery

3

supplied, on which account a rebate of Rs. 23,756 has just been allowed. Excluding these charges, the net receipts to the close of 1882-83 would stand at Rs. 2,28,144.

11. After a careful review of the working of the colliery, the Government of India has determined to revise its accounts since its amalgamation with the Railway, and to reclassify the expenditure on the following general principles, which will in future govern the incidence of charge between Capital and Revenue :—

I.—The cost of executing all workings (including borings, shafts, adits, and drains) shall be treated as working expenses, except that, whenever the total outlay in respect of sinking any shaft shall exceed Rs. 10,000, the whole cost of sinking such shaft shall be charged to Capital, and no part thereof shall be treated as working expenses of the colliery, nor be charged to Revenue.

II.—Capital shall bear the cost of new works, additional rolling stock, plant and machinery, and substantial additions to, and improvements of, old works, stock, plant and machinery.

III.—The cost of repairs, restorations, renewals, replacements, or substitutions shall be borne by Revenue.

IV.—Provided nevertheless that the cost of any item of expenditure properly chargeable to Capital in accordance with the above rule, but not exceeding Rs. 2,000, be charged to Revenue.

In accordance with this decision, a sum of Rs. 2,67,112 will now be written back from Revenue to Capital in the accounts of the year 1883-84. Allowing for the necessary adjustments to be made in the accounts the financial results of the past few years will stand approximately as follows :—

Year.		Amount of Capital expended	Interest on Capital.	Total.	Net Revenue realised	Interest more than Revenue realised.	Revenue realised more than Interest.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
To end of 1878-79	...	7,24,865	1,61,590	8,86,455	79,552	82,038	...
1879-80	...	5,856	32,750	38,606	—15,993	48,743	...
1880-81	..	1,31,773	35,847	1,67,620	—48,377	84,224	..
1881-82	...	72,860	35,958	1,08,818	86,672	...	50,714
1882-83	...	36,468	38,144	74,612	1,26,290	...	88,146
Total	...	9,71,822	3,04,289	12,76,111	2,28,144	76,145	...

12. The net revenue for the years 1881-82 and 1882-83, according to the accounts as amended, amounts to Rs. 86,672 and Rs. 1,26,290, equivalent to a return on the capital expended to the close of each year of 9·2 per cent. and 12·9 per cent. respectively. The net revenue from the starting of the works down to the close of the year 1882-83 fell short of the total interest charges by Rs. 76,145 only.

13. As a considerable portion of the outlay standing at the debit of the Capital Account, which has been expended in sinking shafts, erecting engine houses and the like, as well as the Capital charges on account of establishment in superintending these works, will cease to have any value when the coal which can be won by their means has been exhausted, it becomes necessary to establish a sinking fund in order to recoup the Capital Account. For the present it has been determined that a sum of 5 annas a ton for large coal and 2 annas a ton for small coal raised and sold shall be set aside to form a sinking fund for the redemption of the capital sunk on works which will in time cease to be remunerative.

ORDER.—Ordered, that copy of this Resolution be published in the *Gazette of India* for general information.

W. S. TREVOR, *Colonel, R.E.*,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 9th OCTOBER 1883.

GENERAL REMARKS.—Rain in fair quantity fell during the past week throughout the Madras Presidency and Mysore, which has revived the dry crops; but more is still needed in some parts. In the Bombay Presidency excessive rain has caused injury in three districts of the Deccan, while in others more rain would be beneficial. In Guzerat the crops are in good condition, but in Sind the river continues low. Some damage has also been done by heavy rain in Berar, but prospects there and in Hyderabad remain favourable. Good rain has fallen in Marwar, and lighter showers in other parts of Rajputana and the Central India States. The crops in both Rajputana and Central India promise fair, but rain is needed in Ulwar.

In Burma and Assam rice prospects are on the whole good, though in the former province the deficient rainfall of the season has injured the crop in three districts. Floods have also caused some destruction.

In Bengal, Central Provinces, North-Western Provinces and Oudh, and Punjab there has been little or no rain during the week under report, and the late rice crop of Bengal is in a precarious state.

Harvesting of the *kharif* is going on in most parts of India, and ploughing and sowing for the *rabi* are also in general progress, though retarded in Bengal and Northern India by the early cessation of the rains. The outturn of the *kharif* is not yet known, but will probably be below average, especially in North-Western India.

The condition of cattle has improved, but mild cattle-disease still prevails.

Except for the prevalence of autumnal fever, the public health is fair.

Prices show a tendency to rise in Bengal, owing to the unseasonable weather. Elsewhere they are either stationary or falling.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Madras—(Oct. 10th)		
Bellary ...	1·64 (average of eight stations).	Standing crops wet generally good. Dry recovering a little on account of recent rain. Harvest gingelly, yield below average.
Kurnool ...	1·99 (average of nine stations).	Standing crops fair. Week's rainfall sufficient. Excessive in parts. Harvest *cumboo*, *sajja*, and indigo, yield half to three-fourths. Cattle-disease in six taluks.
Ganjam ...	·73 (average of eleven stations).	Standing crops generally thriving.
Kistna ...	2·04 (average of thirteen stations).	Standing crops generally recovering. Rain still needed in some taluks. Harvest *maize* and *cumboo*, yield below half. Small-pox, fever, and cattle-disease in parts. Ten deaths from cholera.
Chingleput (Madras) ..	2·78 (average of eleven stations).	Standing crops reviving in three taluks on account of recent rain. Withering in two taluks. Harvest *kar*, paddy, &c., yield half. Small-pox, measles, and cattle disease in parts.
Coimbatore ...	·94 (average of fourteen stations).	Standing crops, dry crops want rain in five taluks and slightly improving in others from recent rain. Harvest paddy, *cholum*, *ragi*, and *cumboo* in parts, yield average. Eleven deaths from cholera in two taluks. Fever and small-pox in parts.
Tanjore ..	3·78 (average of thirteen stations).	Standing crops generally good. Rainfall general and beneficial. Harvest paddy, *cholum*, *rag.*, and *cumboo*, yield below average. Thirty deaths from cholera
Madura ...	1·26 (average of eight stations).	Standing crops fading. Harvest paddy in two taluks, yield average in one and poor in the other
Malabar ..	1·44 (average of fourteen stations).	Harvesting continues. Second crop cultivation progressing in nine taluks. Existing cultivation good. Small-pox in nine taluks; fever in four. Cattle-disease slight in one taluk.
Travancore ..	·051	Harvest almost over. Preparations for next year progressing. Fever and dysentery preval. One death from small-pox. *General Remarks.*—Prospects good.
Bombay—(Oct. 10th)		
Kurrachee ...	No rain	River at Kotri on 8th 8 feet 11 inches against 10 feet 10 inches on same date last year. Fever in eight talukas. Cattle-disease in four talukas. Loss of 166 buffaloes and cows in Tatta. Small-pox in two talukas, 3 fresh cases, 1 death. Wheat, rice, and *bajri* in Kurrachee 26, 28 and 45, in Manjhand 22, 28 and 40, in Tatta 24, 30 and 37, and in Sujawal 24, 36 and 38 lbs. per rupee, respectively.
Hyderabad ...	......	*Kharif* harvesting still continues. River has fallen 11 inches since last week and was 1 foot 11 inches lower on 8th instant, than on same date last year. Fever in six, small-pox in one, and cattle-disease in three talukas. Wheat 25, *bajri* 39, *juari* 48, red rice 26, and white rice 22 lbs. per rupee.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Bombay—*contd.*		
Ahmedabad ...	......	Rain wanted for rice in some talukas. Crops healthy. Cholera in the city, 1 case fatal; slight fever in some talukas. *Bajri* 28 and wheat 25 lbs. per rupee.
Baroda ...	·15	Total rainfall 45·26. Crops in good condition. Cholera has disappeared *Bajri* 27 and rice 23 lbs. per rupee.
Surat ...	3·39	Total rainfall 55·77. Crops good and thriving. Cholera in Pardi, 27 cases, 3 fatal. *Juari* 38 and *nagli* 43 lbs. per rupee.
Nasik ...	Rain continuous	The heavy rain has damaged *bajri*, cotton, *urd*, and *mung* crops. *Rabi* sowings retarded for want of break. Locusts throughout the district doing damage to crops in places. Cholera in Kalwan taluka, 1 attack, 1 death. *Bajri* 31, wheat 28, and rice 22 lbs. per rupee.
Colaba (Bombay) ...	·78; slight rain on 6th and 8th.	Total rainfall to date 79·88, being 10·48 above average. Temperature normal. Vapour in air excessive. Abnormal wind southerly on 3rd and 4th. Thunder and lightning daily.
Poona ...	Rain in all talukas	Standing crops good. *Rabi* sowings in progress. *Bajri* 40 and *juari* 50 lbs., in Poona *bajri* 34 and *juari* 43 lbs. per rupee.
Ahmednagar ...	Rain in all talukas—maximum at Sangamner, 3·02; minimum at Karjat, ·58.	*Kharif* crops injured on account of excessive and continuous fall of rain, and *rabi* sowings retarded. Cholera 51 attacks, 15 deaths. Cattle-disease in Kopargaon and Sangamner. *Bajri*—maximum 57 lbs. in Jamkhed, minimum 39 in Akola. *Juari*—maximum 69 lbs. in Jamkhed, minimum 48 in Akola.
Sholapur ...	·04	Total rainfall 36·72. *Kharif* crops in good condition. *Rabi* sowings nearly completed. Cholera 12 cases in Madha taluka, fatal none. *Juari* 65 and *bajri* 52 lbs. per rupee.
Dharwar ...	There has been general rain throughout the district, the heaviest being at Bankapur, 4·2; between 2·0 and 3·0 at Dharwar, Navalgund, Gadag, Ron, and Kalghatgi; minimum ·88 at Nargund and Kod.	Crops which were withering are reviving, but more rain wanted for some crops, especially rice. Prospects promising. Slight ague and cattle-disease in three talukas. *Juari* 61 and rice 32 lbs. per rupee.
Kanara ...	Karwar, ·48; Kumpta, 1·85; Sirsi, ·71; Haliyal, 1·32.	Total rainfall 136·55. Small-pox 4 cases, 1 death in Siddapur. Plucking bettlenut and cardamoms continues. Common rice at Karwar 14, in district average 15 seers per rupee.
Rajkot ...	1·66	Total rainfall 27·63. General health fair. Weather hot. *Bajri* 29 and *juari* 34 lbs. per rupee.
		General Remarks.—River continues low in Sind. Rain in almost all the districts of the Presidency, still wanted in parts of Ahmedabad, Belgaum, and Dharwar. Crops in good condition in Guzerat, Poona, and Sholapur, but injured by excessive rain in Nasik, Khandesh, Ahmednagar, and part of Kaladgi. *Rabi* sowings in progress in some districts. Little damage from locusts. Cholera, fever, and cattle-disease in a few places.
Bengal—(Oct. 10th)		
Chittagong ...	·43	Weather seasonable. Outturn of *aus* rice fair. Prices stationary. Cattle-disease still continues.
Dacca ...	*Nil*	*Aus* rice and jute still being cut. Harvesting of *ashini* paddy continues. Prospects of crops good.
24-Pergunnahs (Calcutta)	*Nil*	Early crops harvested. Rice crop in low lands good, but rain much wanted for the crop in high lands. Public health good.
Moorshedabad ..	*Nil*	Weather hot and dry during the day, cool in the mornings. Rain much wanted for late rice which is gradually drying up; there is now very little hope of an average crop.
Rajshahye ..	Culna, ·79; Raneegunge, ·35.	Weather hot and rainless. Late rice suffering much for want of rain. Some cholera reported.
Bardwan ..	*Nil*	Weather intensely hot for the time of the year. Rain much wanted everywhere. Prospects unfavourable.
Rungpore ...	*Nil*	Weather hot. Prospects of crops fair. Rain much wanted. Fever prevalent.
Bhagalpur ...	*Nil*	More rain wanted. Rice crop in high lands has suffered much from protracted drought. That in low lands still doing well. Preparation of lands for *rabi* sowings being delayed.
Purneah ...	*Nil*	Prospects of crops on high lands suffering for want of rain. Prices rising. Fever prevalent.
Patna ...	*Nil*	Rain much wanted for paddy, *juari*, and *rahar*. Sugarcane and cotton growing well. Plantation of potatoes going on. Cholera still reported from Barrh and Behar sub-divisions.
Durbhunga ...	*Nil*	Weather very hot. Prospects of crops becoming worse. Rain badly wanted and no indication of any coming. Public health generally good.
Hazaribagh ..	*Nil*	Days warm. Mornings and evenings cool. Paddy suffering in all parts of the district owing to absence of rain for a considerable time. Public health good.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Bengal—*contd.*		
Cuttack ...	*Nil*	Early rice being threshed and gathered. Late rice being weeded, but rain urgently wanted. Price of rice stationary. Public health good.
		General Remarks.—Slight rainfall reported from Chittagong and parts of Burdwan, but none from the other reporting districts. Want of rain is generally much felt throughout the province. In several places the standing rice crop on high lands is suffering a great deal, but on low lands it is still generally doing well. Unless rain falls soon the general prospects of this crop will be seriously affected. The *bhadoi* crops have been gathered in, but there is no sufficient moisture in the soil to permit of the *rabi* crops being sown. In some districts prices show a marked tendency to rise owing to the apparent early cessation of the rains. Fever is prevalent in some districts, otherwise the general health is fair.
N. W. Provinces and Oudh—		
Benares (Oct. 9th)	No rain	Both *rabi* and *kharif* harvests will suffer from want of rain. Fever in places. Prices falling, except rice and barley.
Allahabad („ 10th)	......	Weather hot and dry. Nights cool. More rain wanted for *rabi* sowings. Harvest of *sawan*, *kakun*, and *makra*, fair average. No sickness. Prices of *bajri* and *juari* risen and *arhar* slightly. Early rice fallen 4 seers, other prices easy.
Gorakhpur („ 7th)	......	Cloudless weather. Rain wanted. Crops promising. Some cholera in the city and cattle-disease in east of district. Prices steady.
Jhansi („ 8th)	No rain	Heat great for this season of the year. *Kharif* crops doing well. Rain is much needed for sowing of *rabi*. Tanks and wells have not been filled as usual. Prices fluctuating. Health of people and cattle good. Grass deficient.
Agra („ 9th)	No rain	*Rabi* ploughings in progress and gram being sown, but west wind drying soil quickly. *Kharif* crops reported to be drying up. Fever in four parganas. Prices steady.
Bareilly („ „)	......	Crops suffering from drought and west wind. *Rabi* sowings and *kharif* harvest in progress. General health good.
Meerut („ „)	No rain	Prospects generally favourable, but more rain wanted for sowing of *rabi*. Ploughing for *rabi* in progress and gram being sown. Health good. Prices steady.
Kumaun („ „)	......	Weather fair. Crops all cut. General health good. Cattle-disease continues. Prices unchanged.
Lucknow ...	......	No report received.
Partabgarh (Oct. 9th)	No rain	Prices rising slightly. Owing to *rabi* sowings, the late rice *jarhan* is suffering from drought. Slight fever reported at Kunda.
Sitapur („ „)	......	Rain wanted throughout. *Dhankar* lands cannot be sown. Public health good. Prices somewhat fluctuating.
Fyzabad („ „)	No rain	*Kharif* crops are being cut. Public health good.
Rae Bareli („ 8th)	No rain	Wind westerly. Fields are being prepared for *rabi*. *Kharif* is being harvested. General health good. Supplies plentiful. Prices steady.
Cawnpore („ 9th)	No rain	For *rabi* sowings rain is very desirable. Some slight injury has been done to sugarcane and *bajri* by insects in pargana Sarh, Salempur. Fever and cholera still prevailing, but on the whole the health of the people is good. Cattle-disease in a few villages of two parganas continues. Prices almost stationary.
Farukhabad („ „)	......	Clear sky. Hot in the day time, cool mornings and evenings, and almost cold at night. Fever severe where rainfall has been greatest and where is now canal irrigation. *Bajri* and *juari* to some extent withering in the northern tahsils.
		General Remarks.—No rain has fallen. The *kharif* crops in several districts have suffered some injury from drought, while in others they are reported to be satisfactory. Rain is generally wanted for the *rabi* sowings. Cholera is reported in Gorakhpur and Cawnpore, and there is severe fever in parts of Farukhabad, otherwise the public health is good. Prices are generally steady.
Punjab—(Oct. 9th)		
Delhi ...	......	Health good. Rain wanted. Prices of barley and *juari* falling. Prices of other food-grains stationary.
Hissar ...	......	Health good. Crops thriving. Prices stationary.
Umballa ...	......	Health good. *Kharif* crops being harvested, yield expected to be below the average. Rain wanted for *rabi* sowings. Prices stationary.
Jullundur ...	......	Health and crop prospects good. Prices stationary.
Amritsar ...	......	Health and condition of crops good. Prices falling.
Sialkot ...	......	Health and harvest prospects good. Prices falling.
Ferozepore ...	......	Health and harvest prospects good. Prices falling.
Lahore ...	......	No report received.
Rawal Pindi ...	·30	Health good. Crop prospects good and average. Prices fluctuating.
Mooltan ...	......	Health good. *Kharif* being harvested. Prices stationary.
Dera Ismail Khan ...	......	*Kharif* crops in *daman* and *thall* lands average, in irrigated lands fair. *Rabi* ploughings in progress. Prices steady.
Peshawar ...	......	Fever decreasing. *Kharif* crops suffering for want of rain. Prices falling
		General Remarks.—Slight rain in the Rawal Pindi district. Health and *kharif* prospects are generally good.

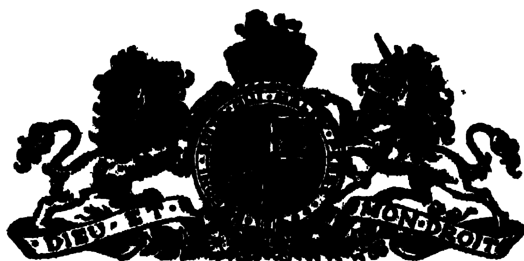
Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Central Provinces—(Oct. 10th)		
Nagpur ...	·32	Weather bright and sunny. Prospects fair. *Rabi* sowings begun. Health good. Prices steady.
Jubbulpore ...	*Nil*	Weather clear and hot. Crops in fair condition. Cotton in flower. More rain wanted. Prices stationary. Health good.
Saugor (Oct. 9th)	*Nil*	Weather cloudy and threatening rain. A few showers would be beneficial to crops. Prospects favourable. The unsettled state of the weather is retarding the *rabi* sowings. Prices steady. Health fair.
Seoni ...	·91	Weather cloudy and oppressive. Reaping of minor crops in hand. *Rabi* sowings commenced. Fever prevalent. Prices stationary.
Hoshangabad ...	*Nil*	Weather hot and cloudy. Prospects good. Land ready for *rabi* sowings. Rice being harvested. Health good. Wheat 15 and rice 10 seers per rupee.
Khandwa ...	·44	Weather cloudy and close. Prospects good. Four deaths from cholera. Prices falling.
Raipur ...	*Nil*	Rain much wanted. *Rabi* sowings commenced. Cholera in Raipur and a few villages in Droog. Prices steady.
Sambalpur (Oct. 6th)	*Nil*	Weather very favourable. Later rice crops attacked by insects. Health good. Common rice 34 seers per rupee.
		General Remarks.—More rain would be beneficial in the northern districts, and is reported to be needed in the rice districts to the east of the provinces. Ground in excellent order for *rabi* sowings which have in some places been commenced.
British Burma—(Oct. 6th)		
Akyab ..	1·81	Total rainfall 176·50. Public health good. 44 deaths among cattle have occurred in three townships, elsewhere health of cattle good. Crop prospects favourable. An increase of about 4,700 acres expected in five townships
Rangoon ...	2·00	Total rainfall 75·33. One death from small-pox, otherwise public health good. Prices of paddy from Rs 81 to Rs. 91 per 100 baskets.
Bassein ...	1·37	Total rainfall 83·71. Public health good Eight deaths of cattle in Kyoupyau circle, 62 in Thadaung and 13 in Kangvidaung townships. Partial floods in Kyoukpyau and Myoma townships. Partial blight in a few circles on the whole. Paddy plants promising. Price of paddy from Rs. 80 to Rs. 100 per 100 baskets.
Amherst (Moulmein) ...	1·04	Total rainfall 163·27. Public health and health of cattle good. Crops healthy. In Moulmein town public health good. General appearance and progress of crops good. No damage from drought, flood or insects. Health of cattle good.
Henzada ...	2·79	Total rainfall 79·52. One death from small-pox in Henzada township, otherwise public health good. Health good. Health of cattle good. Transplanting except in Kyangin completed. General appearance of crops good.
Thayetmyo ...	0·68	Total rainfall 30·15. Public health good. 72 deaths of cattle in Myedi. 18 cases of cow-pox in Kama. In Myedi the area planted is one-sixth less than last year. Rain wanted. Grain will be light in Thayetmyo township. Crops cannot exceed one-third of full crops, may be less in Kama Paddy reported as withering from drought. In Mindon only half culturable area planted. Drought prevalent.
Shwaygyin ...	3·03	Total rainfall 133·65. Small-pox reported at Thayetpende and Kyaukkhy circle and Ahgu Yehla circle, otherwise public health good Health of cattle good. Sowing and transplanting completed Crops progressing favourably. Price of paddy Rs. 74 per 100 baskets.
Pegu ...	... ..	No report received.
Tharrawaddy ...	5·10	Total rainfall 95·07. Public health good. Eight deaths of cattle in two townships; health of cattle in all other townships, except Gyobingouk where slight cattle-disease prevails, good. Ploughing, sowing, and transplanting progressing. 200 acres destroyed by floods in Gyobingouk township. Crops healthy. Price of paddy Rs. 90 to Rs. 125 per 100 baskets.
Prome ..	0·35	Total rainfall 41·21. Public health good. Twelve deaths of cattle in Padaung. Ploughing and planting progressing. Crops reported in good condition Price of paddy Rs. 80 per 100 baskets.
Thonegwa ...	4·82	Total rainfall 80·21. Public health good. Twelve deaths of cattle in Dedaige township. 5,000 acres destroyed by floods in Kyoubauk circle, 1,000 acres in Kyoupadok circle, Shwelaung township. Replanting going on in Kyoubauk and other circles of Shwelaung township. Crops good in Donabyu, Pyapon, and Dedaye township and Maubin. Price of paddy Rs. 90 to 95 per 100 baskets.
Toungoo ...	2·30	Total rainfall 75·94. Public health and health of cattle good. Transplanting progressing. Price of paddy Rs. 65 per 100 baskets.
Kyoukphyoo (Sept. 29th)	1·39	Total rainfall 154·04. Eight deaths in Myanbun, 5 in Ramoi, and 6 in Dyoukphu townships occurred from cholera. Health of cattle continues good.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
British Burma—*contd.*		
Kyoukphyoo (Oct. 6th)	0·05	Total rainfall 154·09. The following deaths from cholera are reported:—Ngakobyin circle 2, Kyoukphyoo 1, Sekkow 3, Muyin 7, Migyaungdet 1, Hoamyauk 1, Yaibadaig 5, Ramoi Myoma 3, Cheduba Myoma 1, Moyehaung 3, total 27. No deaths of cattle reported. Crops much in want of rain.
Sandoway (Sept. 29th)	4·51	Total rainfall 200·38. Three deaths from cholera in northern township, elsewhere public health good. No fresh cases of cholera reported. Crops flourishing.
Do. (Oct. 6th)	2·95	Total rainfall 203·33. Public health good. No fresh cases of cholera reported. Crops flourishing.
Hanthawaddy ...	*Nil*	Public health and health of cattle good. 14,300 acres have been ploughed in Hlaing township. Crops destroyed by flood in Hlaing township. In some parts replanting going on. Wages of ploughing labour 60 baskets of paddy per man in Hlaing township. Price of paddy from Rs. 80 to Rs. 100 per 100 baskets.
Mergui (Sept. 22nd)	4·95	Total rainfall 149·0. Public health good. Crops and cattle healthy. 34,500 acres ploughed and sown. Price of paddy Rs. 60 per 100 baskets.
Do. („ 29th)	9·05	
Tavoy ...	3·63	Total rainfall 185·43. Public health and health of cattle good. Prospects of crops good.
		General Remarks.—Rain up to date still deficient compared with the rainfall of last year, with the exception of a slight increase of cholera in Kyoukphyoo district. Public health good. No marked increase of cattle mortality. Agricultural prospects favourable, except in Thayetmyo where owing to continued drought crops are suffering seriously in Kyoukphyoo. The deficiency of rain is telling against the crops in parts of Hanthawaddy and Thonegwa. Considerable damage caused by floods. The price of paddy keeps up.
Assam—(Oct. 10th)		
Gauhati ..	.....	No report received.
Sylhet ..	*Nil*	State and prospect of crops good. Public health also good.
Cachar ..	*Nil*	Weather warm. Prospects of *sali* crops good. More than half of *aus* crops reaped. Common rice 17 1/8 seers per rupee. Public health good.
Dibrugarh	0·18	Weather seasonable. Prospects of *sali dhan* good. Ploughing for winter crops in progress. District healthy.
Mysore and Coorg—(Oct. 10th)		
Bangalore ..	3·69	Prospects of season improved owing to recent rains. Crops generally in good condition
Mysore .	2·68	Crops in good condition. Prospects favourable. Sowing operations recommenced
Mercara .	4·18	Rainfall beneficial for rice crops, but injurious to drying of cardamoms. Coffee berries fast ripening. The *gul ragi* crop is being reaped. Prices stationary. Public health good.
		General Remarks.—Rain has fallen generally all over the provinces. Standing crops improved. Prospects favourable. Public health good. No material change in prices.
Berar & Hyderabad—(Oct. 10th)		
Amraoti ...	·25	Crops in good condition. Preparations for *rabi* sowings in progress Wheat 16 and *juari* 26 seers per rupee.
Akola ...	2·78	Crops slightly injured from excessive rain. The break now in the weather will be beneficial
Hyderabad ...	Average rainfall ·70	Total from 1st January 28·88. Rainfall of the week benefited *rabi* crops damaged and *kharif* crops to slight extent in one taluka. In general standing crops are prospering. Cholera continues in a mitigated form in one taluka. No cattle-disease reported by Nizam's Government, but foot and mouth disease has broken out amongst cattle of heavy field battery at Trimulgherry. Prices—wheat 15¼, coarse rice 10¾, white *juari* 23, yellow *juari* 27, and *tur* 22, seers per current sicca rupee.
Central India States—(Oct. 10th)		
Indore ...	0·28	Weather close and cloudy. Rain apparently impending Agricultural prospects favourable.
Morar (Gwalior) ...	*Nil*	Prospects good. *Rabi* sowings commenced.
Sutna. ...	*Nil*	Prospects good.
Rutlam ...	.....	No report received.
Neemuch ...	*Nil*	Weather seasonable. Land being prepared for *rabi*. Public health good.
Goona ...	0·23	Health and prospects good.

Presidency or Province and District.			Rainfall for week under report.	State of agricultural prospects.
Central Provinces— *contd.*				
Bhopal		...	Manpur, 1·0	Prospects good. Thirteen cases of cholera reported from Barwani between 25th September and 1st October 1883, 5 fatal. Prices stationary.
Agar		...	0·9	Agricultural prospects satisfactory. Health good.
Sehore		...	0·5	Crops and public health good
Nowgong		...	0·6	Agricultural prospects favourable. Health good. Prices falling.
Manpur (Bhopawar)		...	......	No report received.
Rajputana—				
Abu	(Oct.	10th)	2·39	Weather clear with occasional clouds and thunderstorm. Weather seasonable.
Sirohi	(„	7th)	2·40	Tanks and wells full. Health good. Crop prospects good. Weather fine and warm. Very violent rain and thunderstorm on 2nd.
Marwar	(„	5th)	3·30; splendid showers on 1st.	Eight months' water in Jodhpore city. Tanks and wells fast filling up. Health good. Weather cloudy and rainy. Prospects fair. Prices stationary. More rain expected.
Meywar	(„	6th)	·37	Tanks and wells full. Health good. A little fever prevalent. Crop prospects good. Showers during week beneficial for sowings of spring crops.
Harowti	(„	„)	Kotah, ·37; Tonk, ·60; Shahpura, ·01.	Prospects good. Weather sultry and close. Health good.
Jhallawar	(„	5th)	·20	Health and prospects good.
Ajmere	(„	9th)	No rain	Weather seasonable. Prospects unchanged.
Jeypore		...	......	No report received.
Bhurtpore		..	......	No report received.
Ulwur	(Oct.	9th)	No rain	Crops suffering from want of rain. Gram and barley rising, otherwise prices steady. Health good.

E. C. BUCK,
Secy. to the Govt. of India.

Printed and Published for the GOVERNMENT OF INDIA *at the Govt. Central Branch Press, Simla.*



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 13, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 17th March 1883.

From the 7th April next, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Reports, will be published at Simla. After the 31st March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at Simla.

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts is ₨5 per annum, payable in advance. When sent by post, ₨2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

	₨	*a.*	*p.*
Subscription for *Gazette* and Supplement per annum	15	0	0
Postage	5	8	0
Subscription for Supplement only . .	6	0	0
Postage	3	0	0
For a single copy of the *Gazette* . .	0	8	0
For a single copy of the Supplement .	0	4	0

Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Simla, the 4th October 1883.

Offices opened and closed during the month of September 1883 :—

Name of Station.	Where situated.	Date.	Remarks.
	Departmental.		
Badani . .	Sind . .	12th .	Closed.
Gadarwara . .	Central Provinces	20th .	Opened.
Pisheen . .	Beluchistan .	28th .	Ditto.
	Railway.		
Godra . .	Bombay, Baroda, and Central India Railway.	. .	Opened.
Battinda . .	Rewari - Ferozepore Railway.	17th .	Ditto.
Ferozepore . .	Rewari - Ferozepore Railway.	21st .	Ditto.
Kotkapura . .	Rewari - Ferozepore Railway.	19th .	Ditto.
Sreepur . .	Dácca - Mymensingh Railway.	1st .	Ditto.
Hamira . .	Sind, Punjab, and Delhi Railway (Punjab Section).	. .	Ditto.
Jallo . .	Sind, Punjab, and Delhi Railway (Punjab Section).	. .	Ditto.
Kasur . .	Sind, Punjab, and Delhi Railway (Punjab Section).	. .	Ditto.
Khasa . .	Sind, Punjab, and Delhi Railway (Punjab Section).	. .	Ditto.
Rukuwalla . .	Sind, Punjab, and Delhi Railway (Punjab Section).	. .	Ditto.
Bhera . .	Punjab Northern State Railway.	. .	Ditto.
Jowrah . .	Punjab Northern State Railway.	. .	Ditto.
Kathala . .	Punjab Northern State Railway.	. .	Ditto.
Khewarah . .	Punjab Northern State Railway.	. .	Ditto.
Malakwall . .	Punjab Northern State Railway.	. .	Ditto.
Peshawar City .	Punjab Northern State Railway.	. .	Ditto.
Phalion Road .	Punjab Northern State Railway.	. .	Ditto.
Taraki . .	Punjab Northern State Railway.	. .	Ditto.
Belalpur . .	Sirhind Canal .	29th Aug.	Ditto.
Khiree . .	Sirhind Canal .	Do.	Closed.
Tumkur . .	Mysore State Railway.	10th .	Opened.

A. J. L. CAPPEL,
Director General of Telegraphs in India.

SURVEY OF INDIA.

NOTIFICATION.

Simla, the 4th October 1883.

No. 385.—Mr. G. L. Fleming, Assistant Surveyor, 2nd Grade, is granted an extension of

extraordinary leave without pay for six months, under the provisions of Section 133 of the Civil Leave Code, in continuation of the leave granted in Notification No. 336, dated 9th March last.

G. C. DEPRÉE, *Colonel,*
Offg. Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 4th October 1883.

No. 16.—That portion of Central India Notification No. 10, dated 4th September 1883, which cancels Notification No. 6, dated 11th July 1883, appointing Mr. T. Knight as Officiating Executive Engineer, Gwalior Division, is hereby cancelled.

The 8th October 1883.

No. 17.—Mr. D. M. Litster, Assistant Engineer, 3rd Grade, passed the Departmental Standard Examination, as prescribed in Public Works Department Code, Chapter II, paragraphs 16 to 18.

By Order,

C. S. THOMASON, *Col., R.E.,*
Secy. to Agent, Govr. Genl., for Central India, P. W. D.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Abu, the 6th October 1883.

No. 3743 G.—Surgeon H. N. V. Harington, in medical charge of the Meywar Bheel Corps, availed himself of privilege leave from the 13th August to the 23rd September 1883, both days inclusive.

By Order,

E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

RESIDENT IN MYSORE.

NOTIFICATION.

Bangalore, the 4th October 1883.

No. 18.—Surgeon P. H. Benson, M.B., delivered over, and Surgeon A. F. Dobson, M.B., received, charge of the Office of the Residency Surgeon in Mysore, on the forenoon of the 16th August 1883.

H. WYLIE, *Major,*
Assistant to the Resident.

MILITARY WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 2nd October 1883.

No. 27.—Lieutenant A. L. Mein, R.E., Temporary Executive Engineer, is transferred from the Meerut Command, Military Works, to the Sirhind-Lahore Command, Military Works.

No. 28.—Lieutenant F. Peel, R.E., Assistant Engineer, 1st Grade, passed the Departmental Standard Examination in Hindustani, on the 7th September 1883.

J. J. McLEOD INNES, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

WANTED

ENGLISH AND PERSIAN WRITER.

Required for the Commissioner's Office, Peshawar, a Deputy Superintendent and Translator. His work will be entirely with the Commissioner, and confidential, and he must possess a thorough and idiomatic knowledge of English and Persian for correspondence in both languages; pay R130, with prospects; apply in own hand-writing with copies of certificates, not originals, to Commissioner, Abbottabad.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1883.		R	
W52	M67—71172	100	Dr. F. P. Nichols, Morar.
	„ —71173	100	
	„ —71174	100	
	„ —71175	100	
	„ —71176	100	

BOMBAY,
The 2nd October 1883.

C. J. RIVETT-CARNAC,
Asst. Acctt. Genl., Paper Currency Department, for Commissioner of Issue.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		R	
25	B 79—08621	100	C. Durmalinga Mudeliar, Agent, Messrs. A. Sabapathy Mudeliar & Co., Madras.

FORT SAINT GEORGE,
The 1st October 1883.

H. S. GROVES,
Assistant Accountant General, in charge of Paper Currency Dept., for Commissioner.

ACCOUNTANT GENERAL'S OFFICE.

Public Works Department.

NOTIFICATION.

Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 5th October 1883.

PUBLIC WORKS (BUILDINGS AND ROADS AND MILITARY WORKS BRANCH) AND TELEGRAPH

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Assam	July 1883	Sep. 17, 1883
2	Central Provinces Punjab	Do. "	Do. 20, "
4	Port Blair Rajputana Bombay	Do. "	Do. 24, "
7	Hyderabad (Imperial) Hyderabad Assigned Districts. Central India	Do. "	Do. 26, "
10	Madras Coorg	Do. "	Do. 27, "
12	British Burmah	Do. "	Do. 28, "
13	Military Works	Do. "	Oct. 2, "
14	Bengal	June "	Sep. 8, "
15	North-Western Provinces and Oudh.	Do. "	Do. 19, "
	TELEGRAPH.		
1	Indian	July 1883	Oct 2, 1883
2	Indo-European	June "	Sep. 7, "
	FOREIGN RAILWAYS.		
1	Berar Railways	July 1883	Sep. 25, 1883
2	Bhavnagar-Gondal	Do. "	Do. 26, "
3	Nizam's	Do. "	Do. 27, "

IRRIGATION.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Punjab	July 1883	Sep. 19, 1883
2	Bombay Rajputana	Do. "	Do. 24, "
4	Madras	Do. "	Do. 27, "
5	Bengal British Burmah	Do. "	Do. 28, "
7	North-Western Provinces and Oudh.	June "	Do. 17, "
	GUARANTEED RAILWAYS.		
1	State Railway Stores	July 1883	Sep. 19, 1883
2	Punjab	Do. "	Do. 20, "
3	Bombay	Do. "	Do. 24, "
4	Madras	Do. "	Do. 27, "
5	Bengal	June "	Do. 8, "
6	North-Western Provinces and Oudh.	Do. "	Do. 17, "

STATE RAILWAYS (CAPITAL).

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Garo Hills Survey	Aug. 1883	Oct. 4, 1883
2	N. W. P. & Oudh Surveys.	July "	Sep. 15, "
3	Jhansi-Manikpur Umritsar-Pathankote	Do. "	Do. 17, "
5	State Ry. Stores	Do. "	Do. 20, "
6	Patna-Gya Nalhati	Do. "	Do. 21, "
8	Wardha Coal Bengal & North-Western	Do. "	Do. 22, "
10	Bhopal Indus Valley Kandahar	Do. "	Do. 24, "
13	Sindia Dhond & Manmad	Do. " *Nil.*	Do. 25, "
15	Northern Bengal Tirhoot Nagpur & Chattisgarh Kawnia & Dhurla Western Deccan. Parbatipur-Dinagepur	July "	Do. 26, "
21	Madras Railway Surveys Punjab Northern	Do. "	Do. 27, "
23	Calcutta & South-Eastern Rewari-Ferozepur Dacca-Mymensing Chittagong Railway Northern Bengal & Tirhoot Extensions.	Do. "	Do. 28, "
28	Holkar Rajputana	Do. "	Oct. 2, "
30	British Burmah	Do. "	Do. 4, "
31	Ranaghat-Bhagwangola	June "	Aug. 20, "
32	Central Bengal	Do. "	Do. 23, "
33	Bombay Provincial Surveys	Do. "	Do. 25, "
34	Southern Mahratta Ry. Co. Muttra-Hattras	Do. "	Sep. 7, "
36	Cawnpore-Furruckabad	Do. "	Do. 8, "
37	Bareilly-Pilibhit Calcutta & South-Eastern Extension	Do. "	Do. 13, "
39	Bengal Provincial Surveys	Do. "	Do. 17, "
40	North-Western Provinces & Oudh Provincial Rys.	Do. "	Do. 24, "
41	East Indian	May "	Aug. 13, "

STATE RAILWAYS (REVENUE).

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Nalhati	July 1883	Sep. 22, 1883
2	Bhopal Tirhoot Wardha Coal Nagpur & Chhattisgarh	Do. "	Do. 24, "
6	Indus Valley Dhond & Manmad	Do. " *Nil.*	Do. 25, "
8	Northern Bengal	July "	Do. 26, "
9	Calcutta & South-Eastern British Burmah Punjab Northern	Do. "	Do. 28, "
12	Kawnia & Dhurla	Do. "	Do. 29, "
13	Rewari-Ferozepore Rajputana	Do. "	Oct. 2, "
15	Cawnpur-Achnera	Do. "	Do. 4, "
16	Patna-Gya	June "	Sep. 10, "
17	Muttra-Hattras Achnera-Muttra.	Do. "	Do. 14, "
19	Cawnpore & Furruckabad.	Do. "	Do. 17, "
20	East Indian	May "	Aug. 13, "

A. FILGATE, *Lieut.-Colonel, R.E.,*
Accountant General, P. W. Dept.

Simla, the 6th October 1883.

BOARD OF REVENUE.

NOTIFICATION.

Calcutta, the 27th September 1883.

No. 1135½ B.—The following rules have been made under section 9 of Act VIII of 1878 by the Board of Revenue, Lower Provinces, with the sanction of the Local Government, and are under Section 204 of the same Act notified for general information:—

CALCUTTA INTERNATIONAL EXHIBITION, 1883-84.

Custom House Arrangements.

1. All entries of goods for the Exhibition must be passed at the Custom House in accordance with the arrangements made by the Collector of Customs.

2. In respect of dutiable goods the Exhibition building is appointed a public warehouse under the provisions of section 15 of Act VIII of 1878, of which Mr. Jules Joubert shall be deemed to be the keeper for the purposes of section 96 of that Act.

3. Packages containing dutiable goods, upon which duty has not been paid, must be entered for bond and appraised and taken in charge of an officer to the Exhibition building in the usual manner. Pending appraisement and removal to the Exhibition building, all such packages will be allowed to remain rent-free in a portion of the Custom House premises set apart for the purpose.

4. At the close of the Exhibition, exhibitors will have to account to the Custom House authorities for all dutiable goods admitted into the Exhibition in accordance with the bond bill of entry. Goods intended for delivery in Calcutta on sale or otherwise will on payment of duty be cleared from bond, and goods intended for re-exportation will be re-shipped from bond in the usual manner.

5. The charges mentioned in the schedule attached to these rules are remitted in respect of goods intended for the Exhibition.

6. No duty will be payable for wines, spirits, or other liquors consumed in the Exhibition for tasting or judging purposes, and a certificate of the amount thus consumed must be obtained from the Secretary to the Executive Committee of the Exhibition and presented by exhibitors to the Custom House officer when accounting for the dutiable goods admitted into the Exhibition. Without such certificate duty will be assessed on all dutiable goods shown by the bills of entry as having been admitted into the Exhibition and which are not forthcoming at its close.

7. The Custom House officers will not have custody of, or be in any way responsible for, goods in the Exhibition building, the custody of which as a public warehouse will rest with Mr. Jules Joubert.

8. These rules apply only to goods intended *bonâ fide* for Exhibition.

SCHEDULE.

	R	a.	p.
Entry.			
1. Wharf rent for any time over four days during which they lie at the Custom House	...		
2. Form of bond	1	0	0
3. Two warehousing chalans	0	1	0
4. Peon's fee	0	4	0
5. Officer's fee	4	0	0
Clearance.			
6. Two clearance chalans	0	1	0
7. Officer's fee	4	0	0
8. Re-gauging fee (if in cask)	1	0	0
Re-shipment.			
9. Preventive Officer's fee	4	0	0

C. E. BUCKLAND,
Offg. Secy. to the Board of Revenue.

POST OFFICE.

NOTIFICATIONS.

Unclaimed Letters held in the Calcutta General Post Office on 9th October 1883.

Addington, Lieut. the Hon. H.
Beaumont, W.
Biancardi, Lingi.
Chapman, Mrs. F. G.
Collins, R. A.
Craven, D. H.
Erskine & Co.
Fraser & Co.
Gregg & Co.
Hartnell, Mrs. A.
Hawes & Co.
Homfray, F. S.
Inman, Captain.
Jones, A. F.
Leveroy, J. B. J.
Mackenzie & Co., Lawrence.
Moore, William James.
Oehme, D. J.
President, Calcutta Bicycle Club.
Sawyer, C. H.
Wise, J. E.

Letters marked "Care of Post Office."

A. B., No. 100.
A. B. F.
A. M.
Agist, John.
A. Q. R.
A. X. Y. Z.
B. B.
Barber, C. J.
Barber, R. J.
Battersby, Leslie C.
Berry, J.
Bradley, Walter.
Broome, H. A.
Brown, John
Burlington, Charles.
Camar, Madame A.
Campbell, Dr. R. N.
Chase, J.
Coutt, P. S.
Crispini, C. Umberta.
Croose, Richard Victoria.
Crowether, John.
Dalyell, Mrs. R. F.
Dean, William Edward.
Dyett, W. H. R.
Erler, Frau. Merrie.
Erler, Albert.
Esmond, Miss M.
Fergus, Mrs. M.
Finklor, Moritz.
Ffrench, H. d'F.
Fount, P. S.
Fry, H. W.
Gahan, Capt. R. L.
George, John L.
Gompertz, Captn.
Greve, E. C.
Hall, Mrs. P.
Hallett, W. O.
Hallewell, J. A.
Harley, Yates E.
H. R. A.
Hilbert, Mrs.
Ingels, H. V.
J. B. B. M.
Jones, John.
Karoly, S.
Kimmins, W. J.
Kirkbride, J.
Langley, Manly G.
Lee, Frederick.
Lemport, Sigr. S.
Lloyd, John Henry.
Lynam, B.
McKay, James B.
M. M. M.
Mifsud, George.
Muir, John C.
Murphy, T.
N. W. P.
Noel, C. B.
Nordt, Miss Minnie.
Parker, G. E.
Pearson, H. J. F. G.
Phillips, Frank D.
Rachel.
Rains, —.
Rathergurd, R. G.
Read, Robert.
Riviere, Howard.
Ross, C. Henry.
Ryan, J. H.
Ryckman, E. H.
Schaeffler, F. B.
Scott, Montagu Hill.
Specht, Otto.
Spencer, Mrs. L.
Stevenson, Mrs.
Tancovici, Mendel.
Tayfenberg, Marco.
Thomson, C. W.
Tomlinson, Capt. Joseph S.
Tucker, Mrs.
VansAgnew, Lieut. P. A.
Wallace, Col. R.
Williams, Mrs. F. A.
Young, Mrs. J.

Registered Letters.

Anderson, Geo.
Hollingberry, R. H.
Joseph, Mrs. A. L.

Calcutta, the 13th October 1883.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date.	Per Steamer
	1883.	
Persian Gulf	13th Oct.	From Bombay.
Persian Gulf	20th "	From Bombay.
Madras, Ceylon, and Intermediate Ports	19th "	Str. *Nerbudda*.
Madras and Ceylon	20th "	P. & O. Str. *Nizam*.
Colombo, Penang, Singapore, Hong-Kong, Shanghai, Yokohama, and Australian Colonies	16th "	From Bombay.
Foreign Mails *viâ* Bombay	16th "	From Bombay.*
Do. Book Post and Pattern Packets	15th "	From Bombay.
Rangoon, Moulmein and Straits	19th "	Str. *Kilwa*.
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	18th "	Str. *Madras*.

* Also for South Africa *viâ* England can be forwarded.

N.B.—The letter-box will close at 7 P.M. precisely; after which hour, foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin *R4-8;* per eight ounce tin, *R8-8;* per pound tin, *R16-8*. The general public can be supplied by the Superintendent, Botanical Gardens, *for cash only*, at the under-noted rates :—per four ounce tin *R5-8;* per eight ounce tin *R10-8;* per pound tin, *R20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا كوئينائين كا خوب قائم مقام هى اور كلكته كے بوٹانكل گارڈن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے هرايک ملازم سركاري واسطے سركاري كام اور خيرات كے اور سيواے اونكے جو كوئي ايک شخص بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس كے ٹين كا چار روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا آٹهه روپيه آٹهه آنه ; يک پونڈ كے ٹين كا سوله روپيه آٹهه آنه'

اور عوام‌الناس بوٹانكل گارڈن يعنے كمپني با كے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس ٹين كا پانچ روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا دس روپيه آٹهه آنه ; ايک پونڈ كے ٹين كا بيس روپيه

يهه دوا كلكته كے بڑے بڑے ولايتي اور ديسي دوا خانونمين بكتي هى ماسيواے قيمت مذكورۂ بالا كے محصول ڈاک چار ور آٹهه اونس كے ٹين كا آٹهه آنه ; اور ايک پونڈ كے ٹين كا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	R	a.	p.
Report on the Meteorology of India, in 1875, 4to, 89 pages text, 297 pages tables, 3 charts	8	0	0
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E. N. BAKER,
Offg. Under-Secy. to the Govt. of Bengal.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 13, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

IN THE COURT OF THE JUDICIAL ASSISTANT COMMISSIONER, LAHORE.

IN THE MATTER OF THE INDIAN COMPANIES ACT, 1882, AND OF THE PUNJAB BANK, LIMITED.

Upon the application of the Official Liquidator, notice is hereby given that the Court will, on the 16th day of October 1883, proceed to pass orders in reference to the distribution of the remaining assets of the Punjab Bank, Limited.

The more immediate question for disposal is whether depositors are entitled to interest; or whether (depositors having been paid the amount of their respective deposits in full with interest to 30th June 1877) the whole of the surplus assets should be divided amongst the shareholders.

All persons concerned are desired to attend this Court on the above date, and to bring forward anything they may have to state in regard to the above question.

E. W. PARKER,
Judl. Asst. Commr., Lahore.

LAHORE,
The 14th June 1883.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 040062, of the 5 per cent. of Treasury Note, 1872, for ₨500, originally standing in the name of Gopika Baee, Manager of Vittal Rukhmai, Ramtek, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

GOPIKA BAEE,
Ramtek Tahsil, Ramtek,
Zilla Nagpur, C. P.

Lost

The lower half of Government Promissory Note, No. 032555, of the 4 per cent. of 1842-43, for ₨5,000, originally standing in the name of the Bank of Bengal, and last standing in the name of the proprietor Mr. J. L. Gallott, by whom it was never endorsed to any other person. Payment of the above Note and interest thereon have been stopped at the Public Debt Office, and an application is about to be made to Government for the issue of a duplicate in favour of the proprietor Mr. J. L. Gallott.

KING, HAMILTON & Co.,
7, Hare Street.

CALCUTTA,
The 28th September 1883.

Stolen.

The Government Promissory Notes, No. 009719, of 15th July 1870, for ₨500 and No. 006943, of 16th January 1872, for ₨500, both of the 4½ per cent.

R. MONKS, *Capt.,*
Depy. Comsy. of Ordnance,
Arsenal, Allahabad.

Destroyed.

The Government Promissory Note No. 038264, of the 4 per cent. of 1865, for ₨500, originally

standing in the name of Gopaul Chunder Sreemany, and last endorsed to Brojo Coomary Dossy, the proprietress, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of duplicate in favor of the proprietress.

SOSHE BHUSHAN BYSACK,
69, Beadon Street,
Calcutta.

Lost or Destroyed during the Rebellion

The Government Promissory Notes, Nos. 5916—17180, of 4 per cent. of 1832-33, for R39,000; 5878—11446, of 4 per cent. of 1832-33, for R3,000; 6284—16802 of 4 per cent. of 1832-33, for R3,000; 1961—10236, of 4 per cent. of 1835-36, for R3,000; originally standing in the name of Mohmudi Khanim, the proprietress, by whom they were never endorsed to any other person. Payment of the above Notes and interest thereupon have been stopped at the Loan Office, and application is about to be made to Government for the issue of duplicates in favour of the proprietress.

H. FRAISER, *M.E.*,
Attorney for Mohmudi Khanim,
New Rikarbgunge,
Lucknow, Oudh.

CALCUTTA,
The 2nd October 1883.



SUPPLEMENT TO

The Gazette of India.

No. 41.} CALCUTTA, SATURDAY, OCTOBER 13, 1883.

OFFICIAL PAPERS.

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GOVERNMENT OF INDIA.

DEPARTMENT OF FINANCE AND COMMERCE.

SUPPLEMENT TO THE STATEMENT OF PRICES CURRENT OF FOOD-GRAINS FOR THE 2nd HALF OF JUNE 1883, PUBLISHED IN PAGES 1360 AND 1361 OF THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED 28th JUNE 1883.

PROVINCES.	DISTRICTS.	AVERAGE WAGES PER MONTH.		
		Able-bodied Agricultural Labourer.	Syce or Horse-keeper.	Common Mason, Carpenter, or Blacksmith.
		R a. p.	R a. p.	R a. p
BOMBAY	Neemuch	7 8 0	7 0 0	6-0 to 15-0
	Aden	...	10 0 0	30-0 to 37-8

D. BARBOUR,

Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE,

(Statistical Branch).

GOVERNMENT

DEPARTMENT OF FIN

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Provinces.	Districts.	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of 1882.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of 1882.	Rice (best sort). Present fortnight.	Rice (best sort). Past fortnight.	Rice (best sort). Corresponding fortnight of 1882.	Rice (common). Present fortnight.	Rice (common). Past fortnight.	Rice (common). Corresponding fortnight of 1882.	Great Millet (Cholum, Jowar), *Holcus Sorghum*. Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of 1882.	Spiked Millet (Cumboo, Bajra), *Penicillaria Spicata*. Present fortnight.	Spiked Millet. Past fortnight.	Spiked Millet. Corresponding fortnight of 1882.
		S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
MADRAS.	Ganjam	8 13	9 10	8 2	...	...	...	17 0	17 0	17 13	17 14	17 14	19 8	...	...	...	...	...	...
	Vizagapatam	9 8	10 0	10 0	...	...	...	9 0	9 8	9 0	11 5	11 14	11 5	24 13	23 13	...	23 13	23 13	23 13
	Godavery	9 14	10 13	12 10	...	...	...	12 14	10 14	13 14	15 0	14 0	18 0	23 0	23 0	30 11	...	...	...
	Kistna	8 13	8 13	12 11	...	...	...	14 0	14 0	15 11	14 11	14 11	16 5	20 13	20 13	24 14	...	...	...
	Nellore	10 13	10 13	12 10	...	...	...	13 14	13 14	15 13	15 0	15 0	17 0	21 10	21 10	28 13	...	...	...
	Cuddapah	13 10	12 14	14 0	...	...	...	12 6	12 6	12 6	13 5	13 5	14 2	31 10	29 3	28 6	31 14	31 8	31 14
	Anantapur	13 6	13 6	13 6	...	...	...	12 13	11 13	12 13	14 0	12 5	14 0	33 0	30 14	30 14	30 2	30 2	18 13
	Bellary	17 5	17 5	16 5	...	...	...	11 13	11 13	12 5	13 0	13 0	13 8	46 5	37 2	37 2	28 3	30 2	26 5
	Kurnool	12 2	12 2	12 2	...	...	...	10 10	10 10	10 10	11 6	11 6	11 6	37 0	37 0	32 3	33 11	31 4	41 3
	Madras	11 0	11 5	10 8	...	...	...	13 8	13 8	13 5	15 2	15 2	15 2	22 5	22 5	23 13	23 13	23 13	25 0
	Chingleput	...	...	...	...	...	...	13 8	13 8	14 10	15 2	15 2	15 14	...	...	...	26 6	21 2	...
	North Arcot	9 11	9 11	9 11	...	..	...	13 8	13 8	15 0	16 14	16 14	17 5	41 14	...	33 11	31 5	31 5	28 14
	South Arcot	9 6	9 6	9 0	...	...	...	14 13	13 14	15 11	15 11	14 14	16 3	...	...	33 10	30 0	28 8	33 14
	Tanjore	11 0	11 13	9 8	...	...	...	17 6	17 13	15 13	...	...	...	31 13	33 6	31 13	40 10	42 0	31 14
	Trichinopoly	9 3	9 10	9 3	...	...	...	15 2	15 13	14 6	15 14	16 11	14 14	30 13	33 10	23 0	27 14	30 8	26 11
	Madura	12 8	12 8	11 5	...	...	...	14 5	15 8	13 14	14 13	16 0	15 3	37 5	38 14	32 6	29 6	32 5	30 14
	Tinnevelly	10 10	10 10	8 0	...	...	...	16 5	16 5	15 6	16 13	16 13	15 13	..	...	...	...	...	..
	Coimbatore	13 2	13 2	10 11	...	...	...	14 6	14 6	13 8	15 6	15 6	14 14	27 13	27 13	26 2	31 13	30 3	28 10
	Nilgiris	10 10	10 10	7 2	...	...	...	11 3	11 3	9 10	12 0	12 0	10 6	20 0	20 0	20 0	21 0	21 0	19 10
	Salem	12 11	12 11	10 3	...	...	...	14 0	14 10	13 2	14 11	15 0	14 2	32 13	32 13	28 3	29 8	29 8	23 13
	South Canara	7 8	7 11	8 10	...	...	...	9 11	9 11	9 11	13 8	12 3	10 11	..	...	...	...	...	...
	Malabar	8 10	8 10	7 3	...	...	...	15 6	15 6	14 10	16 3	16 3	15 0	...	...	...	...	...	...
BOMBAY.	Bombay	10 0	10 0	10 0	18 10	16 5	19 2	7 8	7 5	8 14	12 6	11 3	11 6	18 11	17 14	19 2	14 14	15 15	17 7
	Ahmedabad	12 0	12 0	14 8	19 8	19 0	...	6 8	6 8	7 8	12 0	12 0	8 0	14 0	14 8	17 8	14 8	13 0	16 3
	Kaira	10 10	10 10	11 13	20 0	20 0	20 0	9 11	9 11	10 0	13 0	13 0	16 0	13 5	13 5	17 12	13 5	12 12	16 0
	Surat	11 4	11 4	12 8	12 4	12 4	7 11	7 6	7 6	8 3	8 5	8 5	8 12	19 4	19 2	15 9	14 0	14 0	14 14
	Broach	12 4	12 4	13 5½	...	...	...	9 15½	9 15½	11 1	12 12	12 12	12 9	16 0	16 0	16 9½	13 14	13 14	15 4
	Tanna (Salsette)	10 5	9 12	10 5	12 14	...	...	9 0	7 13	8 3	10 9	8 2	10 0	13 10	18 10	18 10	14 6	15 0	15 0
	Colába (Alibag)	8 8	8 8	8 8	...	...	...	7 8	7 8	6 12	12 8	12 0	13 8	...	...	...	...	...	...
	Khandesh (Dhulia)	14 14	14 0	15 0	...	...	...	7 9	7 9	7 4	10 13	10 13	10 15	17 11	16 14	20 6½	15 2	14 4	19 13
	Násik	14 4	14 4	14 4	...	...	...	7 7	7 7	7 7	12 0	13 6	12 0	...	...	...	15 5	15 6	19 12
	Ahmednuggur	13 4	13 4	14 6	...	...	...	8 11	8 6	9 11	9 15	10 9	12 0	23 6	23 6	31 11	17 12	17 6	25 0
	Poona	12 10	12 10	12 10	9 4	9 4	...	9 13	9 13	11 0	11 0	11 0	12 4	20 11	20 11	26 2	17 2	17 2	20 11
	Sholápur	14 8	14 10	13 9	...	...	...	10 15	11 6	10 7	11 12	12 4	11 5	27 9	27 10	33 7	22 0	22 15	25 11
	Kaládgi (Bagalkot)	19 8	19 8	22 0	16 8	16 8	14 8	6 8	6 8	6 12	11 8	11 8	9 0	31 8	31 0	43 0	30 0	23 0	39 0
	Satara	13 6	13 6	12 1	...	...	..	8 14	8 14	9 11	11 7	11 7	11 7	20 0	20 0	26 10	18 2	18 2	22 0
	Belgaum	15 15	16 8	19 0	14 0	14 8	14 0	11 8	11 8	10 0	10 0	12 0	10 8	17 13	17 8	30 0	19 0	19 0	35 0
	Dharwar (Hubli)	23 0	23 0	24 0	...	...	...	13 0	13 0	12 0	16 0	16 0	14 0	26 0	25 0	32 0	24 0	24 0	22 0
	Ratnagiri	9 4	9 4	10 9	..	...	...	8 9	8 9	7 13	13 7	13 7	12 11	...	...	18 8	13 8	13 8	14 11
	Kanara (Karwar)	9 0	9 0	10 8	...	...	...	8 0	8 0	8 0	12 0	12 0	10 0	16 0	16 0	14 0	...	...	...
	Panch Maháls (Godhra)	10 8	10 8	11 6	...	...	...	11 6	11 6	11 6	13 5	13 5	15 0	20 0	20 0	32 0	12 13	12 13	17 11
	Aden	7 0	7 0	8 0	...	...	...	6 3	6 3	6 3	7 0	7 0	7 0	12 7	12 7	11 5	11 3	11 8	8 0
	Asirgarh	13 12	13 12	14 0	..	..	...	11 12	11 14	10 15	14 0	14 0	12 4	19 0	17 9	24 15	17 12	17 12	23 0
	Baroda	9 15	9 5	10 9	13 7	14 0	14 2	7 9	8 12	9 6	10 8	11 1	11 11	15 12	14 9	17 10	18 7	12 13	15 4
	Disa	12 12	12 2	15 8	...	...	.	6 14	6 14	6 6	9 0	9 0	8 11	14 4	14 8	17 8	15 14	14 2	18 8
	Nimach	17 4	16 12	16 8	23 0	22 0	18 0	9 0	8 12	9 0	10 0	10 0	10 0	25 0	22 0	22 0	12 0	12 0	16 0
	Nasirabad	17 6½	14 11½	16 8	23 12½	20 7	23 10	6 0	6 0	6 0	7 0	7 0	7 0	18 0	18 5	22 0	14 8	15 4	16 0
	Rájkot	13 [illegible]	13 0	14 0	...	...	...	6 8	6 8	6 8	9 0	9 0	11 0	16 12	16 0	16 0	13 12	13 8	14 8
	Upper Sindh Frontier	13 12	13 12	13 0	23 8	23 8	24 4	10 8	11 4	11 4	12 4	13 4	20 0	27 12	27 12	32 0	23 10	23 8	26 0
	Karachi	12 13	12 8	12 5	24 0	23 0	20 0	9 0	9 0	9 8	15 0	14 0	18 0	23 0	20 4	23 0	17 0	16 0	19 0
	Hyderabad (Nakur)	15 0	13 4	14 0	26 0	24 8	26 0	12 0	11 8	14 0	16 0	24 0	20 0	26 0	25 0	32 0	23 0	21 0	28 0
	Shikarpur	13 0	13 0	13 7½	23 0	25 0	25 0	11 8	11 10	12 4½	16 0	17 0	19 6	25 12	25 14	28 8	25 0	25 14	27 0
	Sukkur	13 8	13 8	14 0	25 8	25 8	29 8	10 0	10 0	11 12	15 8	11 8	17 8	26 8	25 8	28 10	23 0	23 0	23 8
	Thar & Parkar (Umarkot)	12 6	12 13	13 0	...	...	...	...	...	...	12 3	12 13	12 12	...	...	...	17 8	16 1	23 6
	Western Districts.																		
	Burdwan [a]	14 8	15 0	13 0	25 0	22 8	32 8	17 8	17 8	24 0	24 12	22 11	25 8	...	...	...	...	...	...
	Bancoorah [b]	13 0	13 0	13 8	16 0	16 0	18 0	20 0	20 0	20 0	25 0	25 0	27 0	...	...	...	...	...	...
	Beerbhoom	15 0	15 8	13 0	16 0	...	...	16 8	16 8	17 0	21 0	21 0	21 0	...	...	...	...	...	...
	Midnapore [c]	13 0	13 0	13 0	17 0	17 0	16 0	18 0	17 0	21 0	24 0	24 0	25 0	...	...	...	...	...	...
	Hooghly	13 0	13 0	15 0	...	...	...	9 0	9 0	10 0	18 0	17 0	19 0	...	...	...	...	...	...
	Howrah	13 4	13 4	13 4	...	...	23 0	14 0	13 8	15 8	19 0	17 8	17 12	...	...	...	...	...	...

[a] In the sub-divisions retail prices of salt are as follow :—Culna 14 seers, Cutwa 12 seers, and Raneegunge 13-4 seers.

[b] Retail prices of salt at Raipore 11 seers, at Onda 15 seers, at Mejia, Bishenpore, and Sonamukhi 13 seers, at Indas 14 seers, and at Kotulpore 12-8 seers.

[c] In the interior retail prices of salt range from 10-8 to 13 seer .

OF INDIA.

ANCE AND COMMERCE.

INDIA FOR THE 1st HALF OF SEPTEMBER 1883.

IN SEERS OF 80 TOLAHS.

Lesser Millets, Ragi, &c. (Kavaru, Veragu, Sawee, Unsena, Coralco, Murhwa, Nuglee), *Panicum Miliaceum, &c.*			Gram.			Firewood.			Salt						Districts.	Provinces.
									Wholesale.			Retail.				
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.		
32 3	35 3	35 3	33 5	33 5	26 10	215 13	215 13	215 13	...	.	..	13 13	13 13	15 8	Ganjam	Madras.
23 3	23 3	24 3	35 2	32 13	23 6	95 3	83 10	93 5	14 10	14 10	15 3	14 0	14 0	14 0	Vizagapatam	
29 2	30 14	29 2	33 10	32 8	25 3	194 6	194 6	194 6	14 10	14 10	14 10	14 10	14 10	14 10	Godavery	
25 0	25 0	32 5	29 10	29 10	22 11	145 13	145 13	130 0	15 11	15 11	16 0	15 8	15 3	15 11	Kistna	
25 8	25 8	32 13	24 2	24 2	21 0	93 5	93 5	186 10	14 13	14 13	15 6	14 13	14 13	14 13	Nellore	
30 0	30 0	33 0	33 8	33 8	26 11	194 6	194 6	194 6	16 10	17 2	17 8	16 3	16 10	16 10	Cuddapah	
32 0	31 0	31 0	37 0	38 2	31 5	...	...	...	14 5	14 5	14 5	14 5	14 5	14 5	Anantapur	
34 14	34 14	34 14	35 13	35 13	29 2	94 13	94 13	85 0	15 13	15 13	15 11	15 8	15 8	15 6	Bellary	
...	...	23 6	31 8	30 11	21 11	157 0	175 0	186 10	14 0	14 13	14 13	13 10	14 6	14 6	Kurnool	
24 11	24 11	28 0	26 3	25 5	25 0	85 0	85 0	86 5	16 14	16 14	16 11	16 8	16 8	16 3	Madras	
26 11	26 0	27 6	25 11	25 0	24 10	92 5	92 5	92 5	17 5	17 5	17 5	17 0	17 0	17 0	Chingleput	
32 8	32 8	34 3	28 10	28 10	24 10	140 0	140 0	140 0	15 6	14 13	15 6	14 13	14 13	14 13	North Arcot	
31 13	29 6	31 13	26 8	25 10	28 13	201 11	201 11	201 11	19 5	19 5	19 5	18 6	18 6	18 14	South Arcot	
39 5	39 5	36 3	28 0	28 0	27 2	194 6	194 6	194 6	15 3	15 10	15 10	15 3	15 3	15 10	Tanjore	
34 2	36 11	28 13	31 10	30 13	30 13	97 3	97 3	97 3	17 13	17 13	17 13	17 0	17 0	17 0	Trichinopoly	
37 3	38 11	32 8	35 10	35 10	30 5	145 13	170 2	145 13	17 5	17 5	16 6	16 5	16 13	15 14	Madura	
...	...	...	31 5	37 2	27 5	70 0	70 0	81 10	18 11	18 11	18 11	18 5	18 5	18 3	Tinnevelly	
32 13	29 8	27 14	34 3	33 3	30 6	131 3	131 3	131 3	15 2	15 2	14 11	14 10	14 10	14 10	Coimbatore	
21 10	21 10	20 8	23 3	23 3	20 11	161 13	161 13	161 13	13 0	13 0	11 0	12 0	12 0	11 0	Nilgiris	
30 13	30 13	27 14	35 10	35 10	31 8	151 10	151 10	151 10	17 8	17 8	18 0	16 14	16 14	16 13	Salem	
18 8	19 6	17 10	21 3	22 3	20 3	109 5	109 5	116 6	18 6	18 6	15 8	17 3	17 3	14 11	South Canara	
21 14	21 14	21 14	26 14	26 14	22 11	121 8	121 8	121 8	14 6	14 6	13 8	13 8	13 8	12 10	Malabar	
14 11	17 0	18 6	16 2	14 7	15 14	62 6	62 6	62 6	14 6	14 6	14 6	12 9	12 9	12 9	Bombay	Bombay.
...	...	...	15 0	16 0	19 8	80 0	80 0	80 0	16 0	16 0	16 8	16 0	16 0	16 0	Ahmedabad	
...	...	...	16 0	15 4	20 0	80 0	80 0	80 0	...	..	...	16 0	16 0	16 0	Kaira	
...	...	...	14 0	14 0	16 0	80 0	80 0	80 0	13 9	13 9	13 9	13 9	13 9	13 9	Surat	
...	...	...	12 12	12 12	16 0	106 0	106 0	106 0	14 8¾	14 8¾	15 4	14 8¾	14 8¾	15 4	Broach	
25 11	25 11	25 11	13 4	13 4	14 15	71 0	71 0	71 0	15 12	14 5	14 5	15 10	13 4	13 13	Tanna (Salsette)	
...	...	...	12 0	11 8	11 8	120 0	120 0	120 0	13 0	13 0	12 0	12 8	12 8	11 0	Colába (Alibag)	
...	...	...	14 4	15 2	15 11½	140 0	140 0	140 0	13 0	14 0	14 2	12 14	13 14	14 0	Khandesh (Dhulia)	
18 6	20 11	27 9	17 0	17 0	17 0	128 0	128 0	128 0	15 8	15 8	14 8	15 5	15 5	14 4	Nasik	
...	...	...	18 6	18 6	17 3	79 12	79 12	91 5	13 6	13 3	14 9	13 4	13 1	14 7	Ahmednagar	
15 6	15 6	...	16 2	16 2	16 2	68 0	68 0	68 0	13 10	13 10	13 1	13 6	13 6	12 13	Poona	
...	..	...	20 1	21 14	18 15	71 0	80 0	80 0	13 8	13 8	13 8	13 4	13 4	12 8	Sholapur	
...	...	...	18 8	19 8	12 12	100 0	100 0	130 0	11 0	10 11	12 0	10 8	10 0	11 12	Kaladgi (Bagalkot)	
...	...		17 9	18 3	15 10	116 8	116 8	116 8	13 2	13 2	12 6	12 6	12 6	11 10	Satara	
19 0	19 0	35 0	16 8	16 8	11 8	65 0	65 0	75 0	12 3	13 0	13 8	11 3	12 0	13 0	Belgaum	
28 0	28 0	28 0	16 0	16 0	10 0	80 0	80 0	80 0	8 6	8 6	9 2	8 0	8 0	9 0	Dharwar (Hubli)	
18 13	18 13	21 2	14 11	14 11	12 10	120 0	120 0	120 0	13 2	13 2	11 10	12 15	12 15	11 10	Ratnágiri	
18 0	18 0	20 0	12 8	12 12	12 0	213 5	213 5	213 5	11 8	12 0	11 8	10 8	11 0	10 8	Kanara (Karwar)	
20 0	20 0	26 10	20 0	20 0	32 0	200 0	200 0	200 0	16 0	16 0	16 0	15 4	15 4	15 4	Pánch Maháls (Godhra)	
...	...	...	9 5	9 5	9 5	65 5	65 5	65 5	...	..	..	32 0	32 0	32 0	Aden	
...	...	...	17 8	17 8	19 0	160 0	160 0	160 0	11 0	11 0	12 0	11 0	11 0	12 0	Asirgarh	
17 8	16 5	...	14 0	12 13	16 11	80 0	80 0	83 10	13 9	14 1	14 11	13 7	14 0	14 10	Baroda	
...	...	...	13 8	13 11	19 4	137 8	137 8	137 8	12 8	12 8	13 8	12 0	12 0	13 0	Disa	
...	...	...	20 0	19 0	19 8	160 0	160 0	160 0	...	..	...	13 0	13 8	11 0	Nimach	
...	...	...	25 6⅛	21 13¾	24 6¼	80 0	80 0	80 0	16 0½	16 2	16 6½	15 7½	15 8	16 0	Nasirabad	
...	...	...	14 2	14 10	17 4	70 0	70 0	70 0	50 0	50 0	55 0	40 0	40 0	45 0	Rajkot	
70 0	58 0	40 0	20 12	20 12	17 5	160 0	160 0	160 0	12 12¾	12 12¾	12 5	12 8	12 8	12 0	Upper Sindh Frontier	
10 0	10 0	11 0	16 0	16 0	17 0	90 0	90 0	105 0	17 12	18 0	17 13	16 0	16 0	17 0	Karachi	
26 0	20 0	24 0	21 0	20 0	14 0	320 0	240 0	480 0	14 4	14 0	14 0	14 4	14 0	14 0	Haidarabad (Nakur)	
...	...	...	20 0	20 8	18 14	240 0	220 0	300 0	14 0	13 12	13 10	13 12	13 8	13 2½	Shikarpur	
...	...	...	19 0	19 8	19 5	40 0	110 0	80 0	12 8	12 12	13 0	12 0	12 4	12 8	Sukkur	
...	...	...	...	...	...	160 0	120 0	160 0	14 12	14 12	11 5	14 12	14 12	11 5	Thar and Parkar (Umarkot)	
									Prices per md. of 40 seers.							
									R a. p.	R a. p.	R a. p.				*Western Districts.*	
...	...	...	20 0	20 0	21 0	120 0	120 0	120 0	3 0 0	3 0 8	2 15 0	12 13a	12 10	13 8	Burdwan	Bengal.
...	...	...	17 0	17 0	18 0	240 0	240 0	240 0	3 3 6	3 3 6	3 2 0	12 0b	12 0	12 8	Bancoorah	
...	...	...	21 0	21 0	20 0	160 0	160 0	200 0	3 5 3	3 7 0	3 8 0	11 4c	11 4	11 4	Beerbhoom	
...	...	...	16 0	17 0	18 0	155 0	155 0	155 0	2 14 0	2 14 0	2 14 0	12 8d	12 8	13 5	Midnapore	
...	..	.	17 0	17 0	20 0	120 0	120 0	120 0	2 14 0	2 14 0	2 14 0	13 9e	13 9	13 9	Hooghly	
...	...	...	17 12	17 0	21 0	80 0	80 0	80 0	3 0 0	3 0 0	2 14 0	13 0	13 0	13 0	Howrah	

d In Contai retail prices of salt 11 seers.
e In Serampore retail prices of salt 13 seers.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Districts.	Wheat.			Barley.			Rice (best sort).			Rice (common).			Great Millet (Cholum, Jowar), *Holcus Sorghum*.			Bajrah Millet (Cumboo, Bajra), *Penicillaria Spicata*.		
	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.
	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Central Districts.																		
Calcutta	15 0	15 5	14 9	20 10	20 10	26 14	10 12	10 12	10 0	16 0	16 0	20 0	20 10	23 0	...	21 5	21 5	...
24-Pergunnahs	13 5	13 5	13 5	16 0	17 12	20 0	8 0	8 0	10 0	14 4	14 0	17 8	...	16 0	...	...	13 5	...
Nuddea	14 8	14 8	13 14	22 15	22 15	..	14 8	15 4	15 4	17 4	17 4	19 0	...	...	...	...	...	...
Khoolna	...	...	...	...	...	...	16 0	16 0	16 0	22 0	22 0	22 0	...	...	...	...	...	...
Jessore	13 0	12 4	13 0	...	...	...	15 0	16 0	17 0	21 4	21 4	25 8	...	...	...	...	...	...
Moorshedabad	16 0	15 0	14 8	...	...	...	15 0	15 0	14 0	22 0	22 0	20 0	...	...	...	...	...	...
Dinagepore	17 4	16 0	13 0	16 0	17 8	14 0	14 4	18 0	19 0	23 0	20 0	23 4	...	...	...	...	...	...
Rajshahye	15 4	15 4	13 8	29 0	29 0	32 0	15 4	14 0 to 15 4	13 4	22 0	20 0 to 22 0	19 11	...	...	...	...	...	...
Rungpore	13 5	13 5	16 0	...	...	...	13 5	13 5	15 0	19 0	19 0	23 0	...	...	...	...	...	...
Bogra	24 0	15 0	18 12	...	...	...	12 12	12 0	15 12	21 12	22 8	26 4	...	...	...	...	...	...
Pubna	18 12	18 12	17 4	...		..	8 4	8 8	10 0	19 0	18 12	26 4	...	...	...	...	...	...
Darjeeling	8 0	8 0	11 0	8 0	8 0	10 0	5 0	5 8	5 0	12 0	13 0	12 0	...	...	...	...	...	...
Jalpáiguri	10 0	10 0	10 0	20 0	20 0	20 0	12 8	12 8	14 0	18 0	16 0	20 0	...	...	...	...	...	...
Eastern Districts																		
Dacca	13 5	13 5	13 5	22 10	22 12	32 0	17 0	17 12	21 4	20 0	20 0	26 10	...	...	...	...	...	...
Furreedpore	21 0	21 0	20 0	30 0	30 0	37 8	20 0	18 0	19 4	22 0	21 0	20 8	...	...	...	...	...	...
Backergunge	...	...	...	...	...	...	18 0	18 0	19 0	21 0	21 0	23 0	...	...	...	...	...	...
Mymensingh	11 8	11 8	11 8	...	...	...	13 4	14 5	22 8	19 0	20 0	27 0	...	...	...	...	...	...
Chittagong	11 4	11 4	9 0	...	...	...	16 0	16 0	20 0	18 0	18 0	26 0	...	...	...	...	...	...
Noakholly	...	...	...	...	...	...	19 0	19 0	24 0	21 0	21 0	26 0	...	...	...	...	...	...
Tipperah	11 12	11 12	11 8	..	...	...	18 0	18 12	19 8	25 12	22 12	26 10	...	...	...	...	...	...
Chittagong Hill Tracts	...	...	...	...	...	...	13 0	12 5	13 5	14 0	13 4	17 12	...	...	...	...	...	...
Hill Tipperah	10 0	10 0	11 0	...	...	...	16 0	15 0	20 0	22 0	20 0	27 0	...	...	...	...	...	...
Behar.																		
Patna	21 0	21 0	19 0	29 0	25 0	34 0	15 0	15 0	12 0	18 0	15 8	22 0	...	...	...	...	...	...
Gya	17 8	17 8	17 0	21 0	23 0	24 0	12 0	12 0	12 0	16 0	14 0	18 8	...	...	...	...	...	...
Shahabad	15 0 to 15 8	15 0 to 16 0	16 0 to 17 0	25 0	26 0	28 0	10 0 to 11 0	11 0 to 12 0	16 8 to 18 0	15 0 to 16 0	14 0 to 16 0	19 0 to 19 8	27 0	...	...	25 0	26 0	...
Durbhunga	15 0	15 0	14 0	...	...	30 0	12 0	12 8	14 0	15 0	16 0	16 0	...	..	...	...	...	...
Mozufferpore	18 0	17 0	18 0	25 0	30 0	40 0	11 0	12 0	12 0	15 0	15 0	17 0	...	...	...	...	...	...
Sarun	16 0	16 0	16 0	27 0	25 0	27 0	10 0	10 0	10 0	18 8	18 0	20 0	27 0	26 0	35 0	...	...	...
Chumparun	19 0	19 0	18 0	31 0	32 0	32 0	14 0	13 0	12 0	17 8	17 0	18 0	.	...	...	...	...	...
Monghyr	17 9	18 13	17 13	24 2½	23 1	33 9	13 2	12 9	16 5	15 12	15 12	18 7	...	...	...	..	...	...
Bhágalpur	15 8	15 12	14 13	22 11	24 0	37 14	15 2	15 2	17 11	17 10	17 10	20 3	...	...	...	...	...	...
Purneah	18 0	17 0	14 0	...	...	...	16 0	16 0	20 0	18 0	18 0	22 0	...	...	...	...	...	...
Maldah	18 0	17 3	17 0	...	...	...	16 0	15 0	14 0	20 0	20 0	20 0	...	...	...	...	...	...
Sonthal Pergunnahs	13 0	12 0	13 0	...	...	...	18 0	17 0	16 0	23 8	24 0	22 0	...	...	...	...	...	...
Orissa.																		
Cuttack	11 13	13 2	14 7	...	...	...	13 2	13 2	15 12	21 0*	22 5	26 4	...	...	...	...	...	...
Pooree	10 8	11 13	10 0	...	...	...	21 0	19 11	20 0	23 10	23 10	25 0	...	...	...	...	...	...
Balasore	16 0	14 0	14 0	...	...	...	16 0	16 0	20 0	28 0	28 0	32 0	...	..	...	...	...	...
CHOTA NAGPORE.																		
South-Western Frontier Agency.																		
Hazáribagh	14 0	14 0	13 0	17 0	21 0	24 0	9 0	9 0	10 0	15 0	15 0	19 0	..	.	...	...	...	...
Lohardugga	15 0	16 0	14 0	20 0	20 0	20 0	18 0	18 0	20 0	22 0	22 0	22 0	...	...	...	..	...	...
Singbhoom	18 0	18 0	20 0	24 0	24 0	28 0	32 0	32 0	36 0	36 0	36 0	40 0	...	...	...	...	...	...
Manbhoom	13 0	13 0	12 0	...	...	...	16 0	16 0	18 0	26 0	26 0	30 0	...	...	...	...	...	...

* In the interior retail prices of common rice range from 8-4 to 39-6 seers per rupee.
In the sub-divisions retail prices of salt are as follow:—Baraset and Bussirhat 13 seers, Diamond Harbour 10-8 seers, Barrackpore 12-12 seers, and Dum-Dum 12 seers.
In the sub-divisions retail prices of salt are as follow:—Kooshtea 12-12 seers, Meherpore 11-8 seers, Chooadanga 13 seers and Ranaghat 12-14 seers.
In Satkhira and Khoolna sub-divisions retail price of salt 11 seers.
In the sub-divisions retail prices of salt are as follow:—Jhenidah, Magura and Narail 12 seers, and Bongong 13 seers.
In the sub-divisions retail prices of salt are as follow:—Lalbagh 11 seers, Jungipore 11-6 seers, and Kandi 11-8 seers.
Retail prices of salt at Raigunge 10-8 seers and Neetpore 12 seers.
In Nattore and Nowgong retail price of salt 12 seers.
In the sub-divisions retail prices of salt are as follow:—Kurigram and Nilphamari 12 seers, and Gaibanda 10-4 seers.
In Serajgunge retail price of salt 13 seers.
Retail price of salt at Kurseong 8 seers, and Silligoree 10 seers.
In Alipore sub-division at Fallacotta retail price of salt 10 seers.
In the sub-divisions retail prices of salt are as follow:—Manickgunge 12 seers, Moonsheegunge 10 seers 10½ chittacks, and Naraingunge 12-12 seers.
In the sub-divisions retail prices of salt are as follow:—Goalundo and Madaripore 12 seers, Bhanga 11-8 seers and Gopalgunge 12-14 seers.
In the sub-divisions retail prices of salt are as follow:—Patuakhali 9-2 seers, Perozepore 11 seers, and Bhola 9 seers.
In the sub-divisions retail prices of salt are as follow:—Kishoregunge 10-10 seers, Attea 12 seers, Jamalpore 11-4 seers, and Netrokona 12-8 seers.

INDIA FOR THE 1st HALF OF SEPTEMBER 1883—*continued.*

IN SEERS OF 80 TOLAHS.

Lesser Millets, Bajri, &c. (Kavaru, Vesaru, Samee, Cheena, Coraloo, Murhwa, Maglee), *Panicum Miliaceum, &c.*			Gram.			Firewood.			Salt.						Districts.	Provinces.
									Wholesale prices per maund of 40 seers.			Retail.				
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	R a. p.	R a. p.	R a. p.	S. Ch.	S. Ch.	S. Ch.		
															Central Districts.	BENGAL—*continued.*
...	...	...	18 13	16 13	22 10	90 0	90 0	90 0	2 12 0	2 12 0	2 10 0	13 5	13 5	14 9	Calcutta	
...	16 0	...	17 8	17 12	20 0	80 0	80 0	100 0	3 0 0	2 14 0	2 13 0	12 13f	13 5	14 4	24-Pergunnahs	
...	...	...	18 13	20 0	21 5½	...	...	...	3 1 11	3 0 0	3 0 0	11 10½g	11 10½	11 10½	Nuddea	
...	...	...	16 0	16 0	12 0	160 0	160 0	160 0	3 4 0	3 4 0	3 2 0	10 8h	10 8	11 0	Khoolna	
...	...	...	16 0	18 0	18 0	120 0	120 0	120 0	3 2 0	3 2 0	3 0 0	11 0i	12 0	11 8	Jessore	
...	...	...	23 0	23 0	23 0	120 0	120 0	120 0	3 2 0	3 2 0	3 2 0	12 8j	12 8	13 0	Moorshedabad	
...	...	...	20 0	18 0	16 0	80 0	80 0	160 0	3 6 0	3 6 0	3 4 0	11 0k	11 8	13 0	Dinagepore	
...	...	...	22 8	21 8	20 13	240 0	240 0	240 0	3 0 0	3 0 0	3 2 0	12 0l	12 4	13 12	Rajshahye	
...	...	...	17 3	17 3	15 0	110 0	110 0	120 0	...	3 5 3	3 5 3	11 14m	11 14	11 8	Rungpore	
...	...	...	19 2	17 4	15 12	62 8	82 8	67 8	...	...	..	12 0	12 0	13 0	Bogra	
...	...	...	18 12	19 0	20 0	200 0	200 0	200 0	3 4 0	3 3 0	3 1 6	12 0n	12 0	12 12	Pubna	
12 0	10 0	9 0	8 0	8 0	10 0	106 8	128 0	160 0	4 8 0	4 8 0	4 8 0	8 0o	8 0	8 0	Darjeeling	
...	...	...	16 0	16 0	16 0	128 0	128 0	128 0	3 4 0	3 4 0	3 4 0	12 0p	12 0	11 0	Jalpáiguri	
															Eastern Districts.	
...	...	...	18 0	18 0	20 0	97 0	97 0	106 8	...	...	3 0 0	12 10q	12 8	12 12	Dacca	
...	...	...	18 0	18 0	12 0	120 0	120 0	120 0	3 5 0	3 5 0	3 2 0	12 0r	12 0	12 0	Furreedpore	
...	...	...	18 0	18 0	18 0	120 0	120 0	100 0	2 11 0	2 11 0	2 15 0	13 0s	13 0	13 0	Backergunge	
...	...	...	15 0	15 0	17 0	...	...	...	3 4 0	3 4 0	3 4 0	12 4t	12 4	12 4	Mymensingh	
...	...	...	13 0	13 0	16 0	40 0	40 0	80 0	...	4 0 0	2 14 0	10 0u	9 8	13 0	Chittagong	
...	...	...	12 0	12 0	16 0	...	...	...	3 2 0	3 2 0	3 2 0	10 0v	10 0	10 0	Noakholly	
...	...	...	16 0	18 0	18 0	...	...	...	3 2 0	3 4 0	3 2 0	12 4w	12 0	12 0	Tipperah	
...	...	...	...	...	...	320 0	320 0	320 0	6 0 0	6 0 0	3 4 0	6 4	6 4	10 9	Chittagong Hill Tracts	
...	...	...	14 0	12 0	14 0	...	...	...	3 4 0	3 4 0	3 4 0	11 0	11 0	10 0	Hill Tipperah	
															Behar.	
...	...	...	28 0	27 0	30 0	130 0	130 0	130 0	3 0 0	3 1 6	3 0 0	13 5	9 12	10 8	Patna	
...	...	...	21 0	20 8	23 0	180 0	160 0	180 0	3 5 0	3 6 0	3 5 0	11 0	11 0	11 8	Gya	
...	...	28 0	24 0 to 25 0	24 0 to 25 0	28 0 to 29 0	100 0	100 0	120 0	3 1 0	3 1 0	3 1 0	12 8x	12 8	12 8	Shahabad	
29 0	29 0	42 0	20 0	20 0	22 0	160 0	160 0	160 0	3 10 0	3 10 0	...	10 0y	10 0	11 0	Durbhunga	
...	...	...	23 0	23 0	27 0	140 0	140 0	140 0	3 4 0	3 6 0	3 4 0	12 0z	11 0	1$ 0	Mozufferpore	
30 0	30 0	34 0	25 0	25 0	28 0	160 0	160 0	160 0	3 4 0	3 4 0	3 4 0	11 0z1	11 0	11 0	Sarun	
...	...	...	24 0	24 0	26 0	...	...	...	3 6 0	...	3 5 0	11 0z2	11 8	11 0	Chumparun	
...	...	...	24 3	25 3	27 14	120 0	126 0	126 0	2 15 0	2 15 6	3 1 0	12 9z3	12 9	12 13	Monghyr	
...	...	...	22 11	24 0	26 8	151 14	126 4	138 4	3 2 0	3 1 0	2 15 6	12 10z4	12 10	12 10	Bhágalpur	
...	...	...	20 0	20 0	22 0	160 0	160 0	160 0	4 0 0	4 0 0	...	9 0z5	9 0	10 12	Purneah	
...	...	...	20 0	21 0	18 0	160 0	160 0	200 0	3 4 0	3 2 0	3 4 0	12 0	12 0	12 4	Maldah	
...	...	...	17 0	18 0	19 0	200 0	200 0	200 0	3 12 0	3 11 6	3 7 0	10 0z6	10 8	11 4	Sonthal Pergunnahs	
															Orissa.	
18 6	15 12	13 2	18 6	18 6	21 0	80 0	80 0	160 0	2 12 0	2 13 0	2 12 0	14 0	14 0	14 0	Cuttack	
...	...	...	17 6	17 1	16 0	100 0	90 0	120 0	2 12 0	2 12 0	2 12 0	13 0z7	13 0	13 4	Pooree	
...	...	...	16 0	14 0	16 0	120 0	120 0	120 0	4 2 0	4 2 0	3 2 0	9 3z8	9 3	12 14	Balasore	
															CHOTA NAGPUR.	
															South-Western Frontier Agency.	
28 0	30 0	36 0	16 0	14 8	18 0	240 0	240 0	240 0	3 8 6	3 9 9	3 7 0	10 0z9	10 0	11 0	Hazáribágh	
28 0	28 0	32 0	14 0	15 0	15 0	100 0	100 0	120 0	4 0 0	4 0 0	4 2 0	9 0	9 0	9 0	Lohardugga	
...	...	...	24 0	24 0	24 0	180 0	180 0	180 0	4 7 0	5 11 0	4 5 0	8 0	6 0	8 0	Singbhoom	
...	...	...	16 0	17 0	18 0	120 0	120 0	120 0	3 7 0	3 10 0	3 12 0	10 0z10	10 0	10 12	Manbhoom	

u Retail price of salt at Kumeriah 10 seers, and Hathazaree 9 seers, and Cox's Bazar 8 seers.
v In the interior retail prices of salt range from 8 to 12-4 seers.
w In the sub-divisions retail prices of salt are as follow :—Brahmunberiah 12-12 seers, and Chandpore 13 seers.
x In the sub-divisions retail prices of salt are as follow :—Buxar and Sasseram 11-8 seers, and Bhubooa 10-8 seers.
y In the sub-divisions retail prices of salt are as follow :—Tajpur 11-8 seers, and Madhubani 10 seers.
z In the interior retail prices of salt range from 10 to 12 seers.
z1 In Sewan and Gopalgunge sub-divisions retail prices of salt 12 seers.
z2 In the interior retail prices of salt range from 10 to 11-8 seers.
z3 In Jamui retail prices of salt 12 seers.
z4 In the sub-divisions retail prices of salt are as follow :—Banka 11 seers, Muddehpoora 10-8 seers, and Soopole 10 seers.
z5 In the sub-divisions retail prices of salt are as follow :—Kissengunge 10 seers and Arrareah (at Raneegunge) 11 seers.
z6 In the sub-divisions retail prices of salt are as follow :—Deoghur 12 seers, Rajmehal 11-8 seers, and Godda 13 seers.
z7 In Khoorda retail price of salt 13 seers.
z8 In Bhadruck retail price of salt 8 seers.
z9 Retail price of salt at Chatra 10 seers, and Khurruckdiha 11-8 seers.
z10 Retail price of salt at Raghunathpore 11-8 seers, Burrabazar 10 seers, and Gobindpore 11 seers.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Provinces.	Districts	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of 1882.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of 1882.	Rice (best sort). Present fortnight.	Rice (best sort). Past fortnight.	Rice (best sort). Corresponding fortnight of 1882.	Rice (common). Present fortnight.	Rice (common). Past fortnight.	Rice (common). Corresponding fortnight of 1882.	Great Millet (Cholum, Jowar), *Holcus Sorghum.* Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of 1882.	Bajrah Millet (Cumboo, Bajra), *Penicillaria Spicata.* Present fortnight.	Bajrah Millet. Past fortnight.	Bajrah Millet. Corresponding fortnight of 1882.
		S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
ASSAM.	Sylhet	10 0	12 0	10 8	...	...	...	10 0	10 0	14 0	15 0	17 0	31 8	...	...	...	...	...	...
	Cachar	10 0	9 2	9 6	12 13	12 13	16 0	14 8	12 13	20 0	16 13	16 0	26 10	...	...	...	...	...	...
	Goálpárá	20 0	20 0	22 0	...	...	.	13 5	13 4	13 0	22 0	22 0	22 0	...	...	...	...	...	...
	Gáro Hills	4 0	4 0	4 0	...	...	...	5 0	5 0	5 0	18 0	17 0	18 0	...	...	...	...	...	...
	Kámrúp	18 0	16 0	20 0	...	...	...	12 4	13 4	13 0	17 0	17 0	18 0	...	...	...	...	...	...
	Darrang	...	...	...	...	...	...	8 0	8 0	8 0	13 0	13 0	16 0	...	...	...	...	...	...
	Nowgong	...	...	...	...	..	..	8 0	8 0	13 8	16 0	16 0	16 0	...	...	...	...	...	...
	Sibságar	...	...	...	..	...	...	6 8	6 8	6 8	16 0	14 0	16 0	...	...	...	...	...	...
	Lakhimpur	8 0	8 0	8 0	8 0	7 0	10 0	7 8	8 0	8 0	13 0	11 0	16 0	...	...	...	...	...	...
	Khási & Jaintiá Hills	6 10	...	8 0	...	...	...	9 0	8 0	10 0	10 0	9 0	11 0	...	...	...	...	...	...
	Nága Hills	...	...	.		..	...	4 0	4 0	6 0	5 0	5 0	8 0	...	...	...	...	...	...
N. W. PROVINCES.	Dehra Dún	17 8	17 8	18 0	26 0	24 0	27 0	6 8	6 8	6 0	10 0	10 0	11 0	24 0	22 0	24 0	20 0	20 0	22 0
	Saharanpur	18 13	17 3	20 7	19 5½	23 10½	31 3	7 8½	7 8½	9 11	10 12	11 13	12 14½	26 14	29 0½	32 4	23 10½	21 8	23 10½
	Muzaffarnagar	17 10	17 10	19 12	33 0	28 11	28 11	6 9	6 9	6 9	11 0	12 2	14 5	28 11	26 6	28 11	22 0	22 0	24 6
	Meerut	17 8	17 0	19 0	25 0	25 0	27 0	6 0	6 8	6 0	13 0	14 0	15 0	26 0	26 0	27 0	19 0	19 0	21 0
	Bulandshahr	18 8	18 0	19 8	26 0	26 0	26 0	6 0	6 0	6 0	9 11	10 0	10 5	26 0	26 0	24 0	16 0	16 0	20 0
	Aligarh	17 4	17 0	18 4	23 0	22 8	24 0	6 0	7 0	6 0	10 0	11 0	11 0	24 0	23 8	24 0	16 0	16 8	20 0
	Kumaun	15 0	15 0	17 0	18 0	18 0	18 0	10 0	10 0	10 0	12 0	12 0	14 0	...	...	...	...	...	...
	Garhwal	20 0	20 0	24 0	22 0	22 0	30 0	9 0	9 0	9 0	15 0	15 0	17 8	...	...	...	30 0*	30 0*	35 0*
	Bijnor	18 14	18 4	17 7	29 4	28 2	27 0	9 9	9 4	11 4	10 11	9 8	12 6	22 8	...	21 6	...	...	19 2
	Moradabad	20 0	19 1	19 6	28 2	27 8	23 12	9 0	9 0	9 6	13 0	12 12	13 2	25 8	26 14	26 0	15 4	15 4	18 2
	Budaun	20 6	18 14	18 2	30 0	27 9½	23 6	6 0	6 0	9 9½	13 8	12 0	16 0	...	...	...	..	...	...
	Bareilly	19 6	18 12	17 3	24 6	25 0	22 8	7 8	7 8	8 2	13 2	13 2	13 12	26 4	25 0	24 6	20 0	18 12	21 4
	Sháhjahanpur	19 6	19 4	19 0	33 0	31 0	24 12	9 12	9 12	9 4	15 4	15 4	17 0	...	...	..	...	...	...
	Tarái Pergunnahs	20 4	23 0	21 4	40 0	35 0	35 0	8 12	8 12	10 0	14 0	13 8	15 0	25 0	25 0	...	22 8	20 0	...
	Muttra	17 8	15 8	17 8	23 0	20 8	24 0	7 0	7 0	...	11 0	11 8	14 0	22 0	22 0	24 0	18 0	19 0	22 0
	Agra	16 8	15 8	17 4	23 0	21 0	25 0	5 8	5 8	6 0	11 8	11 8	14 0	22 0	20 0	26 0	18 0	20 0	23 0
	Farukhabad	17 15	17 5	17 10	24 7	22 14	22 5½	7 4	7 4	6 13	12 8	12 10	13 2½	24 2	23 7½	23 1	22 4	21 5	21 12½
	Mainpuri	17 0	16 8	19 0	22 8	22 0	25 0	4 0	4 0	5 0	10 0	10 0	11 0	...	...	...	...	...	...
	Etáwah	17 8	16 0	18 8	22 0	22 0	23 0	6 0	6 0	6 0	12 0	12 0	14 8	24 0	23 0	25 0	19 8	19 0	20 0
	Etah	18 8	18 0	20 0	25 4	24 8	25 0	6 8	8 0	10 0	11 8	12 0	...	18 0	18 0	...	18 0	16 0	16 0
	Jalaun	19 0	18 8	18 0	20 0	20 0	20 0	9 0	9 0	10 0	10 0	10 0	12 0	25 0	25 0	28 0	20 0	20 0	22 0
	Jhansi	19 7½	18 0	21 5	28 10	26 5	33 2½	7 8	8 0	8 0	11 2½	12 8	15 0	27 2½	25 15	28 0	...	...	...
	Lalitpur	20 8	20 8	21 0	35 0	32 0	37 0	9 0	9 0	11 0	11 0	10 0	13 0	31 0	29 0	32 0	22 0	22 0	26 0
	Cawnpore	18 8	18 0	18 8	27 0	25 8	26 8	10 0	10 0	11 0	13 8	13 8	14 0	27 0	25 0	27 0	24 0	23 0	25 0
	Fatehpur	16 10	16 10	16 10	25 4	24 8	25 12	10 12	10 12	13 8	13 8	13 10	15 4	...	...	...	...	...	...
	Bánda	22 0	22 0	18 0	31 0	31 0	21 0	8 0	8 0	9 0	12 0	12 8	14 8	37 0	36 0	38 0	30 0	30 0	30 0
	Allahabad	17 4	16 12	17 8	28 0	27 8	25 8	10 8	10 8	12 0	15 0	15 0	17 0	31 0	30 8	32 0	29 8	30 0	30 0
	Hamirpur	18 4	17 0	16 0	...	...	...	9 0	8 0	10 0	...	...	...	24 12	21 0	27 0	23 10	...	25 0
	Jaunpur	19 13	19 13	19 0	31 1	31 1	30 5	7 12	7 12	7 1	12 12	14 2	15 8	...	...	...	...	...	19 12
	Gorakhpur	18 0	18 14	18 13	27 0	27 14	27 0	11 13	13 1	13 8	14 5½	16 3	18 0	39 9½	39 9½	36 0	...	...	...
	Basti	18 0	20 0	18 8	30 0	34 0	28 0	12 0	13 0	16 0	16 0	16 0	17 0	...	...	...	...	...	...
	Azamgarh	17 4	17 11	17 11	25 14½	25 13	27 5	10 5	10 5	11 9	13 4	14 12	17 10	29 8	...	...	...	20 10	18 6
	Mirzapur	16 0	16 0	15 0	25 0	25 0	21 0	9 0	10 0	10 0	12 0	12 0	15 0	26 0	26 0	26 0	24 0	24 0	24 0
	Benares	16 13	16 13	16 8	25 8	25 8½	25 3	10 13½	10 13½	11 6	17 1	16 13	16 4	26 0	26 0	26 0	26 0	27 2	27 2
	Gházipur	18 10½	19 5	17 6	27 0½	27 11	27 11	9 0	9 0	10 15½	15 7	15 7	16 1½	33 7½	25 12	25 12	25 12	25 12	21 14
	Balia	18 12	18 12	16 4	25 0	27 8	27 8	10 0	10 10	10 0	17 8	17 8	15 0	...	...	...	...	...	...
	Pilibhít	20 8	19 13	18 13	35 8	34 8	28 0	13 12	12 2	15 0	15 4	14 12	17 9	...	...	25 0	...	...	...
OUDH.	Sultánpur	20 0	20 0	19 8	32 0	32 0	31 0	11 0	11 0	11 0	16 0	16 0	17 8	...	...	...	...	...	...
	Partábgarh	19 14	20 2	19 1	32 5	33 5	29 13	15 5	15 0	16 7	17 2	16 2	17 15	...	...	...	...	...	28 0
	Fyzabad	18 0	17 8	17 6	28 0	26 8	27 8	10 0	10 4	11 0	15 12	13 8	18 0	38 12	38 0	40 0	...	18 8	...
	Kheri	21 0	22 8	19 0	34 8	36 0	25 0	7 0	7 0	8 0	13 8	14 0	16 8	41 0	45 0	28 0	...	29 0	...
	Lucknow	17 11	17 5	17 4½	26 14	27 0	24 8	6 0	6 0	6 0	12 2	12 9½	14 11	27 0	27 12	23 8	23 4	23 0	23 14
	Bára Banki	18 0	18 0	17 8	24 0	20 0	25 0	9 0	9 0	11 0	14 0	14 0	15 0	32 0	29 0	30 0	21 0	21 0	20 0
	Bahraich	16 0	17 0	16 0	34 0	36 0	30 0	10 0	10 0	9 0	15 0	16 0	17 0	34 0	38 0	36 0	22 0	23 0	13 0
	Rai Bareli	18 12	18 8	19 8	26 8	25 8	26 0	...	...	...	15 8	15 6	16 8	...	...	24 0	22 0	22 0	20 0
	Sitapur	20 12	20 14	19 4	32 11	33 6	27 0	8 0	8 0	8 0	14 0	16 0	15 0	28 0	28 0	...	25 0	25 0	20 0
	Gonda	20 15	20 8	19 12	42 0	43 8	29 8	14 4	14 4	16 0	15 10	15 12	18 2	39 0	38 12	36 0	22 0	22 6	24 0
	Unao	18 0	18 0	18 8	26 0	24 0	26 0	11 0	11 0	10 0	13 0	14 0	14 8	28 0	28 0	50 0	21 0	21 0	...
	Hardui	16 14	16 14	20 6	27 3	27 11	27 11	5 10	5 10	5 10	11 4	11 4	12 4	...	23 7	..	...	16 14	...
PUNJAB.	Gujránwala (*a*)	22 4	19 4	26 0	35 0	33 0	40 0	...	...	...	12 0	12 0	13 0	32 0	32 0	22 0	28 0	28 0	20 0
	Lahore (*b*)	20 0	18 0	24 0	32 0	27 0	38 0	...	...	...	11 0	11 0	11 0	32 0	29 0	32 0	24 0	24 0	24 0
	Ferozepore (*b*)	20 0	16 8	24 0	38 0	26 0	39 0	...	...	...	10 0	10 0	11 0	36 0	28 0	...	...	...	...
	Sirsa (*c*)	21 0	19 0	21 0	35 0	28 0	39 0	...	...	...	11 0	12 0	12 0	32 0	28 0	40 0	28 0	25 0	32 0
	Hissar (*b*)	18 8	16 8	17 8	29 0	26 0	32 0	...	...	...	9 0	9 0	10 0	28 0	24 0	32 0	25 0	25 0	28 0
	Rohtak (*d*)	18 8	17 0	17 12	24 0	21 0	25 0	...	...	...	8 0	8 0	9 0	22 0	20 0	25 0	21 0	19 0	25 0
	Gurgaon (*b*)	19 8	18 0	20 0	27 0	24 8	27 0	...	...	...	10 0	10 0	13 0	25 0	23 0	26 0	22 0	20 0	24 0
	Delhi (*b*)	17 8	16 12	18 8	24 8	28 0	24 8	...	...	...	12 0	12 0	13 0	23 8	21 0	26 0	19 0	18 0	20 0
	Karnál (*b*)	18 0	16 12	20 8	26 8	24 8	31 0	...	...	...	10 0	10 0	12 0	24 0	23 0	30 0	22 0	21 0	18 0
	Umballa (*e*)	20 8	17 8	23 0	30 0	26 0	30 0	...	...	...	10 8	10 0	12 0	32 0	24 0	32 0	15 0	16 0	26 0
	Ludhiana (*b*)	23 0	18 8	24 0	32 0	27 0	34 0	...	...	...	...	10 0	12 0	30 0	28 0	38 0	19 0	18 0	20 0
	Simla (*f*)	15 0	12 8	15 8	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

* Mandwa. (*a*) Wheat, gram, barley falling. (*b*) Prices falling. (*c*) Wheat, barley, bajra, jowar and gram falling, rice rising.

INDIA FOR THE 1st HALF OF SEPTEMBER 1883—*continued.*

IN SEERS OF 80 TOLAHS.

Lesser Millets, Ragi, &c. (Kavaru, Veragu, Sawee, Cheena, Ceraloo, Mushwa, Nugloo), Panicum Miliaceum, &c.			Gram.			Firewood.			Salt. Wholesale.			Salt. Retail.			Districts.	Provinces.
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	R a.	R a. per md.	R a.	S. Ch.	S. Ch.	S. Ch.		
...	...	...	15 0	16 4	15 0	108 0	108 0	108 0	3 4	3 4	3 2	11 0	12 0	12 12	Sylhet	Assam.
...	...	...	12 13	12 13	16 13	80 0	80 0	80 0	3 8	3 8	3 4	10 10	10 10	11 10	Cachar	
...	...	...	14 8	13 4	14 0	64 0	65 0	120 0	3 6	3 4	3 4	12 4	12 0	12 0	Goálpárá	
...	...	...	8 0	8 0	8 0	160 0	160 0	160 0	5 6	5 6	5 6	6 6	6 6	6 6	Gáro Hills	
...	...	...	13 4	13 4	13 0	200 0	160 0	160 0	3 8	3 8	3 5	11 0	11 8	12 0	Kámrúp	
...	...	...	9 13	7 0	8 10	160 0	160 0	160 0	4 8	4 8	4 8	8 0	8 0	8 0	Darrang	
...	...	...	8 0	8 0	8 0	120 0	120 0	80 0	4 0	4 0	3 12	8 0	8 0	9 0	Nowgong	
...	...	...	10 0	10 0	10 0	80 0	80 0	80 0	4 8	4 8	4 8	8 0	8 0	8 8	Sibságar	
...	...	...	11 0	10 0	10 0	160 0	160 0	200 0	4 8	4 8	5 0	9 0	8 0	8 0	Lakhimpur	
...	...	...	...	...	10 0	...	...	..	5 0	5 0	5 0	8 0	8 0	8 0	Khási & Jaintiá Hills	
...	...	...	2 0	2 0	2 0	120 0	120 0	120 0	16 0	16 0	13 0	2 8	2 8	3 0	Nága Hills	
									S. Ch.	S. Ch.	S. Ch.					
...	...	...	22 0	19 8	20 0	160 0	160 0	160 0	11 0	11 0	10 8	10 8	10 8	10 0	Dehra Dún	N. W. Provinces.
...	...	...	24 11½	21 8	24 11½	129 0	129 0	129 0	13 2½	12 14½	12 1	12 14½	12 5	11 13	Saháranpur	
...	...	...	22 8	19 12	24 14	110 0	110 0	132 0	12 6	12 6	11 13	11 8	11 8	11 4	Muzaffarnagar	
...	...	...	22 8	20 8	23 12	110 0	110 0	110 0	12 8	12 8	12 0	12 0	12 0	11 8	Meerut	
...	...	...	21 0	22 0	23 0	140 0	140 0	140 0	11 8	11 8	11 8	...	..	...	Bulandshahr	
...	...	...	21 0	21 0	22 0	120 0	120 0	130 0	12 4	12 4	12 0	12 0	12 0	11 0	Aligarh	
...	...	...	12 0	12 0	12 0	200 0	200 0	200 0	9 0	8 0	8 0	8 0	7 0	7 0	Kumaun	
...	...	...	10 0	10 0	9 0	280 0	280 0	320 0	8 8	8 8	6 14	7 13	7 13	6 4	Garhwál	
...	...	...	21 6	19 2	20 13	135 0	135 0	135 0	...	...	...	11 4	11 0	11 0	Bijnor	
...	...	...	21 14	21 14	21 4	125 0	125 0	137 8	12 10	12 10	12 0	12 8	12 8	11 14	Moradabad	
...	...	...	24 0	22 12½	19 12½	192 0	192 0	192 0	11 6	11 6	10 12½	11 1½	11 1½	10 7½	Budaun	
...	...	...	22 8	21 14	20 0	125 0	125 0	125 0	12 3	12 3	11 14	11 14	11 14	11 4	Bareilly	
...	...	...	22 12	22 12	21 8	160 0	160 0	160 0	13 0	13 0	12 4	10 12	11 0	10 12	Shahjahánpur	
...	...	...	20 0	19 8	17 8	120 0	120 0	120 0	11 4	11 4	11 4	11 0	11 0	11 0	Tarái Pergunnahs	
...	...	...	21 8	19 8	24 8	120 0	120 0	110 0	13 0	13 0	...	12 8	12 8	12 8	Muttra	
...	...	...	22 8	20 8	24 8	100 0	100 0	100 0	13 8	13 8	12 8	13 0	13 0	12 0	Agra	
...	...	...	23 0	22 8	22 2	150 0	145 0	156 8	12 4	12 4	12 4	11 10	11 9	11 9	Farukhabad	
...	...	...	21 0	20 4	24 8	160 0	160 0	160 0	11 8	11 8	12 0	11 0	11 0	11 0	Mainpuri	
...	...	...	24 0	22 0	25 0	100 0	100 0	100 0	12 0	12 0	10 8	11 0	11 0	10 0	Etawah	
...	...	...	21 0	20 15	23 8	180 0	180 0	140 0	12 0	12 0	11 8	11 4	11 0	...	Etah	
...	...	...	29 0	28 0	28 0	140 0	140 0	140 0	11 0	11 0	12 0	10 0	10 0	11 0	Jalaun	
...	...	...	27 9½	25 11	27 14½	200 0	200 0	200 0	11 0	11 0	12 6½	10 0	10 0	11 6½	Jhansi	
...	...	...	30 0	27 8	33 0	180 0	180 0	140 0	12 0	12 0	11 0	11 0	11 0	10 10	Lalitpur	
...	...	...	27 0	25 8	25 8	145 0	145 0	140 0	13 8	13 4	13 0	13 0	13 0	12 8	Cawnpore	
...	...	...	27 12	27 0	25 8	200 0	200 0	200 0	11 0	11 0	10 4	10 12	10 12	10 0	Fatehpur	
...	...	...	37 0	36 0	34 0	160 0	160 0	160 0	12 0	12 0	12 8	11 0	11 0	12 0	Banda	
...	...	...	29 0	28 4	25 0	140 0	120 0	180 0	12 0	12 0	12 0	11 0	11 0	11 0	Allahabad	
...	...	...	29 13	26 0	29 0	110 0	140 0	140 0	11 4	11 4	11 0	10 0	10 0	10 0	Hamirpur	
...	...	...	29 10	31 1	24 0	148 12	148 12	120 0	10 12	10 12	9 11	10 10	10 10	9 9	Jaunpur	
...	...	...	27 14	30 9½	25 8	160 0	160 0	160 0	10 9½	10 9½	11 13	10 6½	10 6½	10 6½	Gorakhpur	
...	...	...	27 0	30 0	25 0	150 0	150 0	140 0	8 8	9 0	10 0	8 0	8 0	9 0	Basti	
...	...	...	25 15	25 15	22 2	147 8	147 8	181 0	10 8	10 8	10 8	9 14	9 14	7 14	Azamgarh	
...	...	...	24 0	24 0	21 0	70 0	70 0	100 0	10 0	10 0	10 0	8 0	9 0	9 0	Mirzapur	
...	...	...	23 14	23 5	21 11	90 0	90 0	140 0	10 6½	10 6½	11 4	10 2	10 2	10 2	Benares	
...	...	...	27 0½	27 1½	25 12	128 12	128 12	130 0	10 15½	10 15½	11 0	10 5	10 5	9 10½	Ghazipur	
...	...	...	25 8	26 4	25 0	90 0	90 0	100 0	11 4	11 4	11 4	11 0	11 4	11 4	Balia	
...	...	...	24 7	23 8	18 12	150 0	150 0	150 0	13 0	13 0	12 12	12 8	12 8	11 12	Pilibhít	
...	...	...	31 0	31 0	25 0	160 0	160 0	160 0	12 4	12 4	11 4	12 0	12 0	11 8	Sultánpur	Oudh.
...	...	...	26 10½	26 2	21 13	200 0	200 0	200 0	11 0	11 0	11 0	10 10	10 10	10 10	Partábgarh	
...	...	...	27 8	26 0	24 0	120 0	120 0	140 0	11 8	11 2	11 0	11 0	10 4	10 0	Fyzabad	
...	...	...	26 8	29 0	19 0	120 0	120 0	160 0	11 0	10 10	11 0	10 8	10 10	10 0	Kheri	
...	...	...	23 0	23 1	21 6	115 0	115 0	110 0	11 2½	11 0	10 8	10 10½	10 8	10 0	Lucknow	
...	...	...	25 0	29 0	22 0	130 0	130 0	130 0	12 0	12 0	12 0	11 0	11 0	10 0	Bara Banki	
...	...	...	30 0	32 0	15 0	160 0	160 0	160 0	...	.	...	9 8	9 8	9 8	Bahraich	
...	...	...	24 0	24 0	20 4	160 0	160 0	160 0	..	...	...	12 0	11 0	9 0	Rai Bareli	
...	...	...	27 1½	27 14	21 0	160 0	160 0	160 0	12 8	12 8	12 0	11 8	11 8	10 8	Sitapur	
...	...	...	33 8	33 6	27 2	200 0	200 0	240 0	11 4	11 4	11 4	11 0	11 0	11 0	Gonda	
...	...	...	25 0	24 8	23 0	160 0	160 0	160 0	...	..	...	12 0	12 0	11 8	Unao	
...	...	...	21 9	20 10	22 8	200 0	200 0	240 0	9 6	9 6	9 6	7 8	7 8	7 8	Hardui	
...	...	...	29 8	26 4	26 8	95 0	95 0	95 0	15 4	15 4	15 4	15 0	15 0	15 0	Gujranwála (a)	Punjab.
...	...	...	29 0	25 0	29 0	80 0	80 0	80 0	15 0	15 0	15 0	14 0	14 0	14 0	Lahore (b)	
...	...	...	30 8	25 0	34 0	100 0	100 0	100 0	13 4	12 12	13 0	13 0	12 8	13 0	Ferozepore (b)	
...	...	...	33 0	29 0	38 0	120 0	120 0	120 0	12 0	12 0	11 0	11 8	11 8	10 8	Sirsa (c)	
...	...	...	27 0	25 0	29 0	120 0	120 0	80 0	12 0	12 0	10 8	11 8	11 8	10 0	Hissar (b)	
...	...	...	23 0	20 8	25 0	100 0	100 0	100 0	12 0	11 8	11 1	11 0	10 0	10 5	Rohtak (d)	
...	...	...	22 0	20 0	24 0	120 0	140 0	120 0	12 0	12 0	12 0	12 0	12 0	12 0	Gurgaon (b)	
...	...	...	21 0	19 12	22 8	80 0	80 0	80 0	12 8	12 8	12 8	11 8	11 8	11 8	Delhi (b)	
...	...	...	24 0	21 8	26 0	140 0	140 0	160 0	12 0	12 4	11 8	11 12	12 0	11 4	Karnal (b)	
...	...	...	27 0	21 8	27 12	160 0	140 0	140 0	14 2	14 0	13 12	14 0	13 4	13 8	Umballa (e)	
...	...	...	29 0	23 0	30 8	100 0	100 0	100 0	14 0	14 11	14 10	14 0	14 0	14 8	Ludhiana (b)	
...	...	...	18 4	14 0	18 4	80 0	80 0	80 0	11 0	10 5	10 8	10 5	9 11	9 14	Simla (f)	

(a) Prices have fallen except that of rice.

(e) Wheat, barley, jowar, and gram falling, bajra rising.

(f) Wheat, gram and salt falling.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Provinces	Districts	Wheat. Present fortnight. S. Ch.	Wheat. Past fortnight. S. Ch.	Wheat. Corresponding fortnight of 1882. S. Ch.	Barley. Present fortnight. S. Ch.	Barley. Past fortnight. S. Ch.	Barley. Corresponding fortnight of 1882. S. Ch.	Rice (best sort). Present fortnight. S. Ch.	Rice (best sort). Past fortnight. S. Ch.	Rice (best sort). Corresponding fortnight of 1882. S. Ch.	Rice (common). Present fortnight. S. Ch.	Rice (common). Past fortnight. S. Ch.	Rice (common). Corresponding fortnight of 1882. S. Ch.	Great Millet (Cholum, Jowar), Holcus Sorghum. Present fortnight. S. Ch.	Great Millet. Past fortnight. S. Ch.	Great Millet. Corresponding fortnight of 1882. S. Ch.	Bajrah Millet (Cumboo, Bajra), Penicillaria Spicata. Present fortnight. S. Ch.	Bajrah Millet. Past fortnight. S. Ch.	Bajrah Millet. Corresponding fortnight of 1882. S. Ch.
PUNJAB—continued.	Kángra	20 0	18 0	24 0	32 0	28 0	40 0	...	...	...	14 0	13 0	15 0	...	...	...	...	...	...
	Jullundur (a)	20 0	17 0	24 12	30 0	26 0	34 0	...	...	...	6 0	6 0	8 0	28 0	22 0	32 0	24 0	24 0	19 0
	Hoshiárpur (b)	20 0	17 8	25 8	24 0	28 0	25 0	...	...	...	11 0	11 8	11 0	...	...	30 0	20 0	16 0	17 0
	Gurdáspur (a)	24 8	20 0	30 0	28 0	26 0	40 0	...	...	...	14 0	14 0	16 0	30 0	28 0	24 0	14 0	14 0	14 0
	Amritsar (c)	21 8	19 8	25 8	30 0	29 4	41 0	...	...	...	11 8	10 8	11 8	27 4	24 8	29 4	24 8	25 8	22 8
	Siálkot (a)	22 0	21 0	26 0	35 0	32 0	41 0	...	...	...	13 0	12 0	14 0	32 0	33 0	27 0	29 0	32 0	21 0
	Gujrát (d)	23 0	22 4	25 8	36 0	42 0	43 0	...	...	...	12 0	13 8	12 0	36 8	39 0	27 0	33 8	34 0	28 8
	Jhelum	21 0	20 0	23 8	28 0	27 0	32 0	...	...	...	10 0	11 0	10 0	33 0	36 0	25 0	29 0	31 0	24 0
	Ráwalpindi (e)	23 0	20 8	21 8	32 0	32 0	33 0	...	...	...	7 8	8 8	11 8	36 8	33 0	31 0	35 8	30 8	24 0
	Shahpúr	26 0	22 0	20 12	41 0	36 0	32 0	...	...	...	15 0	15 0	13 0	34 0	34 0	22 0	34 0	34 0	21 0
	Jhang (f)	21 4	17 8	20 0	30 0	28 8	31 0	...	...	...	9 4	8 0	11 0	26 11	27 0	20 0	30 0	30 0	18 0
	Montgomery	17 0	16 0	20 0	26 0	23 0	24 0	...	...	...	5 8	6 0	5 8	...	...	20 0	...	...	16 0
	Mooltan (g)	15 8	14 8	17 0	27 0	25 0	29 0	...	...	...	10 0	10 0	10 0	24 0	26 0	30 0	24 0	26 0	24 0
	Muzaffargarh (h)	17 0	17 12	18 8	25 0	27 0	26 0	...	...	...	5 0	5 0	7 0	21 0	21 0	18 0	16 0	23 0	18 0
	Dera Ghazi Khan	17 8	16 14	17 8	27 8	30 0	20 0	...	...	...	10 0	10 0	7 8	32 8	32 8	21 4	30 0	32 8	20 0
	Dera Ismail Khán (i)	21 4	20 10	19 8	35 0	32 8	27 8	...	...	...	8 2	8 7	9 1	40 0	40 0	30 6	30 0	32 8	25 1
	Bannu	29 6	29 6	30 10	41 4	42 8	42 8	...	...	...	8 12	8 12	10 0	45 0	50 0	35 0	30 0	37 8	30 0
	Kohát (j)	19 10	19 12	17 8	31 14	31 14	31 14	...	...	...	11 8	11 8	11 8	30 10	36 15	21 10	30 10	35 11	21 10
	Peshówar (k)	20 8	18 10	19 0	32 0	30 8	35 12	...	...	...	11 5	12 0	9 8	23 6	25 4	27 0	27 4	22 0	14 0
	Házára	25 0	24 0	...	40 0	37 0	40 0	...	...	...	12 0	14 0	13 0	34 0	30 0	...	28 0	30 0	...
CENTRAL PROVINCES.	Nágpur	18 12	17 12	17 0	...	...	...	9 0	9 4	9 8	16 0	16 0	16 0	29 0	28 12	26 12	...	...	...
	Bhandára	20 0	20 0	18 4	...	...	...	10 0	10 0	10 8	20 0	18 8	21 4	35 0	35 0	22 8	...	...	...
	Chanda	19 0	19 0	19 0	...	...	...	..	...	...	15 0	15 0	13 0	27 8	27 8	24 0	...	...	...
	Wardha	20 0	20 0	18 8	...	...	...	10 0	10 0	8 12	12 0	14 0	14 12	26 0	27 0	23 0	...	...	...
	Bálaghát	18 0	18 0	17 0	...	...	...	15 0	15 0	15 0	23 0	23 0	27 0	...	...	...	...	...	...
	Jubbulpore	19 0	18 8	16 0	20 0	19 0	21 0	10 0	9 0	10 0	15 0	14 8	13 0	23 0	21 0	16 0	17 8	17 0	15 0
	Saugor	20 8	22 0	18 8	...	...	...	8 0	8 0	8 0	11 0	9 0	9 0	...	...	...	...	...	...
	Damoh	26 8	25 4	22 8	...	...	...	10 12	10 8	14 8	12 0	11 8	15 0	...	...	...	...	...	...
	Seoni	21 0	20 8	19 0	...	...	...	12 8	11 8	13 8	16 0	15 0	19 0	...	...	...	...	...	...
	Mandla	25 0	25 0	19 0	...	...	...	15 0	15 0	14 0	18 8	19 0	19 8	...	...	...	...	...	...
	Betúl	18 0	18 0	16 0	...	...	...	10 8	10 8	9 0	11 0	11 0	10 0	19 8	19 8	20 0	...	...	...
	Chhindwara	25 8	25 0	17 0	...	...	...	8 8	9 8	8 0	14 8	14 8	13 0	31 0	32 12	22 0	...	...	...
	Hoshangabad	15 6	15 7	15 7	...	...	...	4 0	4 0	4 8	9 12	9 9	11 4	21 0	21 0	23 10	19 4	19 4	23 10
	Narsinghpur	17 8	18 4	15 8	...	...	...	9 0	9 4	10 0	11 8	12 8	12 8	...	...	...	...	...	...
	Nimar	16 8	16 8	16 0	...	...	...	12 9	12 9	...	14 14	14 14	12 0	20 10	20 10	30 0	20 0	20 0	25 0
	Raipur	21 0	20 0	27 0	...	...	...	17 8	17 8	20 0	31 8	31 8	40 0	...	...	...	...	...	...
	Sambalpur	16 8	17 0	22 12	...	...	...	29 5	31 8	35 0	32 11	35 0	44 0	...	...	...	...	...	...
	Biláspur	25 0	25 0	45 0	...	...	...	33 4	23 0	54 0	44 0	39 0	84 0	...	...	...	...	...	...
BRITISH BURMA.	*Arakan Division.*																		
	Akyab	6 6	6 6	6 6	...	...	...	7 0	7 8	14 0	9 0	10 0	16 0	...	...	...	...	...	...
	Northern Arakan	...	...	...	...	...	...	10 0	...	10 0	11 0	...	11 0	...	...	...	...	...	...
	Kyoukpyoo	...	...	...	...	...	...	8 11	8 0	18 0	10 8	9 7	19 6	...	...	...	...	...	...
	Sandoway	...	...	...	...	...	...	17 2	17 2	22 14	19 2	19 2	26 13	...	...	...	...	...	...
	Pegu Division.																		
	Rangoon Town	11 0	12 2	15 5	...	...	...	11 10	10 8	12 8	12 8	12 8	13 13	...	...	...	...	...	...
	Tharrawaddy	...	...	...	...	...	...	7 2 4/7	7 2 4/7	10 13 4/7	7-14 4/11	7-14 4/11	13 6 6/7	...	...	...	...	...	...
	Prome	9 11	9 11	12 2	...	...	...	11 8	9 9	12 8	13 1	13 1	17 2	...	...	...	...	...	...
	Irrawaddy Division.																		
	Henzada	...	...	...	...	...	...	11 15	11 15	14 5	15 10	15 10	19 8	...	...	...	...	...	...
	Thonegwa	...	...	...	...	...	...	8 6	8 6	10 12	10 7	10 7	14 11	...	...	...	...	...	...
	Thayetmyo	9 4	9 4	10 1	...	...	...	10 8	10 3	10 13	11 13	11 13	13 13	...	...	...	...	...	...
	Tenasserim Division.																		
	Moulmein Town & Amherst	12 2	12 2	10 0	...	..	...	9 0	9 0	12 10	12 8	12 8	20 4	...	...	...	...	...	...
	Tavoy	...	...	...	...	...	.	12 6	12 6	13 12	17 15	17 15	22 14	...	...	...	...	...	...
	Toungoo	...	...	...			...	14 8	12 13	13 5	16 1	14 8	21 5	...	...	...	...	...	...
	Shwaygyin	...	...	...	...	...	...	9 1	10 10	12 7	11 5	12 7	13 13	...	...	...	...	...	...
	Salween	...	...	.	..	...	...	.	...	...	...	...	...	...	...	...	...	...	...
HYDERABAD ASSIGNED DISTRICTS.	Secunderabad	No return received																	
	Bolarum	No return received			...	...	...	...	...	...	...	...	...	...		...	...	...	...
	Chudderghat	No return received																	
	Amraoti	16 0	16 0	16 0	10 0	10 0	11 0	8 0	8 0	8 0	10 0	10 0	10 0	26 0	28 0	28 0	16 0	16 0	18 0
	Akola	16 0	1[illegible] 0	17 0	...	...	...	7 0	7 0	7 0	13 0	13 0	10 0	24 0	24 0	30 0	21 0	21 0	16 0
	Ellichpur	16 0	15 0	15 0	14 0	12 0	12 0	10 0	8 0	8 0	14 0	10 0	12 0	27 0	25 0	23 0	24 0	21 0	22 0
	Buldana	18 0	18 0	17 0	...	...	...	...	...	...	11 0	11 0	11 0	26 0	26 0	32 0	24 0	24 0	28 0
	Wun	18 8	18 8	14 0	...	...	...	8 0	8 0	7 0	13 0	13 0	10 0	31 8	31 8	22 0	...	...	...
	Basim	21 0	20 0	20 0	...	...	...	5 12	6 0	5 0	13 0	13 0	13 8	27 0	29 0	34 0	...	...	...

(a) Prices falling. (b) Prices rising. (c) Wheat, barley, rice, jowar, gram falling, bajra rising. (d) Barley, bajra, jowar, gram, salt, rice rising, wheat falling.
(h) Wheat, barley, bajra, gram rising. (i) Wheat, barley and gram slightly falling; rice, bajra rising slowly.

INDIA FOR THE 1st HALF OF SEPTEMBER 1883—*continued.*

IN SEERS OF 80 TOLAHS.

Lesser Millets, Ragi, &c. (Kavara, Veragu, Sawan, Cheena, Cocaloo, Mundwa, Kangni, Pandum Milaceum, &c.)			Gram.			Firewood.			Salt. Wholesale.			Salt. Retail.			Districts.	Provinces.
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.		
...	...	...	18 0	17 0	21 0	140 0	140 0	140 0	10 8	10 8	10 8	10 0	10 0	10 0	Kángra	PUNJAB—*continued.*
...	...	...	25 8	23 0	28 2	110 0	110 0	100 0	14 8	14 0	14 4	14 0	13 8	13 4	Jullundur (a)	
...	...	...	24 0	23 0	28 0	110 0	110 0	100 0	14 0	14 0	13 12	13 12	13 12	13 8	Hoshiárpur (b)	
...	...	...	25 8	23 0	31 0	120 0	120 0	120 0	13 0	13 0	13 8	12 0	12 0	13 0	Gurdáspur (a)	
...	...	...	30 8	24 4	32 4	80 0	80 0	80 0	15 5	15 5	14 12	14 13	14 13	14 6	Amritsar (c)	
...	...	...	26 8	25 0	25 8	120 0	130 0	130 0	15 8	15 0	15 0	15 0	15 0	14 0	Siálkot (a)	
...	...	...	26 0	28 4	24 8	100 0	100 0	100 0	*	*	*	15 0	14 2	15 0	Gujrát (d)	
...	...	...	25 0	22 0	23 8	120 0	120 0	160 0	16 0	16 0	16 8	15 8	15 8	16 0	Jhelum	
...	...	...	29 0	24 4	23 4	88 0	80 0	95 0	15 4	15 0	14 12	14 12	14 8	14 8	Ráwalpindi (e)	
...	...	...	36 0	30 0	24 0	320 0	320 0	320 0	17 0	16 0	17 0	16 0	15 0	16 0	Shahpúr	
...	...	...	26 11	24 0	22 0	200 0	200 0	200 0	14 0	14 4	15 4	13 12	14 0	15 0	Jhang (f)	
...	...	...	27 0	23 0	26 0	200 0	200 0	200 0	12 0	13 0	12 0	11 0	12 0	11 0	Montgomery	
...	...	...	24 0	23 0	23 8	90 0	90 0	90 0	14 0	14 4	14 12	13 8	13 12	14 8	Mooltan (g)	
...	...	...	21 0	23 0	19 8	90 0	90 0	120 0	*	*	*	13 8	13 8	12 0	Muzaffargarh (h)	
...	...	...	23 12	22 8	18 12	100 0	100 0	100 0	31 4	31 4	31 4	28 12	28 12	27 8	Dera Ghazi Khán	
...	...	...	30 0	29 6	24 0	125 0	125 0	100 0	50 0	50 0	55 0	47 8	47 8	53 0	Dera Ismail Khán (i)	
...	...	...	30 10	36 4	30 10	80 0	80 0	80 0	100 0	100 0	120 0	80 0	80 0	100 0	Bannu	
...	...	...	25 8	25 8	16 9	102 0	102 0	102 0	71 6	71 6	96 15	66 5	66 5	84 0	Kohát (j)	
...	...	...	24 0	21 8	16 8	105 0	96 0	96 0	44 3	44 3	55 4	43 0	43 0	53 0	Peshàwar (k)	
...	...	...	24 0	23 0	...	140 0	140 0	70 0	*	*	*	11 0	11 8	12 0	Házára	
...	...	...	20 8	20 12	19 4	120 0	110 0	150 0	12 0	12 0	11 8	11 12	11 12	11 4	Nágpur	CENTRAL PROVINCES.
...	...	...	21 0	25 0	19 8	96 0	118 0	...	10 0	10 8	11 0	9 12	10 0	10 12	Bhandára	
...	...	...	21 8	21 8	27 0	360 0	360 0	360 0	...	...	...	10 0	10 0	9 8	Chánda	
...	...	...	19 0	20 0	24 0	120 0	120 0	125 0	11 8	12 0	12 4	11 0	11 0	12 0	Wardha	
...	...	...	25 0	25 0	32 0	275 0	275 0	275 0	9 4	9 4	10 0	8 8	8 8	10 0	Bálaghát	
...	...	...	26 0	25 8	25 0	120 0	120 0	120 0	11 4	11 0	11 12	10 12	10 8	11 8	Jubbulpore	
...	...	...	26 0	27 0	23 8	160 0	160 0	160 0	9 8	...	8 12	9 0	9 0	8 8	Saugor	
...	...	...	37 0	37 0	35 0	200 0	200 0	200 0	10 0	9 4	9 12	9 12	9 0	9 8	Damoh	
...	...	...	26 0	26 0	16 0	220 0	220 0	210 0	10 8	10 8	11 0	10 0	10 0	10 12	Seoni	
25 0	25 0	25 8	40 0	40 0	35 0	256 0	256 0	256 0	...	...	..	8 0	8 8	9 8	Mandla	
15 0	15 0	14 0	18 0	18 0	15 0	320 0	320 0	240 0	8 8	9 0	8 8	8 0	8 0	8 0	Betúl	
16 0	14 8	18 0	30 0	30 0	21 0	200 0	200 0	200 0	9 0	9 0	10 0	8 0	8 0	9 0	Chhindwára	
...	...	...	26 7	21 6	21 6	160 0	160 0	160 0	11 8	11 8	9 8	10 8	11 0	9 0	Hoshangabad	
...	...	...	24 8	25 0	25 0	140 0	140 0	160 0	11 0	10 8	10 8	10 8	10 0	10 0	Narsinghpur	
...	...	...	20 4	20 4	18 0	160 0	160 0	120 0	13 13	13 13	13 0	13 0	13 0	12 12	Nimár	
...	...	...	28 8	28 8	30 0	64 0	64 0	64 0	10 0	10 0	9 6	9 0	9 0	8 12	Raipur	
...	...	...	16 13	18 0	28 8	120 0	120 0	110 0	10 8	10 8	10 0	8 15	9 8	9 0	Sambalpur	
123 4	118 0	150 0	34 0	34 0	56 0	120 0	120 0	120 0	...	...	...	8 0	8 0	7 0	Biláspur	
															Arakan Division.	BRITISH BURMA.
...	...	...	10 0	10 0	10 0	160 0	120 0	160 0	40 0	40 0	40 0	35 0	35 0	32 0	Akyab	
...	...	...	...	...	...	...	...	...	...	...	...	9 0	...	8 0	Northern Arakan	
...	...	...	4 0	4 0	4 0	50 0	50 0	160 0	...	...	...†	30 0	30 0	36 0	Kyoukpyoo	
...	...	...	...	...	...	469 11	469 11	469 11	...	...	...	39 0	39 0	28 6	Sandoway	
															Pegu Division.	
...	...	...	19 2	19 2	19 7	320 0	320 0	320 0	50 11	50 11	50 11	22 10	22 10	22 10	Rangoon Town	
...	...	...	17 13 7/8	17 13 7/8	13 9 3/4	535 11 7/8	535 11 7/8	535 11 7/8	...	...	..	27 7 5/31	35 11 7/8	27 7 5/31	Tharrawaddy	
...	...	...	15 9	15 9	18 13	139 11	139 11	139 11	25 5	25 5	29 9	16 9	16 9	18 10	Prome	
															Irrawaddy Division.	
...	...	...	...	..	..	183 8	183 8	183 8	29 9	29 9	29 9	29 9	29 9	29 9	Henzada	
...	...	...	16 13	16 13	22 7	246 0	246 0	184 8	33 12	33 12	37 5	32 4	32 4	35 7	Thonegwa	
...	...	...	13 13	13 13	17 1	245 0	245 0	245 0	25 5	25 5	26 4	18 15	18 15	18 15	Thayetmyo	
															Tenasserim Division.	
...	...	...	12 3	12 3	11 1	220 0	220 0	220 0	35 8	35 8	47 7	25 5	25 5	35 8	Moulmein Town & Amherst	
...	...	...	...	...	...	399 8	399 8	399 3	24 2	24 2	24 2	16 1	16 1	16 1	Tavoy	
...	...	...	12 9	12 9	12 9	24 0	24 0	24 0	3 3	3 3	30 12	2 10	2 10	18 12	Toungoo	
...	...	...	...	...	...	250 0	250 0	250 0	35 6	35 6	32 3	18 14	18 14	18 14	Shwaygyin	
...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	Salween	
	...	...	...	...	...	...	...	...	...	...	...	No return received			Secunderabad, Bolarum, Chudderghat	HYDERABAD ASSIGNED DISTRICTS.
...	...	...	18 0	18 0	19 0	64 0	64 0	64 0	12 8	12 8	12 0	12 0	12 0	11 8	Amraoti	
8 0	8 0	7 8	18 0	18 0	23 0	64 0	64 0	64 0	10 0	10 0	11 0	10 0	10 0	10 0	Akola	
...	...	...	17 0	16 0	17 0	64 0	64 0	64 0	...	...	...	9 0	9 0	9 0	Ellichpur	
...	...	...	16 0	16 0	22 0	...	...	...	...	...	...	11 0	11 0	10 0	Buldana	
...	...	...	18 0	18 0	20 0	200 0	200 0	100 0	...	...	...	11 0	11 0	8 0	Wun	
...	...	...	20 0	20 0	25 0	64 0	64 0	64 0	10 8	10 8	9 8	10 0	10 0	9 0	Básim	

(e) Wheat, bajra, gram, jowar, salt and firewood falling, rice rising. (f) Wheat, barley, rice and gram falling, jowar, salt, rising. (g) Bajra, jowar, salt, rising; wheat, barley, gram falling.
(j) Wheat, bajra, jowar rising. (k) Rice rising; wheat, barley, bajra and gram falling. * No wholesale salt sold. † R48 per 100 maunds wholesale.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Provinces.	Districts.	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of 1882.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of 1882.	Rice (best sort). Present fortnight.	Rice (best sort). Past fortnight.	Rice (best sort). Corresponding fortnight of 1882.	Rice (common). Present fortnight.	Rice (common). Past fortnight.	Rice (common). Corresponding fortnight of 1882.	Great Millet (Cholum, Jowar), *Holcus Sorghum*. Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of 1882.	Bulrush Millet (Cumboo, Bajra), *Penicillaria Spicata*. Present fortnight.	Bulrush Millet. Past fortnight.	Bulrush Millet. Corresponding fortnight of 1882.
		S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Mysore	Bangalore	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Kolar																		
	Túmkúr																		
	Mysore																		
	Hassan																		
	Shimoga																		
	Kadur																		
	Chitaldroog																		
Coorg	Coorg	8 7	8 7	8 14	9 15	9 10	8 7	14 3	13 11	10 10	18 11	18 9	13 10	...	...	...	...	...	...
Rajpootana	Jeypore	16 0	15 8	16 4	22 8	21 0	22 0	6 0	6 0	6 0	8 8	8 8	9 0	20 0	20 0	20 0	19 8	19 4	19 0
	Kishengurh	16 12	15 4	17 0	23 4	20 0	24 8	9 0	9 0	8 0	10 0	10 0	10 0	23 8	19 8	24 0	16 8	14 8	20 8
	Kerrowlee	16 14	15 15	17 13	25 10	21 14	22 8	10 0	10 0	12 8	11 4	11 4	13 8	25 10	21 14	22 8	21 4	19 6	19 10
	Ulwur	17 5	16 4	19 1	22 14	20 9	26 13	8 10	8 10	9 0	10 8	10 8	11 14	22 0	21 12	23 8	17 12	19 4	19 5
	Bhurtpore (City)	*	16 0	18 3	*	22 9	26 0	*	7 12	6 8	*	9 6	11 0	*	20 0	22 8	*	20 8	17 3
	Ajmere	15 8	14 8	16 0	22 0	20 8	23 12	5 0	5 0	5 0	8 0	8 0	8 0	16 0	16 0	18 0	16 0	13 0	18 0
	Deoli Cantonment	17 3	18 11	17 5	24 15	25 9	22 5	...	...	...	13 0	13 0	10 8	20 13	24 13	20 0	18 0	18 0	20 12
	Erinpura	13 12	13 12	16 12	20 12	20 12	28 9	...	...	...	7 13	7 13	8 0	19 0	19 0	20 9	17 10½	17 10½	24 11
	Sirohee	11 8	11 4	15 0	20 0	22 0	25 0	6 8	6 8	7 0	7 8	7 8	8 0	14 0	14 0	17 0	15 0	15 0	20 0
	Abu	11 12	11 0	15 4	16 14	17 10	23 0	7 0	6 6	6 8	8 4	7 6	8 0	...	...	...	13 0	13 2	18 0
	Anadra	11 14	12 2	17 0	17 14	20 14	26 0	6 14	6 14	7 0	8 2	7 14	9 0	...	...	...	13 8	14 8	20 0
	Hilly Tracts of Meywar	21 0	15 0	20 0	25 0	24 0	25 0	...	...	...	15 0	13 0	16 0	...	...	...	...	...	...
	Meywar (Oodeypore)	13 13¾	13 7½	14 10½	17 9¼	17 15½	19 8½	9 6	9 6	9 12½	...	...	...	...	...	...	...	...	...
	Bánswára (Meywar Agency)	21 0	20 0	21 14	...	...	...	10 0	10 0	8 12	17 8	17 8	18 12	...	...	...	...	...	...
	Partábgarh („)	17 8	17 15½	18 0	...	...	...	8 7	9 6	10 5	9 6	10 10	13 3	...	...	...	...	...	...
	Marwar (Jodhpore)	15 10	12 13	16 9	20 0	17 8	22 8	6 4	6 4	6 4	7 8	7 8	7 8	21 9	18 12	25 0	18 12	15 10	21 4
	Bikaneer	10 6	9 5	13 8	...	...	...	3 6	3 6	3 4	5 12	5 12	6 8	...	...	...	18 0	15 8	20 8
	Boondee	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Kotah	21 0	20 0	17 0	25 0	25 0	18 0	8 0	8 0	9 0	11 0	11 0	13 0	25 0	22 0	23 0	12 8	12 8	15 8
	Tonk	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Jhallawar	17 5	16 3	14 2½	20 0	20 14	15 15	...	...	...	7 1	7 14	10 2	22 6	21 14	18 12	17 1	17 1	15 13
	Shahpoora	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Dholpur	16 10	15 6	18 8	24 4	21 11	27 4	10 2	10 2	9 2	10 15	11 4	12 6	21 1	21 3	24 7	22 10	19 5	24 0
Central India	Indore	14 8	14 8	16 0	...	...	...	8 9	9 3	8 0	10 0	10 14	10 0	19 3	20 0	22 14	19 3	18 7	23 14
	Gwalior	15 9	15 0	16 5	19 11	21 8	20 10	7 7	7 5	7 13	8 13	9 2	10 1	21 15	21 15	21 0	18 4	18 12	20 2
	Goona	23 0	21 4	20 4	20 0	20 0	19 0	8 8	9 0	9 8	9 0	9 8	10 0	35 0	32 0	23 0	20 0	20 0	16 0
	Baghelkhand (Sutna)	24 3	22 4	21 0	39 0	35 12	32 0	7 0	7 0	8 0	17 6	17 8	18 0	37 0	35 0	32 0	30 6	30 0	24 0

* Not received.

DEPARTMENT OF FINANCE AND COMMERCE,
(*Statistical Branch.*)

Central Provinces.

British Burma.

Hyderabad Assigned Districts.

INDIA FOR THE 1st HALF OF SEPTEMBER 1883—*concluded.*

IN SEERS OF 80 TOLAHS.

Lesser Millets, Ragi, &c. (Kavaru, Veragu, Sawee, Cheena, Coraloo, Murhwa, Nuglee), *Panicum Miliaceum, &c.*			Gram.			Firewood.			Salt. Wholesale.			Salt. Retail.			DISTRICTS.	PROVINCES.
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.		
...	...	...	...	...	...	...	...	...	...	...	...	No return received			Bangalore Kolar Túmkúr Mysore Hassan Shimoga Kadur Chitaldroog	MYSORE.
32 2	30 9	21 5	29 12	28 6	22 2	110 0	110 0	110 0	10 1	9 14	8 10	9 10	9 11	8 2	Coorg	COORG
...	...	...	21 8	20 8	19 0	...	...	...	15 0	15 0	14 4	14 12	14 12	14 0	Jeypore	RAJPOOTANA.
...	...	...	23 8	21 8	21 8	...	...	...	...	...	...	16 0	16 0	16 0	Kishengurh	
...	...	...	26 0	21 14	22 8	...	...	...	13 5	13 12	13 14	13 0	13 8	13 8	Kerrowlee	
...	...	...	22 11	20 6	24 8	...	...	...	15 7	15 7	15 13	14 12	14 12	15 6	Ulwur	
...	...	...	*	21 8	23 0	...	...	...	*	12 4	12 4	*	12 0	12 0	Bhurtpore (City)	
...	...	...	23 0	22 0	22 0	80 0	70 0	70 0	17 0	17 0	...	15 0	15 0	15 0	Ajmere	
...	...	...	25 8	25 9	21 10	...	...	...	...	...	...	12 12	12 12	12 12	Deoli Cantonment	
									R a. p.	R a. p. per md.	R a. p.					
...	...	...	18 7	18 7	22 8	160 0	160 0	160 0	3 1 3	3 1 3	3 1 2	12 0	12 0	12 0	Erinpura	
...	...	...	16 0	17 0	21 0	160 0	160 0	160 0	3 0 0	3 0 0	3 0 0	12 5	12 5	12 5	Sirohee	
...	...	...	15 4	14 4	21 4	160 0	160 0	160 0	3 8 0	3 8 0	3 8 0	11 8	11 8	11 8	Abu	
...	...	...	15 8	15 12	24 0	...	...	...	3 4 0	3 4 0	3 4 0	12 4	12 4	12 4	Anadra	
...	...	...	20 0	18 0	23 0	†	†	†	3 10 0	4 0 0	...	11 0	10 0	10 0	Hilly Tracts of Meywar	
									S. Ch.	S. Ch.	S. Ch.					
...	...	...	15 8½	17 3	16 0½	5 0	5 0	5 0	9 9	9 6	9 15½	9 6	8 15½	9 12½	Meywar (Oodeypore)	
									R a. p.	R a. p. per md.	R a. p.					
...	...	...	35 0	30 0	35 0	...	...	...	3 13 0	...	...	10 10	10 10	11 4	Bánswára (Meywar Agency)	
...	...	...	20 5	21 3	21 9	...	...	...	2 7 6	...	...	16 4	16 7½	9 11	Partábgarh („)	
...	...	...	20 0	16 9	22 8	...	...	...	2 10 0	2 10 0	2 8 0	15 0	15 0	15 10	Murwar (Jodhpore)	
									S. Ch.	S. Ch.	S. Ch.					
...	...	...	17 12	16 4	18 0	...	...	...	...	...	...	11 8	11 8	11 8	Bikaneer	
...	...	...	...	...	...	...	...	...	...	...	...	No return received			Boondee	
...	...	...	27 0	27 0	26 0	240 0	240 0	240 0	12 8	12 8	12 12	12 0	12 0	12 4	Kotah	
...	...	...	...	...	...	...	...	...	...	...	...	No return received			Tonk	
		...	22 4	21 4	17 15	...	...	...	10 2	9 12	10 12	9 14	9 8	10 10	Jhallawar	
...	...	...	...	...	...	...	...	...	...	...	.	No return received			Shahpoora	
...	...	...	23 9	21 0	26 0	...	...	...	13 8	13 8	13 3	12 10	12 10	12 6	Dholpur	
...	...	...	17 12	17 7	18 7	100 0	100 0	100 0	12 0	12 0	12 5	11 5	11 6	...	Indore	CENTRAL INDIA.
...	...	...	21 0	20 1	22 7	109 8	127 12	109 8	...	...	...	11 7	11 7	11 14	Gwalior	
...	...	...	32 0	30 0	25 0	200 0	200 0	200 0	12 8	12 0	11 8	12 0	11 8	11 0	Goona	
...	...	...	33 10	30 13	30 0	160 0	160 0	160 0	11 15	11 5	12 4	11 4	11 4	11 10	Baghelkhand (Sutna)	

† Eight pies per bundle.

D. BARBOUR,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY TRAFFIC.

No. XXXVI of 1883.

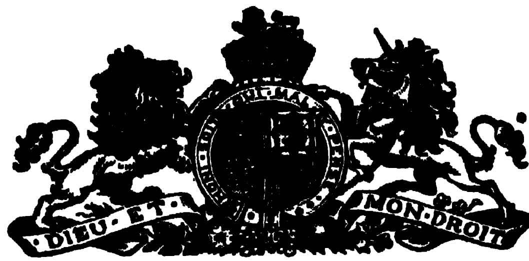
APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

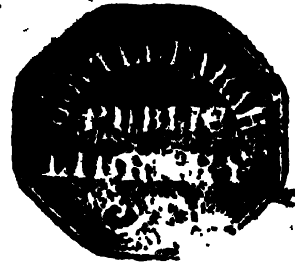
Latest return received.	Railways.	Total mean length open.	Receipts for week ending 16th September 1882.		Total mean length open.	Receipts for week ending 15th September 1883.		Total Receipts from 1st April to 16th September 1882.		Total Receipts from 1st April to 15th September 1883.		Total Increase in 1883-84.	Total Decrease in 1883-84
			Total.	Per mile open.		Total.	Per mile open	Total.	Per mile open per week.	Total.	Per mile open per week.		
	Guaranteed.		R	R		R	R	R	R	R	R	R	R
22nd Sept. 1883	Eastern Bengal	172	1,69,927	988	172	(a)1,05,002	610	22,84,591	550	(a)20,29,095	492	...	2,55,496
15th ditto	Oudh and Rohilkhund	547	69,307	127	547	94,879	173	22,96,190	174	26,84,978	205	3,88,788	...
15th ditto	Sind, Punjab & Delhi	676	1,34,105	198	749	1,61,443	216	42,69,829	262	54,20,564	304	11,50,735	...
15th ditto	Madras	861	1,33,140	155	861	1,19,529	139	33,06,032	159	30,61,519	148	...	2,44,513
15th ditto	South Indian	655	69,747	106	655	83,524	128	18,10,941	115	18,71,643	119	60,702	...
22nd ditto	Great Indian Peninsula	1,451	3,05,653	211	1,451	3,72,159	256	1,48,60,842	424	1,57,12,732	451	8,51,890	...
15th ditto	Bombay, Baroda and Central India	461	61,230	133	461	1,38,552	301	45,99,204	413	52,47,613	474	6,48,409	...
	TOTAL	4,823	9,43,109	196	4,896	10,75,088	219	3,34,27,629	287	3,60,28,144	307	26,00,515	...
	State.												
22nd Sept. 1883	East Indian	1,507	6,63,940	441	1,509	8,97,415	595	1,99,51,231	548	2,36,06,331	653	36,55,100	...
22nd ditto	Calcutta and South-Eastern	33	2,604	79	56	4,790	86	87,527	117	1,36,602	105	49,075	...
22nd ditto	Nalhati	27	1,081	40	27	1,390	51	31,282	48	38,628	59	7,346	...
22nd ditto	Northern Bengal	230	37,313	162	239	40,850	171	8,53,934	153	9,29,542	166	75,608	...
22nd ditto	Tirhoot	75	11,685	156	166	18,958	114	2,97,177	152	3,92,621	100	95,444	...
18th Aug. 1883	Patna-Gya	57	7,071	124	...	(b)	...	(c)1,76,648	154	(d)1,58,868	139	...	17,780
8th Sept. 1883	Muttra-Hathras	29	2,232	77	...	(b)	...	(e)51,856	77	(f)57,808	87	5,952	...
8th ditto	Cawnpore-Furrakhabad	87	5,320	61	...	(b)	...	(e)1,49,399	74	(f)1,49,924	75	525	...
22nd ditto	Dildarnagar-Ghazipur	12	864	72	12	585	49	21,370	73	22,308	77	938	...
22nd ditto	Rajputana-Malwa	1,116	1,67,318	149	1,117	1,66,900	149	47,00,766	174	55,29,176	206	8,28,410	...
22nd ditto	Wardha Coal	45	5,992	133	45	13,206	293	2,39,038	220	3,29,237	305	90,199	...
22nd ditto	Nagpur & Chhattisgarh	98	2,874	29	149	7,333	49	2,56,370	108	6,20,165	173	3,63,795	...
15th ditto	Rangoon and Irrawaddy Valley	161	20,408	127	161	22,545	140	6,30,258	162	6,34,328	164	4,070	...
22nd ditto	Sindia	75	4,716	63	75	4,184	56	1,42,429	78	1,41,265	78	...	1,164
15th ditto	Punjab Northern	409	27,894	68	421	57,125	135	13,23,478	136	14,39,412	142	1,15,934	...
22nd ditto	Indus Valley and Kandahar	660	73,831	112	660	84,975	129	19,33,158	121	34,64,493	219	15,31,335	...
22nd ditto	Muttra-Achnera	23	1,610	70	23	1,310	57	31,307	57	35,113	63	3,806	...
22nd ditto	Kaunia-Dhurla	32	1,506	47	32	3,151	98	34,645	45	45,938	60	11,293	...
22nd ditto	Rewari-Ferozepore	...	...	...	89	7,180	81	...	...	1,57,225	74	1,57,225	...
	TOTAL	3,169	3,74,319	118	(g)3,272	4,34,482	133	1,09,60,642	143	1,42,82,653	173	33,22,011	...
	Assisted Company.												
22nd Sept. 1883	Bengal Central	...	...	..	35	1,636	47	...	...	50,504	60	50,504	...
	Native States.												
15th ditto	Bhavnagar-Goudal	194	9,332	48	193	10,033	52	4,26,487	91	4,70,091	101	43,604	...
15th ditto	Nizam's	121	12,636	104	121	14,707	121	3,97,846	136	3,57,309	123	...	40,537
15th ditto	Mysore	86	5,804	67	86	4,435	52	1,30,594	63	1,20,952	59	...	9,642
22nd ditto	Jodhpore	19	3,113	164	19	500	26	(h)6,192	28	16,820	37	10,628	...
	TOTAL	420	30,875	73	419	29,675	71	9,61,119	97	9,65,172	96	4,053	...
	GRAND TOTAL	9,919	20,12,243	203	(g)10,1[illegible]	21,38,296	241	6,53,00,621	273	7,49,32,804	303	96,32,183	...
	GROSS ESTIMATED EXPENSES	...	...	...	...	...	...	3,36,36,655	141	3,79,41,529	154	...	...
	NET RECEIPTS	...	...	..	...	..	...	16,63,966	132	3,69,91,275	149	53,27,309	...

(a) Exclusive of the Company's share of the earnings of the Bengal Central Railway.
(b) Return not received.
(c) Total receipts from 1st April to 9th August 1882.
(d) Total receipts from 1st April to 18th August 1883.
(e) Total receipts from 1st April to 9th September 1882.
(f) Total receipts from 1st April to 8th September 1883.
(g) Excludes mileage of Patna-Gya, Muttra Hathras and Cawnpore-Furukhabad State Railways (57+29+87).
(h) Total receipts from 24th June to 16th September 1883.

R. A. SARGEAUNT, *Major, R.E.,*
Offg. Under-Secretary.

SIMLA,
The 8th October 1883.





The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 20, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 17th March 1883.

From the 7th April next, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Reports, will be published at Simla. After the 31st March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at Simla.

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts is R5 per annum, payable in advance. When sent by post, R2-8 per annum additional will be charged for postage.

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E. J. DEAN,
Publisher, Gazette of India.

SURVEY OF INDIA.

NOTIFICATION.

Simla, the 15th October 1883.

No. 386.—Mr. Benjamin Robert Hughes is appointed an Assistant Surveyor, 3rd Grade, with effect from 15th October 1883, to fill an existing vacancy.

G. C. DEPRÉE, *Colonel,*
Offg. Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 10th October 1883.

No. 2721.—Captain Donald Robertson, Officiating Political Agent of the 3rd Class, 1st Assistant to the Agent, Governor General, for Central India, availed himself, on the forenoon of the 10th September 1883, of the privilege leave granted to him in Central India Agency Notification No. 2115, dated 15th August 1883, and was recalled from privilege leave for duty on the afternoon of the 28th September 1883. The unexpired portion of the leave, eleven days, is hereby cancelled.

By Order,

D. ROBERTSON, *Captain,*
1st Asst. Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Abu, the 13th October 1883.

No. 3844 G.—With reference to this Office Notification No. 2338 G., dated 12th July 1883,

Lieutenant R. H. Jennings, R.E., on boundary duty in Jhallawar, returned to duty on the forenoon of the 6th October 1883, from the privilege leave granted him in this Office Notification No. 1348 G., dated 5th May 1883.

The 15th October 1883.

No. 3896 *G.*—Major W. J. Muir, Political Agent, Harowtee and Tonk, is granted one month and four days' privilege leave, with effect from the 10th October 1883.

Lieutenant-Colonel C. A. Baylay, Political Agent, Kota, will hold charge of the current duties of the Harowtee and Tonk Agency Office, in addition to his own, during Major W. J. W. Muir's absence.

By Order,

E. A. FRASER,

1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

Camp Mysore, the 8th October 1883.

No. 1121-363.—Chevakapuvana Devaya, Subedar, Nanjarajpatna Taluk, Coorg, is granted one month's privilege leave from the 1st instant, or such subsequent date as he may avail himself of it.

Kutati Chengappa, Parpattigar and 3rd Class Magistrate, Mercara Nad, is appointed to act as Subedar and 3rd Class Magistrate, Nanjarajpatna Taluk, during the absence of C. Devaya on leave, or until further orders.

By Order,

H. WYLIE, *Major*,

Secretary to the Chief Commr. of Coorg.

IN THE COURT OF THE JUDICIAL COMMISSIONER OF COORG.

Criminal Side.

RULE OF PRACTICE No. 5.

Bangalore, the 18th September 1883.

No. 1127-367.—Under Section 553 of the Code of Criminal Procedure and with the concurrence of the Chief Commissioner, the Acting Judicial Commissioner has framed and issues the following Rule directing the necessary endorsements to be made on Warrants issued under Act XIII of 1859 and the Code of Criminal Procedure in bailable offences :—

In cases under Act XIII of 1859, the law leaves it to the discretion of the Magistrate, specially empowered under the Act, to issue either a summons or a warrant. Offences under the Act are not specifically bailable offences. The Acting Judicial Commissioner is of opinion, however, that, except in cases where the Magistrate has good reason to believe that the accused will not obey it, a summons should in the first place ordinarily issue. When the Magistrate issues a warrant for the arrest of persons accused of offences under Act XIII of 1859, and of offences specifically described as bailable in the Code of Criminal Procedure, the Magistrate should endorse on the warrant the particulars required by paragraph 2, Section 76, Code of Criminal Procedure.

By order of the Court,

S. HAMAJEE RAO,

Registrar.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 19th October 1883.

No. 11.—Mr. H. Carson, an Assistant Superintendent of the 1st Grade, is allowed furlough for one year, under Section 51 of the Civil Leave Code, with effect from the forenoon of the 6th of October 1883.

A. J. L. CAPPEL,

Director General of Telegraphs in India.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Simla, the 15th October 1883.

No. 50.—With reference to Public Works Department Notification No. 229, dated 11th October 1883, Mr. W. C. Rennie, Executive Engineer, 1st Grade, sub. *pro tem.*, is posted to the Jhansi-Manickpur Railway.

H. F. HANCOCK, *Col., R.E.*,

Offg. Director General of Railways.

BOARD OF REVENUE.

NOTIFICATION.

Calcutta, the 27th September 1883.

No. 1135½ *B.*—The following rules have been made under section 9 of Act VIII of 1878 by the Board of Revenue, Lower Provinces, with the sanction of the Local Government, and are under Section 204 of the same Act notified for general information :—

CALCUTTA INTERNATIONAL EXHIBITION, 1883-84.

Custom House Arrangements.

1. All entries of goods for the Exhibition must be passed at the Custom House in accordance with the arrangements made by the Collector of Customs.

2. In respect of dutiable goods the Exhibition building is appointed a public warehouse under the provisions of section 15 of Act VIII of 1878, of which Mr. Jules Joubert shall be deemed to be the keeper for the purposes of section 96 of that Act.

3. Packages containing dutiable goods, upon which duty has not been paid, must be entered for bond and appraised and taken in charge of an officer to the Exhibition building in the usual manner. Pending appraisement and removal to the Exhibition building, all such packages will be allowed to remain rent-free in a portion of the Custom House premises set apart for the purpose.

4. At the close of the Exhibition, exhibitors will have to account to the Custom House authorities for all dutiable goods admitted into the Exhibition in accordance with the bond bill of entry. Goods intended for delivery in Calcutta on sale or otherwise will on payment of duty be cleared from bond, and goods intended for re-exportation will be re-shipped from bond in the usual manner.

5. The charges mentioned in the schedule attached to these rules are remitted in respect of goods intended for the Exhibition.

6. No duty will be payable for wines, spirits, or other liquors consumed in the Exhibition for tasting or judging purposes, and a certificate of the amount thus consumed must be obtained from the Secretary to the Executive Committee of the Exhibition and presented by exhibitors to the Custom House officer when accounting for the dutiable goods admitted into the Exhibition. Without such certificate duty will be assessed on all dutiable goods shown by the bills of entry as having been admitted into the Exhibition and which are not forthcoming at its close.

7. The Custom House officers will not have custody of, or be in any way responsible for, goods in the Exhibition building, the custody of which as a public warehouse will rest with Mr. Jules Joubert.

8. These rules apply only to goods intended *boná fide* for Exhibition.

SCHEDULE.

	R	a	p
Entry.			
1. Wharf rent for any time over four days during which they lie at the Custom House	...		
2. Form of bond	1	0	0
3. Two warehousing chalans	0	1	0
4. Peon's fee	0	4	0
5. Officer's fee	4	0	0
Clearance.			
6. Two clearance chalans	0	1	0
7. Officer's fee	4	0	0
8. Re-gauging fee (if in cask)	1	0	0
Re-shipment.			
9. Preventive Officer's fee	4	0	0

C. E. BUCKLAND,

Offg. Secy. to the Board of Revenue.

Report of a Deserter from the 2nd Battalion, Royal Warwickshire Regiment of Foot, dated at Fort William, this 18th day of October 1883.

Number, Rank, and Name,—No. 1897, Private Thomas Smith.
Age,—27 years 11 months.
Size,—5 feet 9½ inches.
Colour of—
Complexion, sallow ; Hair, dark brown; Eyes, grey.
Date of Desertion,—14th October 1883.
Place of Desertion,—Fort William, Calcutta.
Date of Enlistment,—26th November 1878.
At what Place Enlisted,—Warwick.
Parish and County in which Born,—Ross, Ross, Hereford.
Marks,—Scar on right hip.
Trade,—Miner.
Coat or Jacket,— Waistcoat,— Breeches or Trowsers— } Regimentals dyed khaki.
REMARKS,—Front teeth protruding ; very sallow complexion.
Under 5 years' service.

L. B. HOLE, *Lieut.-Colonel,*
Comdg. 2nd Battn., Royal Warwickshire Regt.

Report of a Deserter from the 2nd Battalion, Royal Warwickshire Regiment of Foot, dated at Fort William, this 18th day of October 1883.

Number, Rank, and Name,—No. 1973, Private Alfred Gough.
Age,—26 years 11 months.
Size,—5 feet 7 inches.
Colour of—
Complexion, dark ; Hair, dark brown ; Eyes, grey.
Date of Desertion,—14th October 1883.
Place of Desertion,—Fort William, Calcutta.
Date of Enlistment,—5th February 1879.
At what Place Enlisted,—Birmingham.
Parish and County in which Born,—Bushton, Wooton, Basset, Wiltshire.
Marks,—*Nil.*
Trade,—Labourer.
Coat or Jacket,— Waistcoat,— Breeches or Trowsers— } Regimentals dyed khaki.
REMARKS,—Very stout.
Under 5 years' service.

L. B. HOLE, *Lieut.-Col.,*
Comdg. 2nd Battn., Royal Warwickshire Regt.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury	Currency Department	Under Assay	Assayed.	Held on account of the Currency Department.
1883.	R	R	R	R	R	R
Oct 1	14,500	...	3,08,676	1,32,278	53,48,159	39,55,730
" 2		...	1,06,207	27,264	54,56,644	40,64,208
" 3	1,757	...	12,450	10,730	54,60,363	40,70,924
" 4	.	..	118	16,825	54,74,500	40,77,044
" 5		...	14,611	2,219	54,89,424	40,[illegible],067
" 6	4,07,287	...	..	4,99,506	54,89,424	40,91,067

J. F. TENNANT, *Major-Genl., R.E.,*
Mint Master.

CALCUTTA MINT,
The 18th October 1883.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the num-

bers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
		R	
17	D 17—60677	50	Dabi Das, Umballa.

ALLAHABAD,

The 17th October 1883.

W. COWLEY,
Asst. Acctt. General,
In charge of Paper Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		R	
198	P 76—20870	100	Babu Ramlal Banerjee.
	„ —20871	100	
199	P 11—79976	500	Babu Sumbhoonath Paul.
	P 76—19751	100	
	P 44—50302	100	
	„ —64439	100	
	„ —18665	100	
	„ —70230	100	
200	P 76—22245	100	Babu Gopal Chunder Panjah.
201	P 44—94260	100	Babu Hridoynath Ghose.
	„ —95439	100	

CALCUTTA,

The 19th October 1883.

J. TAYLOR,
Asstt. Comptlr. Genl., in charge, Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Simla, the 11th October 1883.

No. 7593.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, BENGAL.

Babu Radha Kanta Datta is appointed to be Deputy Post Master of the Presidency Post Office, Calcutta.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India,
on special duty.

Unclaimed Letters held in the Calcutta General Post Office on 18th October 1883

Chapman, Mrs. F. G.	McLardy, Hugh & Co.	Thomas, Mrs.
Fraser & Co.	Page, Miss Little.	Tupe, C.
Markay, J.	Prentis, H. L.	Watting & Co.

Letters marked "Care of Post Office."

A. B., No. 100.	Fry, H. W.	Noel, C. B.
A. M.	Gahan, Capt. R. L.	Nordt, Miss Minnie.
Agist, John.	Gompertz, Captn.	Parker, G. F.
A. X. Y. Z.	Grove, E. C.	Phillips, Frank D.
B. B.	Hall, Mrs. P.	Rachel.
Barber, C. J.	Hallett, W. O.	Rains, —.
Barber, R. J.	Hallowell, J. A.	Rathergurd, R. C.
Battersby, Leslie C.	H. R. A.	Read, Robert.
Berry, J	Hillard, Mrs.	Riviere, Howard.
Bradley, Walter.	Ingels, H. V.	Ross, C. Henry.
Broome, H. A.	J. B. B M.	Ryan, J. H.
Brown, John.	Jones, John.	Ryckman, E. H.
Burlington, Charles.	Karoly, S	Schaeffler, F. B.
Camar, Madame A.	Kimmins, W. J.	Scott, Montagu Hill.
Campbell, Dr. R. N.	Kirkbride, J	Specht, Otto.
Chase, J.	Langley, Manly G.	Spencer, Mrs. L.
Coutt, P. S.	Lee, Frederick	Stevenson, Mrs.
Crispini, C. Umberta.	Lemport, Sigr S.	Tancovici, Mendel.
Croose, Richard Victoria.	Lloyd, John Henry.	Tayfenberg, Marco.
Crowe, A. B.	Lynam, R.	Thomson, C W
Crowether, John.	McKay, James B.	Tomlinson Capt. Joseph S.
Dalyell, Mrs R F.	Melles, Adam.	Tucker, Mrs.
Dean, William Edward.	M. M. M.	VansAgnew, Lieut. P. A.
Dyett, W. H R.	Mifsud, George.	Wallace, Col. R.
Erler, Frau. Merrie.	Miller, J.	Williams, Mrs. F. A.
Erler, Albert	Muir, John C.	Wilkinson, J. R.
Fergus, Mrs. M.	Murphy, T.	
Fount, P. S.	N. W. P.	

Registered Letters.

Anderson, Geo.	Hollingberry, R. H.	Joseph, Mrs. A. L.

Calcutta, the 20th October 1883.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date.	Per Steamer
	1883.	
Persian Gulf	20th Oct.	From Bombay.
Persian Gulf	27th „	From Bombay.
Madras, Ceylon, and Intermediate Ports .	20th „	Str. *Ellora.*
Madras and Ceylon	20th „	P. & O. Str. *Nizam.*
Colombo, Penang, Singapore, Hong-Kong, Shanghai, Yokohama, and Australian Colonies	30th „	From Bombay.
Foreign Mails *vid* Bombay	23rd „	From Bombay.*
Do. Book Post and Pattern Packets .	22nd „	From Bombay.
Rangoon and Moulmein	25th „	Str. *Pemba.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	25th „	Str. *Calcutta.*
Port Blair and Camorta	25th „	Str. *Maharani.*

* Also for South Africa *vid* England; also *vid* Aden for Mauritius, Mahé (Seychelles), Mayotte, Nossi Be and Réunion can be forwarded.

N.B.—The letter-box will close at 7 P. M. precisely; after which hour, foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin *R4-8;* per eight ounce tin, *R8-8;* per pound tin, *R16-8.* The general public can be supplied by the Superintendent, Botanical Gardens, *for cash only*, at the under-noted rates :—per four ounce tin *R5-8;* per eight ounce tin *R10-8;* per pound tin, *R20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبری فیوج

یهه دوا کونینائین کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن یعنے کمپنی باغ کے سپرنٹنڈنٹ صاحب سے هرایک ملازم سرکاری واسطے سرکاری کام اور خیرات کے اور سیواے اونکے جو کوئی ایک مشت بیس پونڈ خرید لینے سے بقیمت نقد حسب نرخ ذیل خرید کرسکتے هین یعنے نرخ چار اونس کے ٹین کا چار روپیه آٹهه آنه ; آٹهه اونس کے ٹین کا آٹهه روپیه آٹهه آنه ایک پونڈ کے ٹین کا سوله روپیه آٹهه آنه ;

اور عوام‌الناس بوٹانکل گارڈن یعنے کمپنی باغ کے سپرنٹنڈنٹ صاحب سے بقیمت نقد حسب نرخ ذیل خرید کرسکتے هین یعنے نرخ چار اونس ٹین کا پانچ روپیه آٹهه آنه ; آٹهه اونس کے ٹین کا دس روپیه آٹهه آنه ; ایک پونڈ کے ٹین کا بیس روپیه

یهه دوا کلکته کے بڑے بڑے ولایتی اور دیسی دوا خانونمین بکتی هی ماسیواے قیمت مذکورهٔ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹین کا آٹهه آنه ; اور ایک پونڈ کے ٹین کا باره آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them:—

	R	a.	p.
Report on the Meteorology of India, in 1875, 4to, 89 pages text, 297 pages tables. 3 charts	8	0	0
Report on the Meteorology of India, in 1876, 4to, 97 pages text, 340 pages tables, 3 charts	8	0	0
Report on the Meteorology of India in 1877, 4to, 173 pages text, 375 pages tables, 3 charts	8	0	0
Report on the Meteorology of India, in 1878, 4to, 149 pages text, 380 pages tables, 3 plates, 4 charts	8	0	0
Report on the Meteorology of India in 1879, 4to, 164 pages text, 273 pages tables, 4 plates, 4 charts	8	0	0
Report on the Meteorology of India in 1880, 4to, 174 pages text, 286 pages tables, 6 plates, 4 charts	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to, 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II. 4to, 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to, 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to, 62 pages, 8 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part V, 4to, 57 pages, 10 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part VI, 4to, 62 pages	1	8	0
Indian Meteorological Memoirs, Vol. I, cloth bound, 4to, 438 pages, 33 plates	10	0	0
Indian Meteorological Memoirs, Vol. II, Part I, 4to, 78 pages, 9 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to, 87 pages, 4 plates	2	0	0
Report on the Madras Cyclone, May 1877, 4to, 117 pages text, 97 pages tables, 4 plates	2	8	0
Register of Original Observations of six stations in India, in 1879, corrected and reduced	2	0	0
Register of Original Observations of six stations in India, in 1880, corrected and reduced	2	0	0
Register of Original Observations of six stations in India, in 1881, corrected and reduced	2	0	0

HENRY F. BLANFORD,
Meteorological Reporter to the Government of India

THE INDIAN LAW REPORTS.

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The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at R375 a set.

For sale in Rajputana to Officers stationed there.

Moore's Manual of Family Medicine for India, 4th Edition. *Price*—

To Government Officers (except those mentioned below) and to the public at large, *R4*.

To all Officers employed in Government Departments who are in receipt of salaries under R500 per mensem, on a certificate being furnished declaring that the book is to be purchased only for the personal use of the officer, *R3; packing and postage, 8 annas.*

Apply to the Superintendent, Commissioner's Office, Ajmer.

☞ The following books may be purchased from the Office of Superintendent of Government Printing, India, No. 166, Dhurrumtollah Street, for private use only, which should be stated in the requisition.

No orders can be attended to unless accompanied by a remittance.* When postage stamps

are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels or Court Fee stamps are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate. Applications for them should be made through the Local Government under which the applicant serves.

Just published.

Army List—New Number.

The Official Quarterly Bengal Army List corrected up to 30th September 1883.

☞ *From January 1881 the price of the Army List has been reduced to 1 Rupee per copy; packing and postage, 6 annas.*

Statistics of population of the Indian Empire, collected at the Census of 1881. *Price, R2-8; packing and postage, 8 annas, extra*

Statistics of British-born subjects recorded at the Census of India, 17th February 1881. *Price, annas 8; packing and postage, 1 anna 6 pie, extra.*

Statistics of population in the Andamans, 17th February 1881. *Price, 8 annas; packing and postage, 1 anna 6 pie, extra.*

Pack Gear for Elephants. B. G. P. SANDERSON, Superintendent of Kheddahs, Dacca *Price, R1; packing and postage, 2 annas.*

Copies (in English) of Bills before the Legislative Council of the Governor General, and of Statements of Objects and Reasons and Reports of Select Committees upon them, are obtainable at the Offices of Superintendents of Government Printing, at Calcutta and Simla. They will be sold to casual purchasers at the rate of three pies per sheet (of four pages) or part of a sheet, but a reduction will be made where the papers cover more than sixty-four pages. The whole set of papers published in a year will also be supplied to annual subscribers at the rate of R2, exclusive of postage, or R3, including postage, to any part of British India.

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Transport Regulations, Part I.

Transport of Troops by Sea. *Price, R2-8; packing and postage, 4 annas.*

Transport Regulations, Part II

Transport of Troops, Inland. *Price, R2-8; packing and postage, 4 annas.*

Public Works Department Classified List and Distribution Return of Establishment, corrected up to 30th June 1883. *Price R2; packing and postage, 4 annas.*

Preliminary Administration Report on the Railways in India for 1882-83 by Colonel F. S STANTON, R.E., Director General of Railways. *Price, R1; packing and postage, 3 annas.*

The Report of the Rent Law Commission, with draft of Bill to amend the Law of Landlord and Tenant in Bengal, in two volumes. *Price, R3; packing and postage, 12 annas.*

Report of the Government of Bengal on the proposed amendment, with revised Bill and Appendices, in two volumes. *Price, R4; packing and postage, R1.*

Correspondence between the Government of India and the Secretary of State regarding the proposed amendment. *Price, annas 8; packing and postage, 4 annas.*

The Bengal Tenancy Bill, with annexures. *Price, annas 4; packing and postage, 8 annas.*

INDEX to the Enactments relating to India. Compiled, under the orders of the Government of India, by Stephen Jacob, B.C.S., to which are prefixed Chronological Tables of the Acts and Regulations of the Indian Legislatures. First Edition.
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INDEX to the Enactments relating to India. Compiled under the orders of the Government of India, by Stephen Jacob, B.C.S., to which are prefixed Chronological Tables of the Statutes relating to India and the Acts and Regulations of the Indian Legislatures. Second Edition, by William Fischer Agnew, of Lincoln's Inn, Barrister-at-Law.
Price, R10; packing and postage, 12 annas.

Regulations for the Medical Department, Her Majesty's Forces, Bengal, 1882. *Price, R1-8; packing and postage, 6 annas; interleaved copy, R2-8; packing and postage, 8 annas.*

Travelling Allowance Code (Civil), Revised Edition, 1883. *Price R1; packing and postage, 2 annas.* Correction slips for the above. *R1* per annum.

A Manual of the Land Revenue Systems and Land Tenures of British India, by B. H. BADEN-POWELL, B C.S *Royal 8vo, half calf. Price, R6; packing and postage, 8 annas.*

A Manual of Jurisprudence for Forest Officers, by BADEN-POWELL, B.C.S., royal 8vo., half calf. *Price, R6; packing and postage, 7 annas.*

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Instructions for payment of British Troops, India, 1882. *Royal 8vo, Cloth gilt. Price, R2; packing and postage, 4 annas.*

Folio Foolscap.

Return of Wrecks and Casualties in Indian Waters for the years 1877, 1878, 1879, 1880, 1881, and 1882. *Price, R2 each; packing and postage, 4 annas.*

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The Commissariat Code for India, pub-lished under authority of the Government of India. *Price, R4; by post 8 annas extra*

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Compendium of Existing Regulations, Commissariat Department, Bengal. Compiled by H. G. Whelan, Superintendent, Office of Examiner of Commissariat Accounts. *Price, R5; packing and postage, 8 annas. Interleaved copies, R6; packing and postage, 12 annas*

Appendices to the Compendium of exist-ing Regulations, Commissariat Department, Bengal. *Price, R4 for plain copies, and R5 for interleaved copies; packing and postage, 6 annas and 9 annas respectively.*

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General Rules and Circular Orders of the High Court in Bengal, Appellate Side—Civil, R2 8; Criminal, R1-8; packing and postage, 5 annas and 3 annas respectively.

☞ Printed slips containing alterations and additions will be available to the public monthly, at R3 a year payable in advance.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 20, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation

PART III.

Advertisements and Notices by Private Individuals and Corporations.

IN THE COURT OF THE JUDICIAL ASSISTANT COMMISSIONER, LAHORE.

IN THE MATTER OF THE INDIAN COMPANIES ACT, 1882, AND OF THE PUNJAB BANK, LIMITED.

Upon the application of the Official Liquidator, notice is hereby given that the Court will, on the 16th day of October 1883, proceed to pass orders in reference to the distribution of the remaining assets of the Punjab Bank, Limited.

The more immediate question for disposal is whether depositors are entitled to interest; or whether (depositors having been paid the amount of their respective deposits in full with interest to 30th June 1877) the whole of the surplus assets should be divided amongst the shareholders.

All persons concerned are desired to attend this Court on the above date, and to bring forward anything they may have to state in regard to the above question.

E. W. PARKER,

Judl. Asst. Commr., Lahore.

LAHORE,
The 14th June 1883.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 040062, of the 5 per cent. of Treasury Note, 1872, for ₨500, originally standing in the name of Gopika Baee, Manager of Vittal Rukhmai, Ramtek, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

GOPIKA BAEE,

Ramtek Tahsil, Ramtek,
Zilla Nagpur, C. P.

Lost

The lower half of Government Promissory Note, No. 032555, of the 4 per cent. of 1842-43, for ₨5,000, originally standing in the name of the Bank of Bengal, and last standing in the name of the proprietor Mr. J. L. Gallott, by whom it was never endorsed to any other person. Payment of the above Note and interest thereon have been stopped at the Public Debt Office, and an application is about to be made to Government for the issue of a duplicate in favour of the proprietor Mr. J. L. Gallott.

KING, HAMILTON & CO.,

7, Hare Street.

CALCUTTA,
The 28th September 1883.

Stolen.

The Government Promissory Notes, No. 009719, of 15th July 1870, for ₨500 and No. 006943, of 16th January 1872, for ₨500, both of the 4½ per cent.

R. MONKS, *Capt.,*

Depy. Comsy. of Ordnance,
Arsenal, Allahabad.

Lost or Destroyed during the Rebellion

The Government Promissory Notes, Nos. 5916—17180, of 4 per cent. of 1832-33, for

R39,000; 5878—11446, of 4 per cent. of 1832-33, for R3,000; 6284—16802 of 4 per cent. of 1832-33, for R3,000; 1961—10236, of 4 per cent. of 1835-36, for R3,000; originally standing in the name of Mohmudi Khanim, the proprietress, by whom they were never endorsed to any other person. Payment of the above Notes and interest thereupon have been stopped at the Loan Office, and application is about to be made to Government for the issue of duplicates in favour of the proprietress.

H. FRAISER, *M.E.*,

Attorney for Mohmudi Khanim,
New Rikarbgunge,
Lucknow, Oudh.

CALCUTTA,
The 2nd October 1883.



SUPPLEMENT TO

The Gazette of India.

No 42.} CALCUTTA, SATURDAY, OCTOBER 20, 1883.

OFFICIAL PAPERS.

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GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL REPORT OF THE PUNJAB OIL LANDS, BY BENJAMIN SMITH LYMAN, MINING ENGINEER, PUBLIC WORKS DEPARTMENT OF THE GOVERNMENT OF INDIA.

1.—SITUATION.

The oil lands of the Punjab all lie between north latitude 32° 31′ and 33° 47′ and east longitude 71° 22′ and 73° 9′; say within a space of 102 miles long east and west, by 88 miles wide north and south, with Rawalpindi two miles inside the eastern edge and eleven miles inside the northern edge. Outside of these limits no lands can properly be called oil lands, although around Murree, and perhaps elsewhere, the lime rock is in many places impregnated with bitumen, and sometimes even has small drops of tar in it large enough to be seen.

The north-easternmost oil spring is the one near Rutta Otoor, 11 miles north by east of Rawalpindi; the next so-called oil spring is in the first Cheerpar Mountain near Runneeal, and eight miles south-west of Pindi; then comes the oil spring in the Seel River at the mouth of the Bussala near Moorut, and 10½ miles south-west by west of Pindi; then the Loondeegar asphalt and oil, also near Moorut, and 14 miles south-west of Pindi; the Gunda oil wells, 23 miles west of Pindi; the Chhurrut old oil boring at Chhurrut village, and 28 miles west of Pindi; the Boraree old oil well near Chhurrut and 28½ miles

west of Pindi; the Jafir old oil boring near Jafir, and 29 miles west of Pindi; the Dulla asphalt between Boota and Buttiot and 38½ miles west of Pindi; the Punnoba oil springs at Punnoba (Kohat District) near Shekh Khan, 25 miles east of Kohat, and 67 miles west of Pindi; the Aluggud asphalt and rock tar, on the Aluggud brook (Bunnoo District), ten miles and a half south of Eesa Khêl, and 124 miles south-west by west of Pindi; the Chhota Kutta oil springs near Jaba (Bunnoo District), 10 miles south-east of Kalabagh, and 59 miles south-west by west of Pindi; the Burra Kutta oil springs, half a mile south-east of the last; the Sadeealee rock tar near Nara (Jhelum District), and 90 miles south-west of Pindi; the Chinnoor rock tar near Murdowal (Shahpoor District), and 83 miles south-west of Pindi; the Hungooch rock tar near Dhuddur and Murkoom (Shahpoor District), and 81 miles south-west by south of Pindi; and the Dooma rock tar near Kubbukkee (Shahpoor District), and 77 miles south-west by south of Pindi.

Many of these are places where only very small and unimportant traces of oil or asphalt are found; yet they are well known to the inhabitants of the country for miles around, so familiar do they become in tending their flocks with almost every foot of ground in the mountains. As careful inquiry from them has brought to light no other traces even of oil, it is pretty certain that none such exist, except possibly a few quite insignificant ones.

The oil is commonly called by the natives "muttee ka têl" (earth oil), and at Jaba it is said "gunduk ka tel" (sulphur oil); the rock tar or blackened oil is called at Aluggud and at Jaba "kalapani"; at Sadeealee, "leleera"; at Hungooch and Dooma, "leloora"; the solid asphalt is often called "moomeeai," sometimes "meemeeai."

2.—LAY OF THE LAND.

The River Indus flows south-south-westerly from the northern edge of the region described to its south-western corner, falling in that space from about 800 feet above the sea to about 650. It is joined midway by the Sohan, which comes to it with a general west-south-westerly course from near Rawalpindi, where its waters are about 1,700 feet above the sea. The Jhelum River runs (about 700 feet above the sea) south-westerly across the very south-eastern corner past Pindi Dadun Khan. The Koorum empties into the Indus on the west just south of Eesa Khêl. A dozen miles north of Pindi are several parallel high ridges that run in a north-east and south-west direction on the edge of Rawalpindi and Hazara Districts. A dozen miles west of the meridian of Pindi these ridges die away; and half a dozen miles south of their end begin the Choor Hills, that run first westerly, and then west-north-westerly to the Indus, and are perhaps continued beyond in the hills of Punnoba; but these run south-westerly, and then west-south-westerly, and soon west again, and there are several parallel ranges south of them for 25 miles. At Moorut, near the Bussala and Loondeegar oil places, begins a ridge some 3,100 feet high above the sea, called the Khairee Moorut (often called Gibraltar in Pindi), which runs south-westerly for about 20 miles and dies away. Half a dozen miles east of Moorut are three or four parallel north-east and south-west ridges of 200 or 300 feet high, called the Cheerpar Mountains, running nearly to the meridian of Pindi. Along the southern edge of the region the Salt Range, rising in places even to 5,000 feet above the sea, runs at first west-south-westerly, then about the middle of the southern edge, which it just crosses, it turns sharply north-north-westerly to the Indus a few miles below the mouth of the Sohan, and continues the same course, and a more northerly one on the west of the Indus, until it meets the east and west ranges already mentioned. In the south-western corner the Kafirkot double range, with the Aluggud Valley between, rises to 2,200 feet above the sea, and runs southerly west of the Indus and south of the Koorum. The country south and south-west of the Salt Range is flat and about 700 feet above the sea; the country north of the Salt Range between the mountains and hills already mentioned, and few other small parallel ones, is comparatively flat, and from 1,200 feet above the sea on south and along the Indus to 1,800 feet on the north-east; of course the streams cut valleys in this comparative plain, making it a rolling country. The smaller narrow valleys as far south as the Sohan, even near its mouth, and this river,

also show a striking parallelism to the general course of the mountain ranges on either side.

3.—GEOLOGY.

a. Structure.—Almost all of the mountain ranges already mentioned seem to be formed of rocks that lie in saddle form, and most of the ranges have several such parallel ridges. The Cheerpar Mountains, however, are quite small, and, as they seem to have but one dip, are perhaps formed by only one-half of a saddle. The Salt Range has also been said by some to have on its southern edge a northerly dip, as if the southern half of a saddle were wanting, but this survey did not lead to an examination of that part of the range. The rocks, then, of the oil region lie in waves, the tops of the waves in certain places forming mountain ranges; but in the greater part of the region, both the tops of the waves and the hollows between them are covered over with nearly level layers of much newer rocks, of old alluvial age. Where the streams have cut down through these alluvial rocks, the older steep dipping rocks form ridges, and give to the smaller valleys the parallelism that has been already noticed. For a dozen or two dozen miles north of the Salt Range the dip of the older rocks, beginning with a steep dip, on the south, becomes quite gentle, and then nearly or quite level; so that the old alluvial rocks, if they rest upon them, are conformable to them, whereas further north these alone remain level, while the lower rocks have a steep dip, and the unconformability is striking. The axes of the saddles run south-westerly on the eastern edge of the region, westerly in the middle of it, then north-westerly and northerly, on the western edge; but in the north-western corner, south-westerly and then westerly. The dips are commonly quite steep, sometimes reversed as far as 70°, and seldom less than 45°, except along the northern side of the Salt Range near Dooma (6°), Hungooch (26½°), Chinnoor and Sadeealee, and at Aluggud (25°).

b. Rock Beds.—The following seems to be the section downward of the old alluvial rocks as exposed along the Seel River near Moorut:—

Concretionary lime rock or travertine	about	100 feet.
Coarse brown pebble rock	„	3 „
Soft brown sand rock	„	30 „
Coarse brown pebble rock	„	2 „
In all .	„	135 feet.

In the banks of the Indus for a dozen miles above Mukhud and as many below it a much greater thickness of these older alluvial rocks seems to be exposed, including several thick but not persistent layers of very coarse (6-inch) pebble rock, varying sometimes very rapidly from a thickness of 100 feet in one bed to three separate layers of six feet.

The following seems to be the section downward of the portion of the older rocks that contains all the oil found in the Punjab:—

Soft gray sand rock estimated by some writers as much as 10,000 feet at Aluggud more at any rate than . .	about	100 feet.
Red and greenish gray clays, with a few layers of brown sand and pebble rock (Aluggud, Jaba, and whole northern side of western part of Salt Range) . .	„	700 „
Coarse (up to six-inch) pebble rock, perhaps sometimes wanting (Aluggud)	„	40 „
Brown sandy lime rock, with productus and other fossils; in some places becoming merely soft gray sand rock, with the oil of Aluggud brook (Aluggud)	„	40 „
Soft gray sand rock (Aluggud)	„	100 „
Brown and gray shales (Aluggud)	„	180 „
Aluggud group .		? 1,150

Gray sand rock, with a few layers of pebble rock, and near the bottom some dark red shales, and with gray shale; tar of Dooma, Hungooch, Chinnoor, and probably Sadeealee near the bottom (Jaba and northern slope of Salt Range)	about 700 feet.	
Blue gray lime rock, with nummulites, echinoderms, and other fossils; oil of Chhota Kutta and Burra Kutta (Jaba) near the top; and oil of Kutta Otoor, Dulla, and Punnoba near the bottom	„ 1,100 „	
Jaba group .	?	1,800
Red sand rock and shales (the whole at Punnoba, the lower part at Gunda)	„ 500 feet.	
Brown sand rock and shales, with nummulites, oil of Gunda, and perhaps Cheerpar (Gunda, Chhurrut, Boraree)	„ 100 „	
Gray lime rock, with nummulites and gray shales, with some red shales near the bottom; oil of Chhurrut, Boraree, and perhaps Bussala and Loondeegar (Gunda, Chhurrut, and Boraree)	„ 190 „	
Red shales, salt (Gunda, Chhurrut, Boraree), perhaps more than	„ 60 „	
Gunda group .		850
In all .		3,800 ft.

As nummulites abound from the lime rock of the Gunda group up to the top of the lime rock of the Jaba group, all these rocks probably belong to the so-called nummulitic age, although the Gunda rocks seem to hold the place of rocks that in the Salt Range have commonly been assigned to a much older age. It should also be stated that the Gunda rocks may prove on more complete examination not to underlie the Jaba group, as here considered to be the case; but the absolute determination of this point was immaterial to the objects of the oil survey, and would have taken too much time for it to be on the whole desirable.

A like uncertainty exists in regard to the position of the lower 360 feet of the Aluggud group with reference to the Jaba group. The upper sand rock and clays (in all 800 feet) of the Aluggud group are undoubtedly the same that are found for many miles along the Salt Range at a distance of about a thousand feet above the Jaba lime rock; and the sand rock and shales of the bottom of the Aluggud group much resemble the sand rock and shales from 700 to 1,000 feet above the Jaba lime rock. The chief cause of doubt in the matter is the occurrence of the fossil productus, and perhaps other fossils as certain terebratulæ and spirifer) in the Aluggud lime rock—fossils which are universally reckoned far older than nummulites, and have given rise to the belief that this rock was carboniferous. In case it be carboniferous, there is a wide gap below the red and greenish gray clays, where at least the whole Jaba group should be together with 350 feet of gray sand rock and shales above it (to be seen at Jaba), in all over 2,000 feet that would be quite missing at Aluggud, all thinned out and disappeared within a distance of 30 miles (from Jaba), and that would be almost incredible. There would also seem to be no rocks below the Jaba lime rock in the Salt Range, though so near, that would correspond in appearance to the lower rocks of the Aluggud group. Indeed, those rocks below the Jaba lime rock, although from their fossils they have hitherto been reckoned oolitic, carboniferous, or older in age, resemble rather the Gunda rocks (with some variations not to be wondered at in a distance of 75 miles); but the Gunda rocks are full of nummulites. It seems absolutely necessary to admit either that the productus and its accompanying fossils are found in rocks far newer than the carboniferous, or else that the nummulites are found in rock much older than the tertiary. Possibly it will turn out that both these admissions must be made, and that all these rocks belong to an age between the carboniferous and tertiary.

Doctor Fleming reports finding in what he calls carboniferous limestone (not the rock at Aluggud, but of like age with it in his opinion) ceratites and "fossils bearing a considerable resemblance to belemnites," both of later age

than the carboniferous. There is also found in the pebble rock just above the Jaba lime rock, and apparently quite conformable with it, pebbles of a pink or flesh-colored lime rock that answers to Doctor Fleming's description of some of the carboniferous lime rock of the Salt Range; and in these pebbles are found nummulites.

The thousand feet of greenish gray sand rock and shales above the Jaba lime rock (at Jaba), and the red and greenish gray clays above that (both at Jaba and Aluggud), and the gray sand rock (called by some writers 10,000 feet thick or more) above that, have all hitherto been reckoned as of Sivalik age, without, however, the evidence of fossils. To the positive determination of that point this survey had no occasion to devote any time, and has no light to throw upon it. It is, however, clear that the steeply dipping rocks found at Gunda, Chhurrut, and at some other points, although they have been called Sivalik, cannot be so, for they abound in nummulites, to say nothing of the reasons for believing them to be even older than the great nummulitic lime rock of Jaba. As the mistake has therefore been made of supposing the Gunda group to belong to the sand rocks above the red and greenish gray clays, it is quite possible, to say the least, that the thickness of these upper sand rocks may prove to be after all much less than the unusual one of 10,000 feet. On the northern side of the Salt Range near Dooma, south-west of Tullagung, the red and greenish gray clays, and the sand rocks over them, dip very gently (about 5°) northerly, and the dip grows more and more gently northward until it is nearly or quite level. At some point not yet determined, but probably south of Tallagung, the sand rocks pass below the pebble and the sand rocks of the older alluvium; and these last keep a nearly level dip throughout their extent northward, while the so-called Sivalik sand rocks probably share the steeper dip of the lower rocks that is clearly shown by the valleys just north of the Sohan, as well as by the course of the Sohan itself. The outcrop of these sand rocks, then, just north of the Salt Range, with a very gentle dip, cannot probably be more than some 15 miles wide at most, and their thickness so exposed can hardly be more than 3,000 feet. It is barely possible, however, that this exposure may not show the whole thickness.

It would seem, then, from the section that what (the Aluggud lime rock) has until now been thought to be below the Jaba lime rock is really above it, while what (the Gunda group) has been thought to be above the Jaba lime rock is really below it. This matter is, however, quite unimportant with reference to the oil lands; for it must be borne in mind that the oil-bearing beds found at different points in the section are only very locally so, commonly for a distance of only a few yards or scores of yards,—rarely as on the Aluggud brook, for 500 yards or more, or, as at Jaba, for half a mile or more. Beyond these narrow limits the same beds are often seen in their outcrops to be quite barren of oil, and in other cases the absence of any discovered spring is commonly proof enough (in a country so minutely explored as this has been by the natives) that the beds can yield no oil. Not only therefore is it necessary to study each place separately for itself, but it is quite needless to trace out thoroughly the outcrop of each of these beds with the hope of finding oil by borings here and there all along it, or with the idea of boring say from any point in the Jaba group down to the oil-bearing beds of the Gunda group. Such a random attack upon even a bed that is known to be oil-bearing at some one place, though it might possibly prove successful, would have in its favor scarcely one chance in a thousand million.

4.—OIL, TAR AND ASPHALT.

a. Mode of occurrence.—The oil is in all cases in the Punjab of a dark green color when fresh, but turns black in drying or in becoming tar or asphalt; and the tar that melts in the sun from the asphalt is also black. At the Chhota Kutta and Burra Kutta (Jaba) main oil springs there is green oil to be seen that has freshly come from the rock, but it soon mixes with the black, partly dried tarry oil that surrounds it.

At Rutta Otoor, Dulla, Punnoba, Chhota Kutta, and Burra Kutta (Jaba), and partly at Aluggud, the oil (or asphalt) comes from the cracks in beds of

lime rock; in all other cases in the Punjab it oozes from sand rock or sandy shales, sometimes perhaps calcareous. In almost all cases the natural springs are at points where brooks cross the outcrop of the oil-bearing beds, and lay them bare; but the Gunda wells are in a little plain between the head of two brooks; the Aluggud oil comes partly from the face of a cliff high above the brook; and the Loondeegar asphalt is on a gently sloping hillside; not to speak of the trifling Cheerpar oil that comes from the roof of a small cave in the face of a cliff 70 feet above the plains.

In nearly all cases where liquid oil is found, it seems to flow with water from the rock, and in the springs is found floating upon it. In the Gunda boring No. 1, however, very little water is now found to come with the oil from the rock; and at Aluggud (where the so-called oil is, much of it, merely tar melted by the sun from a secondary or wash deposit of asphalt), although the tar is commonly found floating upon water in small holes in the bed of the brook, the two liquids did not come together from the rock. The water in this case is probably merely the common rain or spring water of the brook, protected from drying up by the layer of tar above it. The presence of some of the water in the other springs may be accounted for in the same way, and in some oil springs at certain seasons the presence of water may all be due to this cause.

The water that accompanies at least a part of the oil at the oil springs of Chhota Kutta and Burra Kutta (Jaba) is highly sulphureous, and it is possible that sulphur water may likewise be found at some of the other oil springs (more particularly at Punnoba), but the presence of sulphur is not noticeable in them.

The brook water near the oil springs of Punnoba is strongly salt (in the dry season), and there are traces of salt near the Chhurrut and Boraree oil wells, as also near the Chhota Kutta and Burra Kutta (Jaba) oil springs; but near the other oil springs very little or no salt is to be found.

Perhaps no point regarding rock oil is more commonly or more widely misunderstood than its mode of occurrence. Most men seem to be possessed with the idea that the oil has come to the place where it is found from a great depth below. Many believe that the oil is flowing hither or thither through vast fissures in the deep rocks, or fills large cavities or reservoirs in the bowels of the earth, whence it issues to the surface by small cracks at the springs above, and that you only need to bore deep enough there to tap these reservoirs, and get an indefinitely large supply. Even some professed geologists imagine that the oil has come to the rocks in which it is now found from the natural distillation of bituminous shales or coal below it. What is more strange is, that really eminent men of science have maintained that the oil is formed by the chemical reactions of certain purely mineral bodies in the interior of the earth, basing their views upon the established fact that similar products may be made by chemists from mineral bodies which may be believed to exist in the interior of the earth and also on the well-known presence of oil near mud vulcanoes. How much simpler and more natural than any of these far-fetched opinions is the now well-established fact, that the oil was first formed and has always remained in the same rock beds from which it now issues, and that it first came from the slow decomposition of plants and animals buried in the rock as it formed, just as marsh gas (kindred with oil) is formed by the slow decay of vegetable matter at the bottom of ponds. Plants that grow on the ground or in the air, having woody fibre, would in case of burial and slow decomposition leave bituminous coal, which, under favourable circumstances, might lose its bituminous or oily part without losing the woody part, and would then become anthracite. But plants that grow in the water (such, for example, as sea weeds of all kinds down to the most delicate and microscopic), having no woody fibre, leave in such a case only oil or bitumen (including gas), and a like result would come from the slow decomposition of the flesh of animals, which in some cases might have been buried, in vast quantities, though seldom probably comparable to the accumulations of weeds that are found even now-a-days in the sea. It is not, however, to be supposed that the plants or animals that gave rise to the oil in a thick bed of rock were all buried at once; the burial was in most cases probably very gradual, going on from year to year as the rock itself was formed

by the gradual dropping of sand or mud to the bottom of the sea. The frequent presence of salt in beds of rock near the oil is therefore not to be wondered at, for they may likewise have been formed, not merely at the bottom of salt sea water, and therefore naturally salt themselves, but may have been formed in a shallow bay or temporarily closed inlet, where the sun's heat so dried up the water as to leave layers even of crystallised salt. The presence of sulphur with the oil is of a piece with its presence in coal or other organic remains.

Mud volcanoes owe their eruptions merely to the oil gases that are buried under a covering of mud, and push their way out from time to time. The cases of fissures filled with oil that have seemed to some the channels by which the oil rose to the surface from the lowermost depths of the earth, and have seemed to others the vast reservoirs from which the springs above are supplied, are much rarer and more insignificant in size than is commonly thought. Of the thousands of oil wells in the world, scarcely a dozen (if so many) have each yielded a hundred thousand barrels of oil from such a source. Yet a hundred thousand barrels would not fill a fissure 200 feet long by 150 feet deep and half a foot wide; and it is more likely that a fissure of that capacity would be longer or deeper, and only an inch or two wide, and still more likely that such a yield would come from a network of much narrower cracks or seams in the rock. It is unlikely that some open fissures would extend to any great depth where the beds of hard rock are thin and separated at short distances by soft shales or clays (as is the case, for example, in the Gunda group of rocks.) A deep fissure, extending far below the oil-bearing bed, would be very sure to cross rocks containing water, as all porous rocks do below the drainage level of the region, and below the effects of the sun's drying power. This water would of course tend to fill the fissure, and the oil would float upon it; so that the hope of striking such an oil-field cavity at a considerable depth below the oil-bearing bed is not justifiable.

It has been maintained by some that a given oil-bearing bed yields most abundantly at the point where it forms the top of a saddle, because the oil is pushed upward through the pores and fissures of the rock by the water below, and because too the fissures would be most numerous at this point. Certain oil regions have been pointed to as confirming this view, by the fact that most of their wells are near the top of a saddle of the rocks. The real cause of this fact seems, however, to be merely that at a greater distance from the top of the saddle the oil-bearing bed is at a greater depth from the surface, and that boring into it is therefore less practicable. However true it may be that water in a fissure would have the oil floating upon it, and so push it upward until some obstruction was met, it is highly improbable that such pressure would cause the oil to pass through the pores of the rock, and give up its place in them to the water. Indeed, if such action took place even slowly, the steeply dipping rocks of the Punjab would no doubt, ages ago, have had all their oil thoroughly pushed out at their outcrops by the water rising from below.

As the oil was formed from materials gathered in the rock when this was lying flat at the bottom of a sea, it is clear that the position or shape of the oil-yielding part of the bed can have in general no reference in the present shape of the ground, hills or valleys. But it is possible that the part of the oil-bearing bed, which now lies high above the drainage level, may have lost some of its oil by drainage and by the drying effect of atmospheric influences; and this would account for the fact that almost all the Punjab oil springs are found just at the place where a brook crosses the outcrop of the bed, that is, at the lowest drainage level. The wells at Gunda even, which seems an exception, may be at the lowest point where the oil-bearing part of the bed crops out. Still, such a draining away and drying up of the oil must be extremely slow, and it is very likely that it has deprived of most of its oil only a narrow strip along the outcrop on the hillsides.

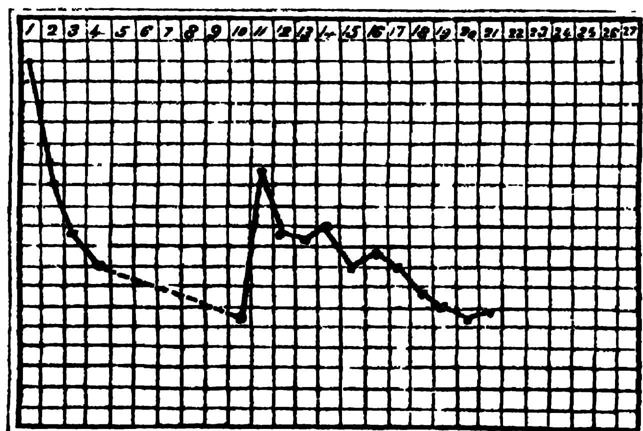
The outline of the oil-bearing part of the rock bed below the outcrop has of course no reference either to the present shape of the surface or dip of the rocks, and can only be determined by numerous borings or trial pits. As the outline depends on the shape of the original mass of materials (plants or ani-

mals) that formed it, and that upon the currents of the sea or winds, of the storms, or barriers of the shore, or depth of the bottom, it would not be possible to infer the shape of one deposit from the shape of another at a distance, especially if in a different bed of rock of a different age, as is almost always the case in the Punjab. The shape (in plan) of the original mass of materials for the oil in still-water, leaving the influence of the shore and bottom out of account, would probably be circular, but a current in the water or a storm would tend to lengthen this shape to an ellipse, and the shore or bottom might give this an ess shape, or otherwise irregular shape.

The length of the deposit along the outcrop may be known, at least roughly (for example, as great or little) by the absence of oil springs or noticeable traces of oil along it, even where well exposed and at low points of drainage. For this reason among others it is desirable to study out more or less exactly the course of the outcrop near a spring of oil. Whatever shape the original mass of oil-forming materials had, the present line of outcrop would plainly be as likely to cross it in one part as in another; the portion on one side of the line is that which has been swept away by the rains and rivers that have scooped out the hollows in the present surface; the other portion still lies underground. As the outcrop line is as likely to pass on one side of the centre of the original oil-bearing part of the bed as on the other, the width of the underground part at right angles with the outcrop may be taken as probably something like the half of the length of the outcrop.

b. Yield.—The chief yield of oil has been at the Gunda wells, where boring No. 1 and the dug well in which it is, have yielded all the oil, with perhaps a trifling exception. From the 8th of April 1870 to the 22nd October 1870, the whole yield here has been about 1,963 gallons, or an average of ten gallons a day; but from the 29th June to 1st August, 33 days, no oil was taken owing to the caving in of the well; and in general none was taken on Sundays, and three other days were lost, making the average for the days that oil was taken, 14$\frac{4}{5}$ gallons a day. The yield at the beginning of boring work (8th April) was about five gallons a day; on the 28th of May the yield was about fifty gallons, the greatest yield of any one day. From that time until the caving in the decrease in the daily yield was almost continuous, to about ten gallons a day. On the 1st of August the yield was again 10 gallons a day, but on the 10th of August a fixed pump had been put into the bore hole, and the yield rose to 30 gallons a day. From that time until the 22nd of October the daily yield has again gone with some fluctuations down to ten gallons a day. The yield in gallons in each full week of gathering the oil from 30th May to 22nd October was about 180, 120, 97, 80 (55, 128, 98), 94, 99, 79, 88, 79, 66, 58, 59; in the weeks "55, 128, 98," one day was lost from the work each week, besides Sunday.

A drawing to represent these variations of yield shows that the yield at the end of this year (1870) will probably be about 35 gallons a week, and that by the middle of next year it will be hardly a gallon a day, and that the whole



future yield will be about a thousand gallons, or one-half of the past yield since the boring was begun, making about 3,000 gallons in all that the well will have yielded. These results are a good illustration of the character of the yield of

oil wells in general greatest at first, then rapidly diminishing; after that diminishing more and more slowly until the yield finally becomes too small to pay for pumping. The curve representing this decrease is clearly a parabola.

The yield at all the other places is from natural springs. At the Chhota Kutta (Jaba) springs the oil yield is perhaps three quarts a day; at the Punnoba springs two quarts a day; at the Burra Kutta (Jaba) springs three pints a day; at the Rutta Otoor spring half a pint a day; at the Bussala springs one gill a day; at the Loondeegar, Chhurrut, and Boraree places a mere trace;—at all the rest no oil proper at all, making the whole oil yield of the springs perhaps seven quarts a day. Of asphalt there is at Loondeegar perhaps 1,000 cubic yards, or 1,500 tons; at Aluggud brook 350 cubic yards, or 550 tons; at Gunda 15 cubic yards, or 19 tons; at Chhurrut 15 cubic yards, or 19 tons; at Boraree brook six cubic yards, or seven and a half tons; at Dooma one-half cubic yard, or two tons; at Dulla half a cubic yard, or five-eighths of a ton; at the other places none at all to speak of, making in all perhaps 1,388 cubic yards, or 2,098 tons, capable at a rough guess of yielding as much gas as 700 tons of crude oil, that is, something more than 15 million cubic feet. Of rock tar there is at the Aluggud brook perhaps 100 gallons; at Dulla, Sadeealee, Chinnoor, Hungooch, and Dooma scarcely more than mere traces; and at the other places none at all to speak of.

c. Outcrop.—The Gunda group of rocks seems to crop out all along the southern edge of the Choor Hills, and most likely also on the northern edge, and further east to the southern edge of the hills at Rutta Otoor. They probably also appear here and there in the whole region between the Choor Hills and Khairee Moorut, and on the south-eastern side of the Khairee Moorut as far south as the Sohan River. South of this river, as well as in most of the country north of it, they seem to be covered up by rocks of older alluvial age, and only to reappear on the southern edge of the Salt Range.

The Jaba lime rock ("nummulitic limestone of the Salt Range") appears not only all along the Salt Range, but is probably the material of the Khairee Moorut, Choor Hills (including the hills of the Punnoba), and the hills about Rutta Otoor.

The Jaba sand rock (just above the lime rock) crops out all along the northern slope of the Salt Range, and perhaps is also to be found among the steep dipping rocks north of the Sohan and near Khooshialgurh, on the western side of the Indus. The upper part of this sand rock, just below the red and greenish gray clays, seems to be the same as the oil-bearing rocks of the Aluggud brook also skirting with its outcrop the western edge of the valley.

d. Working.—It would be hopeless, as already hinted, to bore or dig for oil along these outcrops, except very near to the places where oil springs, or at least asphalt deposits, are known. Indeed, the first borings should be as near as may be to these, not more than a few yards distant; and if they should prove successful, the oil-bearing bed may be tested in the same way to a greater and greater distance. As the bed near the surface may have been somewhat affected by ages of natural drainage and of atmospheric influences, it is desirable to test it at some depth, and to bore rather to the dip from the springs than along the outcrop, although this is not to be altogether neglected when the springs give encouragement. Still in boring to the dip it would not be well to make the first boring more than from fifty to a hundred feet deep, for the expense of such a shallow boring is less, and so is also the risk of striking the bed outside of the oil-bearing part of it. Other borings may afterwards be made still further to the dip, as well as to the right and left on the same level, that is, along the strike. It is commonly easy to measure the dip near the spring with the exactness enough to fix upon the place of a boring that would pass through the bed at a depth of from fifty to a hundred feet. After one or more borings are made, the dip will be still better known from them, so as to be a guide for other borings.

As the specific gravity of porous sand rock is about one-fifth less than that of quartz, it is plain that about one-fifth of the bulk of the rock is taken up by

pores or empty spaces between the grains of sand. One cubic foot of oil, then, say eight gallons, would fill the pores of five cubic feet of such sand rock, and 3,000 gallons (the whole past and future yield of Gunda boring, No. 1) would in the same way saturate in round numbers 2,000 cubic feet of rock. Capillary attraction, however, would prevent more than perhaps a tenth of the whole amount of oil in the rock from draining into a boring, but this proportion would depend on the coarseness of the rock. Only that part of the rock next the boring would, however, be fully drained at first, while that at the outer limits of drainage would be drained infinitely little; the average amount of drainage then would be perhaps only one-twentieth of what is in the rock. The 3,000 gallons then would drain from twenty times 2,000 cubic feet, or say 40,000 cubic feet, or 2,000 square feet of a bed (like that at Gunda), 20 feet thick, that is, a circle about 50 feet in diameter. According to this, the wells should not be nearer than 50 feet apart upon the oil-bearing bed; but something more might be allowed for the possibility of draining to a greater distance by reason of exceptional seams in the rock here and there; and if the rock seemed on trial to be rich in oil, intermediate wells might finally be placed half way between those of the first set, so as to drain more thoroughly the less perfectly drained part of the rock. After a season of rest, the better drained portions of the rock would tend to fill up partially again from the less drained portions.

It would not be well then to put the borings, at least at first, nearer to each other than some 50 or 100 feet, because not only does each bore-hole drain the rock more or less to some 25 feet or more all around it, but the exploration of the limit and yield of the oil-bearing part of the bed will go on more rapidly if the holes are not put too close together. It is better to bore than to dig shafts through the rock, partly because it is cheaper, especially for a mere exploratory test of the bed, and partly because the very explosive gases given out by the oil render the digging of a shaft of any depth highly dangerous, and the gases are likewise very dangerous to the life of the laborers, who breathe them in large quantity. Even artificial ventilation of such pits might well prove insufficient to remove these dangers.

As to the yield of future borings, it is clear from what has already been said of the nature of oil deposits, that it must be quite impossible to make anything better than the very roughest guess. The bore-hole may hit upon a portion of the deposit where the rock is much fissured or coarsely porous, so as to give a very large yield, or it may fall quite outside of the deposit. The yield of a natural spring, however, gives some little clue as to whether the yield of borings is likely to be great or little, although the spring may in running for ages have now nearly run dry, that is, drained all the oil from the adjoining rock, or the small cracks in the rock through which the spring is fed may have become so clogged as to allow only a very small yield compared with that of a bore-hole. As the bore-hole passes through the whole thickness of the oil-bearing bed, the yield of course is likely to be greater (other things being equal) the thicker the bed is. The oil-bearing bed at Chhota Kutta and Burra Kutta (Jaba) seems from the place of the different springs to be about 100 feet thick; the bed at the Aluggud brook seems to yield oil through a thickness of some 50 feet; that at Punnoba 20 feet; at Gunda 20 feet; at Rutta Otoor 15 feet; at the Bussala River 12 feet.

The order in which the different places deserve to be tried by boring, taking the oil-yielding merits of each into consideration, is this:—Gunda, Chhota Kutta, Aluggud, Punnoba, Burra Kutta, Rutta Otoor, Bussala, Loondeegar (at the asphalt). The other places do not deserve trial at all, except possibly Chhurrut and Boraree, which however derive their chief importance from the unsuccessful trials made there last year by Mr. Fenner.

But considering also the distance of each place from the points to which the oil is destined, and from the head-quarters of superintendence, the order of trial would be somewhat different. If the oil be destined to the Rawalpindi gas work alone, the trial would perhaps best be made in this order,—Gunda, Rutta Otoor, Chhota Kutta, Burra Kutta, Bussala, Punnoba, Aluggud, Loondeegar.

The boring No. 1 at Gunda yielded for six months an average of about

11 gallons a day. It would seem, then, that for the supply of the Rawalpindi gas works (100 gallons a day), about nine such wells would be needed at a time. But as boring No. 1 will probably go on yielding something (a trifle at least) for 9 or 12 months longer, making its future yield about 1,000 gallons more, or 3,000 in all in the course of 18 months, its whole yield will probably be about one-eighteenth of the whole amount needed for the gas works in the 18 months. It would need, then, but one such new well every month to keep up a supply of 100 gallons a day; but that supply would not begin until a number of wells were at work—indeed 18 of them, if they were sunk only so fast. But if the oil be allowed to accumulate at first, without being used, to the amount of about 4,000 gallons, or for about the four first months of the yield of such a series of wells, then the series would yield enough to keep up the supply until the full number of wells come to yielding altogether. But as the very possible failure of some attempted wells and other delays must be provided against, a stock of oil should also besides be on hand before beginning its use, enough to last say three months; or else, what is about the same thing, three wells of the afore-mentioned whole yield of 3,000 gallons each should have been bored before reckoning the series as begun, which, after storing up 4,000 gallons, is to yield regularly the desired supply. If then the boring of the wells should go on regularly once a month, and each should yield as much as the first one is yielding, it would take four months after the finishing of the fourth well (that is, until the eighth well has been bored) before it would be at all safe to begin the use of the oil—in other words, before an uninterrupted supply of 100 gallons a day could be counted upon with any reasonable likelihood.

It seems quite likely (to make a very rough guess) that the Chhota Kutta oil lands would yield 30 such wells; the Burra Kutta 20; the Aluggud 20; the Punnoba 20; the Gunda 5, and the Rutta Otoor, Bussala, and Loondeegar, all together 5, making 100 in all. Yet so uncertain is the matter that it might well turn out that Chhota Kutta alone would yield more than 100. And it would not be very astonishing if a single well here should yield 100 times as much as the Gunda boring No. 1, that has been taken as the standard; for although the limits of each little oil district are very narrow, the yield of single wells within those limits might be very large since a well draws its supply from so short a distance around it. Still the rough guess just given does not seem wild either in overrating or in underrating the prospects of the places.

A supply of 100 gallons of oil a day may then be counted on with some likelihood for 100 months, or some eight years. Although the supply may well prove to last much longer, it may also prove to be much less; and uncertain and probably small as it is, it would hardly be worth while to put up gas works for its use. As, however, the gas works have already been put up, it may on the whole (rather than remove them to another place where gas material is more abundant) be best to make the needful borings, and use the oil while it lasts. When the railroad reaches Rawalpindi, other gas material may perhaps be got from a distance.

The asphalt seems to be enough in quantity to supply as much gas as a 100 gallons of oil a day for three or four years, lengthening out the term of the gas works to 12 years. To use the asphalt alone, the present retorts of the works would probably be too small, but it is quite likely that the asphalt could be dissolved again in a small quantity of the rock oil, and so used in combination with it in the present retorts. At the same time the pebble and sand could be separated from the asphalt after it has been reduced to the liquid form by dissolving in the oil.

As the oil all belongs to the class of heavy oils, it would be (like Rangoon oil) especially well suited for lubricating purposes; and it may well be that its most profitable use will be in that way, particularly after the railroad is finished to Rawalpindi.

5.—SHIPMENT.

The Rutta Otoor oil spring is 13 miles by road from Rawalpindi, the first mile only a bridle path, the rest passable for carts, and eight miles of it a

good metalled road. The Bussala oil spring is 11 miles by road from Rawalpindi, two miles and a half of which are a bridle path, the rest nearly or quite passable to carts. The Loondeegar asphalt is 16 miles by road from Rawalpindi, about six miles a mere bridle path, the rest passable for carts. The Gunda wells are about 30 miles by a wagon road, mostly good, from Rawalpindi. The Punnoba oil springs are 87 miles by road from Rawalpindi; the dozen miles next the springs are not passable for carts, but the rest are. The Aluggud asphalt is $145\frac{1}{2}$ miles by road from Rawalpindi, of which distance about 10 miles are quite impassable for carts, but the rest is nearly or quite passable for them. The Chhota Kutta and Burra Kutta (Jaba) oil springs are 102 miles by road from Rawalpindi, the first dozen miles or so quite impassable for carts, and the rest perhaps so in places. If the hire of a camel be taken as eight rupees a month, and his load 50 gallons of oil and a march as about a dozen miles, the carriage of a gallon of the oil by camels from each of these places would at least cost as follows:—Rutta Otoor and Bussala, $2\frac{1}{3}$ pies; Loondeegar, 3 pies; Gunda, $7\frac{2}{3}$ pies; Punnoba 1 anna $5\frac{1}{4}$ pies; Chhota Kutta and Burra Kutta (Jaba), 1 anna $7\frac{2}{3}$ pies; Aluggud, 2 annas $3\frac{2}{3}$ pies.

6.—REPORTS AND MAPS.

A special report has been written upon each of the places where oil, tar, or asphalt is found, and geological and topographical maps have been made for the Rutta Otoor, Bussala, Loondeegar, Gunda, Chhurrut, Boraree, Dulla, Punnoba, Aluggud, Chhota Kutta, and Burra Kutta oil lands. It was not thought worth while to map the other places, and even some of these derive their chief importance much less from their own merits than from the boring and digging that were formerly done at them.

The report for each place treats specially of the situation; the lay of the land; the geology, both the structure and the rock beds; the oil, its mode of occurrence, yield, outcrop and working; salt, sulphur or any other minerals found near the oil; the shipment; and finally, the books and papers that speak of each place. The aim has been to make the reports as full as may be, without giving needless and confusing details, and to give not only the observed facts, but the inferences drawn from them without, however, giving mere inferences as observed facts. All the reports, though final, have by requirement been wholly written in the jungle, as it were, and are therefore defective of course in some points where a reference to books and collections would be needed.

The maps of the Gunda, Chhurrut, Aluggud, Chhota Kutta, and Burra Kutta oil lands are based upon a rough survey; the others, mostly less important, are based upon a very rough survey, and are therefore called mere sketch maps. Each map shows a space of half a mile square with the oil springs in the centre, and by the side of the map are given an upright section of the rock beds and a long section of the basins and saddles. The maps are all on a scale $\frac{1}{6000}$ or 500 feet to an inch, and show the shape of the ground by contour lines 10 feet apart in level, and the position of the oil-bearing bed of rock by what may be called its contour lines 100 feet apart in level, and the outcrop by a hatched line. The observed dips are shown by arrow heads, and the number of degrees attached. The basin section is on the same scale as the map, and with the same vertical as horizontal scale, so as not to distort the structure. The rock section is on a scale of $\frac{1}{1200}$ or 100 feet to the inch, so as to make it possible to show a bed of one foot in thickness, or even less. The aim has been to make the maps as full and as independent of the reports as possible, and, as in the reports, to state as fully as consistent with clearness, not only the observed facts, but also the inferences drawn from them; yet in such a way that the two classes of statement should not be confounded. The mere guess of one who has been on the ground and carefully studied the matter is of value to those who have not been there, provided it be given as a guess, and not as a positive observation. At the same time, if the original observations are truly given, nothing prevents others from drawing their own inferences independently of the observer's inferences.

Of course the rougher the survey has been, the less trustworthy in intricate cases will the inferences be; but that is indicated by the very title of the map ("sketch map" or "map of a rough survey"). In the maps in question it would not have been worth while to make the survey very minute and time-taking, because what is chiefly wanted is a guide in beginning borings, or a proof of the general nature of the geology and structure of the place. They will show not only the probable general course of the outcrops and underground position of the oil-bearing beds, that is, where to look for them, but will show where borings can best be begun. The errors of these indications are in general likely to be greater the farther a point is from the oil springs themselves; but for other reasons it is desirable to bore at first quite near to the springs, so that the errors are of less importance. The borings themselves as they advance will give more and more exact knowledge of the position of the oil-bearing bed. The maps indeed are not intended as finally accurate statements of the geology, but rather as guides to finding it out, and something on which to base the corrections furnished by further explorations.

7.—BOOKS AND PAPERS.

The Punjab oil springs are spoken of in a "Report on the Salt Range," by Doctor Andrew Fleming, Journal of the Asiatic Society of Bengal, Volume XVII, No. 23, November 1848, page 517; in a "Report on the Structure and Mineral Wealth of the Salt Range," by Doctor Andrew Fleming, Journal Asiatic Society, Bengal, Volume XXII, 1853, No. 3, pages 264 and 265, No. 4, page 347; in "Notes on the Geology of the Punjab Salt Range," by W. Theobald, junior, Journal Asiatic Society, Bengal, Volume XXIII, No. 7, 1854, page 669; in a "Memorandum on Petroleum in the Rawalpindi Division," by Colonel R. Maclagan, R.E., Secretary to the Punjab Government, Public Works Department, Supplement to the *Punjab Government Gazette*, 5th February 1862, pages 23, 28; in a "Memorandum on the Results of a Cursory Examination of the Salt Range, and parts of the Districts of Bunnoo and Kohat, with special view to the mineral resources of these Districts," by Thomas Oldham, D.D., Superintendent of Geological Survey of India, Calcutta, April 1864, reprinted in a Supplement to the *Gazette of India*, 24th August 1867, page 780; in a "Report on Petroleum Operations," by A. Fenner, Assistant Engineer, Proceedings of the Government of Punjab, Public Works Department, 17th June 1866, about five pages; in a "Letter on the Gunda Oil," by Doctor T. E. B. Brown, Chemical Examiner, Supplement to the *Punjab Government Gazette* for 7th February 1867 (about six pages of foolscap manuscript); in a paper on the "Geology of Cashmere, the Western Himalaya, and Afghan Mountains," by Doctor A. M. Verchère (or Verchere), Journal Asiatic Society, Bengal, Part II, No. 1, 1867, page 13; in a manuscript Memorandum, No. 220, by Major C. H. Hall, Deputy Commissioner, 5th February 1868, on file in the Public Works Department at Lahore, one page; in a "Report on Borings for Petroleum," by A. Fenner, Executive Engineer, Proceedings of the Government of Punjab, Public Works Department, July 1869, pages 2-6; in a manuscript "Report on the Jaba Petroleum Springs near Kalabagh," by Lieutenant J. A. Armstrong, Executive Engineer, December 1869, on file in the Public Works Department at Lahore, pages 1-4; in a "Note on the Petroleum Locality of Sudkal," by A. B. Wynne, F.G.S., Geological Survey of India, Records of the Geological Survey of India, Volume III, No. 3, 1870, pages 73-74; and in a manuscript Report of his last winter's field work in the Salt Range, by A. B. Wynne, F.G.S., Geological Survey of India, on file in the Office of the Geological Survey of India at Calcutta, 1870.

Report on the Rutta Otoor Oil Lands, Rawalpindi District, Punjab, accompanied by a Geological and Topographical Sketch Map, by* BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.

1.—SITUATION.

The Rutta Otoor oil spring is 11 miles north by east from Rawalpindi, and 350 yards north of the hamlet of Rutta Otoor.

2.—LAY OF THE LAND.

The hamlet lies upon a small brook called the Kutta, just in a gap in the most southerly of the several parallel ranges of high hills or mountains that border the Rawalpindi District on the north next to the Hazara District. The general course of the first range is north-easterly and south-westerly, while the brook here runs for some distance nearly due south. East of the hamlet the ridge is divided in two by a long hollow, with two or three smaller branches. At the northern foot of the northern half of the range, and about 100 yards east of the brook, is the oil spring on the northern bank of a small branch of the brook, about 2,000 feet above the sea. A little more than a quarter of a mile north of the spring is another high ridge, likewise cut through by the brook; and the space between that ridge and the first is pretty flat for a width of say 100 yards near the brook, but rises easterly and westerly to high hills.

3.—GEOLOGY.

a. Structure.—The rocks seem to form a saddle to the north of the oil spring, and a basin to the south of it, with a southerly dip of about 50° near the spring, a southerly one of about 85° at the hamlet, and a northerly one of about 88° some 50 yards south of the hamlet. It is probable that the axis of the saddle is not far north of the spring, perhaps 100 yards; and that the axis of the basin is at the southern edge of the hamlet.

b. Rock Beds.—The only rocks exposed about the spring and near the hamlet are a dark gray lime rock, with nummulites and other fossils, belonging therefore to the nummulitic formation. It is probably the same as the so-called nummulitic lime rock of the Salt Range, in which the Kutta oil springs near Jaba occur. There are probably here and there layers of gray or light brown shales between the layers of lime rock. The thickness of this lime rock, including the shales that go with it, must be at least 750 feet. Scarcely 200 yards southerly from Rutta Otoor on the road to Shah-ka-Noorpoor is exposed a gray slightly reddish sand rock that dips about 45° north-westerly, seeming to pass under the lime rock just mentioned, and 20 yards further south a similar sand rock contains a six-inch layer of reddish and gray sandy lime rock. This sand rock belongs probably a short distance above to the Gunda group of rocks, and would in that case be also of nummulitic age. Indeed, reddish, gray and red shales are exposed a mile or two south-east of Noorpoor that look extremely like some of the rocks near Gunda.

4.—OIL AND ASPHALT.

a. Mode of occurrence.—At the oil spring scarcely any digging at all has been done; the earth has merely been scooped out of a hole some two feet long and six inches wide, and at most some nine inches deep. This hole is commonly filled with water from a natural spring, and a thin layer of dark green oil rests upon the water, and flows very slowly away. The oil seems to come from the cracks of a bed of the lime rock, perhaps 15 feet thick, at a distance of some 250 feet above the highest sand rock. In the bed and sides of the small water-course, about 40 yards below the oil spring, is some asphalt, partly in the wash, and partly in the cracks of the lime rock. It is merely dried oil that once flowed here from the cracks of the rock, as it still does at the spring. The heat of the sun softens it sometimes, and changes it into a black tar.

b. Yield.—The oil of the spring, if gathered every day, would amount perhaps to half a pint a day, perhaps even less. The asphalt extends for some two yards in length, with an average width of perhaps one yard and thickness of six inches, and amounts therefore to about a third of a cubic yard, and would weigh perhaps half a ton, as it is impure with earth.

c. Outcrop.—The outcrop of the oil-bearing bed of lime rock runs probably north-easterly and south-westerly from the spring and asphalt exposure, in a direction not far from straight, but bending round a little towards the north on account of the rise of the ground, combined with the south-easterly dip of the bed. Some 200 yards north of the spring would perhaps be found the corre-

sponding outcrop of the same bed on the north-eastern side of the saddle, and it would likewise run north-easterly and south-westerly, with a corresponding southerly bend on either hand. Some 200 yards south-east of Rutta Otoor there would probably be another outcrop of the oil-bearing bed, with a course nearly parallel to the one of the springs. As these outcrops run along the hill-sides for long distances, and would no doubt give rise to the oil springs here and there if it continued to contain oil, it is probably quite barren of oil (beyond perhaps a trace of bitumen) except close about the spring.

d. Working.—In making borings, then, it would be advisable to make them at first very near the spring or asphalt. By boring south-easterly from the spring or asphalt the oil-bearing bed would be found at greater and greater depth, the greater the distance from those points. This depth would probably be 100 feet below the level of the spring for a distance from it of say 80 feet; 200 feet at a distance of 150 feet; 300 feet at a distance of 200 feet; 400 feet at a distance of 240 feet; 500 feet at a distance of 270 feet; and so on, growing rapidly greater until a depth of 1,000 feet is reached at a distance of about 350 feet. Of course, for the depth from the surface of the ground at any of these points, the height of that point above the level of the oil spring must be added to the depths just given. It would not be best to bore at first where the oil-bearing bed would be more than from 50 to 100 feet deep from the surface; and the result of the boring would be an additional guide, not merely as to the prospects of a deeper boring, but as to the dip and consequent probable position of the bed at greater depth. The yield of the spring at present would seem, on the whole, small as it is, to justify the Government in making the experiment of a boring not more than 50 or 100 feet deep.

5.—SHIPMENT.

In case oil should ever be found here in quantity, it could be carried on the backs of camels or other animals by a narrow bridle-path to Shah-ka-Noorpoor, one mile distant, and thence by a good unmetalled wagon road four miles to the Rawalpindi and Murree big road, and then on an excellent metalled road eight miles to Rawalpindi, making in all thirteen miles.

Report on the so-called Oil Spring in the Cheerpar Mountain, Rawalpindi District, Punjab, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

1.—SITUATION.

The so-called oil spring in the Cheerpar Mountain, discovered by Udhul Moosulleo, is three-quarters of a mile south-west of the village of Musrot, which is a mile and a half south of Runneeal, a village on the Tullagunge road, six miles and a quarter south-west of Rawalpindi; in all therefore eight miles south-west of Rawalpindi.

SO-CALLED OIL.

a. Mode of occurrence.—The first Cheerpar Mountain (the most north-westerly of three or four) in its upper parts is very thin, and consists of yellowish brown sand rock, dipping about 80° south-easterly. At the point where the oil is said to be found, half-way up the steep, almost vertical southern side of the mountain, about 70 feet above the little plain below, there is, along a cleavage plane, a horizontal cave, in some places as much as six feet deep from the face of the rock and three or four feet high. It is said that in the hottest season, say in June or July, oil drips down from the roof of this cave, and forms white stalactites, six or eight inches long; but through the rest of the year, as at the time of this survey, there is nothing of the kind to be seen. In the rock of the roof there are three or four small dark discolored patches which seem to yield the oil. The largest one is of irregular shape, but at most about two yards long north-east and south-west, and two feet wide; and another two yards south-west of that is about two yards long by one foot wide, and has a still narrower spot alongside of its south-western end, and about a foot from it.

The white substance of the stalactites described is probably natural paraffine, which melts in the great heat of mid-summer and drips from the rock. The rock probably belongs to the age of the middle of the Gunda group, that is nummulitic.

d. Working.—The amount to be obtained from so small a deposit as this seems to me would be far too little to justify any expense in the way of further explorations, such as boring or digging. It seems in fact to be confined to the dark-colored patches just described, and the chances of hitting upon other like patches by digging or boring into the rock below are extremely small, and the likelihood of hitting upon a larger deposit of the kind there is still smaller.

Report on the Bussala Oil Lands, on the Seel River, Rawalpindi District, Punjab, accompanied by a Geological and Topographical Sketch Map, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

1.—SITUATION.

The oil spring on the Seel River at the mouth of the Bussala in the Rawalpindi District of the Punjab is 10 miles and a half south-west by west of Rawalpindi, and one mile and three-quarters east of Moorut village.

2.—LAY OF THE LAND.

Both banks of the Seel and of the Bussala (here some 1,500 feet above the sea) are very steep, and much gullied with many precipices. Back from these the land lies nearly flat, rising to a height of 100 or 125 feet from the beds of the rivers; but it is broken up in many directions by the steepsided gullies of the smaller streams, and to the north-east are two or three small chains (two or three miles long) of low hills rising above the general level.

3.—GEOLOGY.

The older beds of rocks near the spring all dip about 75° south-easterly, with a strike of north 57° east; but the newer rocks rest upon these quite unconformably, and are nearly level or quite so.

These newer rocks are of older alluvial age, and consist at the top of a very much contorted concretionary lime rock or travertine, full of irregular holes and of hollow tubes, probably broken fossil stems of plants, and of fossil leaves; and this rests possibly here, as it clearly does elsewhere within three miles, on a very coarse pebble rock with pebbles of fist size or larger. The travertine is exposed on the eastern bank of the Bussala about 100 yards above the mouth in a cliff some eight feet high. The pebble rock is exposed on the east bank of the Seel about 60 yards above the mouth of the Bussala, and is from nothing up to three feet in thickness according to the erosion that had taken place in the underlying rocks before the deposition of the pebble rock. The cliffs, some 40 feet high along the banks of the two rivers, seem to consist mainly of a soft yellowish brown sand rock that rests immediately upon the coarse pebble rock where this is exposed. At the crossing of the Seel, about two miles north of this place, near the village of Tulhceun, the concretionary limestone to the thickness of 100 feet or so is seen resting upon the coarse pebble rock; and this about three feet thick, upon the soft brown sand rock which reaches to the water's edge—all of these with no dip or nearly none above steeply dipping rocks in the beds of the river. It is likely therefore that there are at least two layers of pebble rock, one between the travertine and soft sand rock and not seen at the oil spring, the other below the sand rock.

The older rocks at the oil spring are probably of the nummulitic formation, of the same age as the Gunda group; and the following section was noticed

there on the east bank of the Seel, about 60 yards north-east of the spring. Downward—

Shales	about	5 feet.
Limy sandy shales	„	8 „
Blue sandy, clayed, and (limy ?) shales, with a thin layer of lime rock near the bottom like the next	„	15 „
Bluish gray lime rock, broken up into thin cross cleavage layers, nearly at right angles with the bedding . .	„	12 „
In all	about	40 feet.

The oil would seem to come from the blue shales. About 100 yards up the Bussala from its mouth there is a thin layered, almost slaty, light brown sand rock with a like dip, which must be therefore about 350 feet below the section just given, and on one of its blocks are a few spots of black, as if some body had spilt some tar there. It was pointed out as a deposit of mineral tar, but would seem not to be a natural one, nor to have the least importance in any case.

4.—OIL.

a. Mode of occurrence.—The oil rises up through the extremely shallow water of the river; one drop at a time every minute or two gives rainbow colors to the surface of the river for the space of a few inches, then floats away and disappears. At a distance of about 20 yards north-easterly, apparently on the outcrop of the same bed of shales, is another like show of oil; also at one or two other places between these extremes.

b. Yield and working.—The whole yield is plainly very small indeed, at most say a gill a day,—too little probably to justify any boring to test the bed, especially as this at its exposure on the bank close by seems to be quite barren of oil. Still it may at some time be thought worth while (more particularly on account of the nearness of Rawalpindi) to test the same bed at some little depth, and in that case it is clear where borings should be made. As this and other deposits of the kind in this Province seem to be of but very limited extent, perhaps a few yards only, it would not be well to make the first boring very far from the points where the oil and gas are seen to rise. As the bed dips some 75° to the south, 33° east, it will be needful to go in this direction 28 feet and two-thirds only to bore upon the bed at a depth of 100 feet below the river level, twice that distance for 200, and so on. Of course the height of the boring site above the rivers should be borne in mind as adding to the depth of the boring. In this way the bed can be bored upon at any desired depth, and the bed can be tested at the same depth below water level in a north-easterly or south-westerly direction, bearing in mind that the strike is north 57° east, and going in that direction from the point found out as just described for any given depth.

5.—SHIPMENT.

The place is quite accessible, as it is only two miles and a half from the big road that passes through Tulheeun south-eastward, and that road connects without any bad stream to cross with the Tullagung road south of Runneeal. The only bad place in respect to carriage is up the steep, gullied river bank, close by the oil spring; but this could easily be improved, and is already quite passable to horses and camels. The oil spring is by the road three miles and three quarters from Runneeal, and 11 miles from Rawalpindi.

Report on the Loondegar Oil Lands, near Moorut, Rawulpindi District, Punjab, accompanied by a Geological and Topographical Sketch Map, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

1.—SITUATION.

The asphalt and oil places near the house called Loondegar, on the land of Goolab Shah, a Lumberdar of Moorut, Rawalpindi District, Punjab, are two miles and a half south-west by west of the main Moorut village, and 14 miles south-west by west of Rawalpindi.

2.—LAY OF THE LAND.

The two places are about 1,550 feet above the sea near the head-waters of some small streams that flow south-easterly into a brook that comes down from

the southern side of the Khairee Moorut, and empties into the Seel River, and are about half-way between the mountain and the river. The asphalt place is on a gently sloping hillside; and the oil place, a quarter of a mile south-westerly of that, is on the bank of a small watercourse. Between the two is a ridge about 80 feet high, running north-west and south-east, and a couple of hundred yards north of the asphalt is a ridge of about the same height, running for some 300 yards east-north-easterly. North of that is a wide plain, and south of it the land is nearly flat, and slopes gently south-easterly. The land to the south-west of the oil place is also nearly flat, except where gullied by the small watercourse and its tributaries.

3.—GEOLOGY.

At the asphalt place the solid rocks are not at all exposed, so that the dip and strike are not to be seen, but at the oil place the strike is seen to be about north 55° east; and as the direction from one place to the other is the same, they are both probably on the outcrop of one bed. The dip at the oil place is about 85° north-westerly; but some 45 yards north of that, the dip, although in the same direction, is only about 60°. Some 10 yards still further north the rocks, with the same dip, are covered by a nearly or quite level bed of concretionary limestone or travertine, about two feet thick. This is plainly such travertine as that on the Bussala River near its mouth, and therefore of older alluvial age. The steeply dipping rocks are of the nummulitic formation (probably of the Gunda group), and many nummulites are to be found on the hillside east of the oil place. The rocks exposed at the oil place, and at 40 or 50 yards north of it, are all a coarse greenish gray soft sandstone, and it is the source apparently of all the oil that has flowed at either place.

4.—ASPHALT AND OIL.

a. Mode of occurrence and yield.—The asphalt occurs in the form of bituminous earth, or earthy asphalt, plainly the product of a natural spring of oil that has in former times flowed here, and whose oil in drying has become solid, and remained mixed with sand and small pebbles. It has been dug into at one point to the depth of two feet and a half or three feet without coming to the bottom of it, and extends over a surface, roughly a triangle in shape, about 60 yards long, and about 1,000 square yards in surface extent. Taking its average thickness at a yard (and it seems to be fully that, though not yet properly tested by digging), the amount would be about 1,000 cubic yards. No test of its capacity to yield oil or gas seems ever to have been made, although it is said that 10 maunds of it were taken by Government agents to Rawalpindi some two years ago. By mere guess it would seem likely to yield to the cubic yard at least as much gas as half a ton of oil, that is to say, some 11,000 feet. The specific gravity of the asphalt has not been tested either; but as it is earthy, a cubic yard would weigh perhaps a ton and a half, certainly not more than two tons, and probably not less than one ton. The whole thousand cubic yards would weigh then about 1,500 tons.

The oil occurs at both places in extremely small quantity, but chiefly at the asphalt place, and is found only in the hot weather, evidently the effect of heat upon the asphalt at the one place, and on the bituminous rock at the other place. This bituminous rock seems to be of very small extent, a mere blotch in the coarse green soft sand rock, some 15 yards long (north-west and south-east) and three yards wide (north-east and south-west), and only exposed to a depth of two feet by a small trial pit. There are four other such oily spots in the rock close by, all small ones, varying from two feet to two yards long.

d. Working.—The proper place to bore, or dig, to test the yielding capacity of the bed at any desired depth from the surface, is to the north-west ("to the dip") from either the asphalt or the oil place. As the bed dips at an angle of about 85° at the oil place, and perhaps at the same angle at the asphalt place, it will be needful to go only eight feet and three quarters to the dip to find the bed at a depth of 100 feet, or to go 17 feet and a half to find it at 200 feet, and so on. The bed at any such depth may be followed north-easterly or south-westerly by going in the direction of the strike, about north 55° east. There is, however, little or no encouragement to boring except close by the asphalt that seems to have come from a considerable deposit of oil in the rock which may not have been exhausted. It is plain that all such deposits in this

region are, like the small ones at the oil place here, quite limited in extent, and it is therefore not best to bore far from a spot where oil is known to occur. A well elsewhere sunk at random on the bed might possibly hit upon a good deposit, but the chances are very greatly against it.

5.—SHIPMENT.

The places are by a road passable to horses and camels, but hilly two miles and a half from Moorut village, which is three miles by a good bridle-path from Tulhceun, and thence it is ten miles and a half by larger roads to Rawalpindi, or 16 miles in all. But it is only five miles from the asphalt and oil, over a pretty good country for making a road, to the Tallagung road at a point 10 miles and a half from Rawalpindi.

Report on the Gunda Oil Lands, Rawalpindi District, Punjab, accompanied by a Geological and Topographical Map of a Rough Survey, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

1.—SITUATION.

The Gunda oil wells are on a tract of three acres and a half of land owned by the Government, about 100 yards west of the big road from Futtehjung to Campbellpoor, and two miles and a half north-west of Futtehjung, and are 23 miles slightly south of west of Rawalpindi. They are one mile south-south-east of Ajoowal, and one mile and three furlongs north-west of Sukal, and have by different writers been called by the name of each of these villages.

2.—LAY OF THE LAND.

The wells, about 1,700 feet above the sea, lie in the middle of a plain about 300 yards wide north and south about 100 yards on the west from the head of a small stream flowing westward into the Bugwan, and 400 yards on the east from the head of another small stream flowing eastward and north-eastward to the Nundna. This plain is separated on the south by a ridge about 15 feet high from the wide plain that reaches several miles west of Futtehjung. On the north are three ridges, the highest some 40 feet above the wells, within about 300 yards between the little plain and the valley in which lies the village of Ajoowal. Easterly from the wells for half a mile the ground is little broken and slopes gently, but westward it is much broken by hills, rising 30 feet or so above the wells, and narrow valleys some 75 feet below the level of the wells.

3.—GEOLOGY.

a. Structure.—The little plain of the wells lies in a basin of the rocks which seems to extend for several miles both easterly and westerly. The first ridge north of the well is formed by a saddle in the rocks, but seems to lie within the main basin, which is bounded rather by the rock saddle of the double ridge, about 200 yards further north. The low ridge south of the wells seems to be composed of two or three chains of rock saddles, but to be in the main the northern half only of a large saddle, having the general dip of its rocks northerly. Subordinate to this main structure are many small saddles and basins, the larger ones in general parallel to each other and to the main basin, but the smaller ones filling up the spaces between each other and the larger ones with great variety and apparent irregularity in their directions. The general course of the main basin seems to be about north 80° east, but that of the larger of the small basins seems to be north 70°, or only 60° east. The dip is often quite steep, often in fact reversed (as far as 70°), and is seldom less than 45°. Owing to this, and the fact that there are so many small basins and saddles with various directions, it is very hard to form a good opinion as to the precise place of any given bed in almost any place where the rocks are unexposed for a few yards. But in the central part of the basin the rocks are somewhat less disturbed and irregular than at the sides.

b. Rock Beds.—The rocks that share the structure just described belong to the nummulitic formation, and are the only ones that are clearly in place within

200 yards of the oil wells. But a little more than a quarter of a mile southwest of them are exposed some rocks, probably of older alluvial age, lying nearly level upon steeply dipping nummulitic rocks, and capping the hills on the northern edge of the great plain. These rocks, of alluvial age, are a brown pebble rock, with pebbles of walnut and filbert size, some 10 feet thick, covered by a coarse concretionary light buff (but weathering dark bluish gray) limestone or travertine, full of irregular holes, perhaps five feet exposed. Many blocks of this same limestone are scattered on the hill tops between that and the wells, and in some places are seen also traces of the pebble rock, and some of this seems to be in place. In the little plain of the oil well there is also a thickness of a few feet (perhaps generally from three to a dozen or even more) of wash or soil and recent alluvium that covers the rocks in the hollows. Indeed, well No. 2 of this year has now been dug to a depth of over 111 feet before coming to solid rock, and a great part of this depth is probably in wash.

The following seems to be the section downward of all the rocks of nummulitic age exposed within a quarter of the oil wells, and perhaps also within a much greater distance, for the many saddles bring the rocks again to the surface, perhaps with some changes of texture, or hardness, or thickness, or color, in the same beds :—

Thin layered, reddish brown, fine grained, hard calcareous sand rock with softer, thinner, redder layers . .	about 12 feet.
Gray, slightly reddish, soft coarse sand rock	„ 12 „
Red, coarse, calcareous, thin layered, sand rock, with white calc spar seams	„ 8 „
Soft greenish gray, coarse sand rock	„ 30 „
Coarse gray, slightly reddish sand rock	„ 30 „
Coarse brown pebble rock, thinning out	„ 5 „
Bright red shales, mostly soft, but with some hard layers .	„ 30 „
Brown shaly sand rock, thin layers, with shales between .	„ 4 „
Greenish gray shales and sand rock	„ 2 „
Bright red shales (partly hidden)	„ 4 „
Gray, slightly reddish, weathering dark brown, hard, rather coarse, compact, a little cross bedded sand rock . .	„ 10 „
Bright red shale (partly hidden)	„ 15 „
Bright red shale, with some layers of greenish gray (partly hidden)	„ 8 „
Chiefly red or reddish gray sand rock and red shales .	. . 170
Light yellowish brown, soft, irregularly bedded sand rock, with some thin (six inch) layers of harder nodules and some brown shales	about 10 feet.
Yellowish brown, hard sand rock, extremely full of nummulites	„ 3 „
Brown hard, nodular sand rock, made up of little and big nodules, very irregularly joined together . . .	„ 4 „
Very soft greenish gray and brown sand rock or shales, with some harder, six-inch, layers of brown sand rock, *oily or bituminous*	„ 20 „
Brown, very coarse pebble rock ; the pebbles are rounded, and mostly of sandstone, and some of them six inches long or more ; some of them were of a brighter yellowish brown than the rest of the rock ; a few small ones are of limestone, from two feet to six feet, say . . .	„ 4 „
Very light brown soft sand rock	„ 7 „
Pebble rock like that just described	„ 1 foot.
Light brown, very coarse soft sand rock	„ 7 feet.
Fine pudding rock, full of nummulites, hard (calcareous ?)	„ 1 foot.
Very light brown soft sand rock or shales, with here and there a harder rib of the same, and perhaps some red near the bottom	„ 20 feet.
Light brown or slightly brownish gray, very coarse thin layered shaly sand rock	„ 3 „
Chiefly brown sand and pebble rocks . .	. . 80
Red shales	about 2 feet.
Light brown calcareous sand rock or sandy lime rock in thin (four-inch) layers exposed	„ 1 foot.
Red shales or clay, with about one foot of the same sandy lime rock, in thin layers, about two-thirds of the way down	„ 20 feet.

Dove-colored rather pure-looking, thin layered lime rock	about	3 feet.
Red shales? hidden	„	2 „
Same lime rock as last, but irregularly bedded	„	2 „
Red shales or clay	„	15 „
Same but less pure-looking lime rock	„	3 „
Red clay? mostly hidden	„	2 „
Reddish and greenish hard calcareous shale	„	1 foot.
Red clay? hidden	„	9 feet.
Rather pure-looking dove-colored lime rock, such as above, and shales of a like kind, and softer shales, partly hidden and partly exposed, a succession of beds	„	100 „
Bright red clay or fine shales	„	10 „
Same succession of lime rock, hard and soft shales, partly hidden	„	20 „
Gray lime rock, red and gray shales		190
Bright red shales, perhaps		60
Whole series exposed		500

4.—OIL AND ASPHALT.

b. Yield.—The oil wells were first dug in 1866 by Mr. Fenner near a natural spring. There are seven or eight holes dug by him lying in a general north-east and south-west direction, and within 70 yards north-east and 50 yards south-west of the main well, and within about 20 yards of each other. Two or three of the holes are shallow, and most of them have fallen in, and seem never to have yielded oil. One however, 50 yards north-west of the main well, is said to yield a little oil, but much less than the main well, and it is therefore neglected. It is 13 feet deep, and goes something over half of that distance into the sold rock.

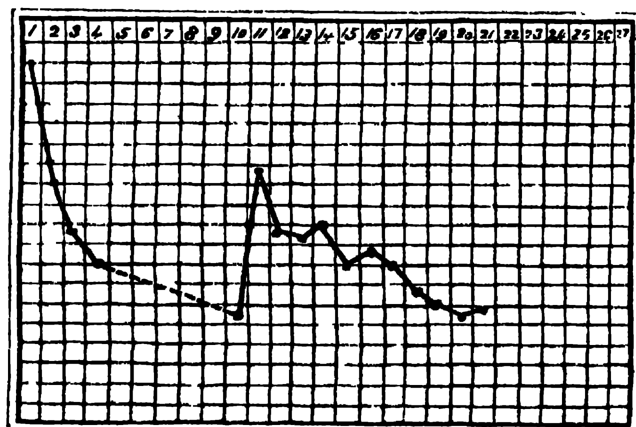
Another hole (now filled up), 20 yards south-west of the main well, yielded still less oil, and a few drops were seen upon the water that was there; one or two of the other holes show a trace of oil also at times. The main well was the most promising when all these holes were 15 feet deep, according to Mr. Fenner's report, and yielded "25 seers a day," about six gallons. It was therefore deepened by him in 1869 to 35 feet, and yielded then, he reported, "seven to nine *garrahs* every morning," which would be about 25 gallons, allowing a gallon or two for waste in the "wasteful manner of gathering" which he speaks of. At the end of March 1870 the same well yielded about five gallons a day (one *garrah* and a half to two *garrahs*) when the oil was gathered every day; but when the well had been neglected for a week, the yield would be about 30 gallons for the first day.

On the 8th of April 1870 a boring was begun in the bottom of this well, and was carried to a depth of 75 feet from the surface. The largest yield of the well and boring on any one day was 50 gallons on the 28th of May, just after the boring was finished. The whole yield of the well and boring since the 8th of April has been—

From the 8th of April 1870 to 28th of May 1870	about	500	gallons.
In the week ending 4th June 1870	„	180	„
Do. 11th „ „	„	120	„
Do. 18th „ „	„	97	„
Do. 25th „ „	„	80	„
On the 27th and 28th „ „	„	23	„
In the week ending 6th Aug. „	„	55	„
Do. 13th „ „	„	128	„
Do. 20th „ „	„	98	„
Do. 27th „ „	„	94	„
Do. 3rd Sept. „	„	99	„
Do. 10th „ „	„	79	„
Do. 17th „ „	„	88	„
Do. 24th „ „	„	79	„
Do. 1st Octr. „	„	66	„
Do. 8th „ „	„	60	„
Do. 15th „ „	„	58	„
Do. 22nd „ „	„	59	„
		1,963	

From the 28th of June to the end of July no oil was gathered owing to a caving in of the well. On the 9th of August a pump was fixed in the well for the first time, and the increased yield from about that time seems to be mainly due to frequent pumping, but partly perhaps also to the re-opening of crevices on the rocks by the water of the rains that soaked through them, and was pumped out by the borehole. The irregularity of the yield in the last weeks (which is still more striking in the daily record) may perhaps be owing either to irregularity of pumping or else to changes of weather not reported.

A diagram showing the foregoing weekly yield of the well gives what is



clearly a broken parabolic curve, and shows that the well will, at the end of this year (1870), yield some 30 or 40 gallons a week, and that the yield will continue worth pumping until 1st July or 1st October 1871, although very small at last. The diagram shows also that the future yield of the well will be about 1,000 gallons, making its whole yield about 3,000 gallons.

On the surface near the main well, and north-easterly from it towards the next best yieding hole, is a quantity of hardened mineral pitch or asphalt (called by the natives "moomeeai") upon the surface of the ground, clearly the result of the drying of oil that has flowed here naturally in past times. This asphalt covers a space about 30 yards long, and averaging say three yards wide, with perhaps an average thickness of six inches, and making the whole quantity some 15 cubic yards. It is in parts pretty pure, but in other parts much mixed with sand and gravel. It would probably weigh on the average something like a ton and a quarter to the cubic yard, or in all about 19 tons. Of gas it would yield to the cubic yard probably somewhat more than as much as half a ton of oil, or some 11,000 cubic feet.

c. Outcrop.—In the main well (or well No. 1) and in the hole close by it, and on the surface of the ground for a few yards north-east of it, is exposed a soft greenish gray sand rock, and the position of the asphalt shows that the oil issued from it, especially from cracks in it; but the whole rock seems impregnated with bitumen or dried oil, and looks brown on the inside, while weathered gray outside. There is also exposed near to this rock a hard, rather shaly (limy?) sand rock quite filled with nummulites. The soft greenish gray sand rock which contains the oil (perhaps from the decomposition of the soft parts of the bodies of the nummulites, so wonderfully numerous) seems to be the rock about 20 feet thick, noted as bituminous in the general section, about 17 feet below the top of the series of brown sand rocks and shales. The outcrop of this bed of rock runs probably about north 80° east from the wells, but is not exposed there within half a mile at least. Westward it runs nearly in the same direction, with some crooks for about a quarter of a mile, without any good exposure, and then turns northerly and then north-easterly around the middle of the basin. At this turn it is partly exposed, and seems to contain no bitumen, but from about 50 yards north-east of the turn for about 200 yards in that direction it is seen to be impregnated with bitumen in the same way as at the oil wells, and, although weathered greenish gray outside, looks brown

inside, and gives out a bituminous smell. This exposure of bituminous character is a quarter of a mile north-west of the main well, just below a dam across a small watercourse, and along the hillsides on either hand. No asphalt, apart from what impregnates the sand rock, is seen here. About 450 yards north-east of the turn northward the outcrop is cut short by a fault nearly at right angles with it, and thrown about 160 yards south-easterly to the ridge next north of the wells, and then runs north-east for half a mile or so at least. The oil-bearing bed crops out likewise along the brow (nearly east and west) of the second hill north of the oil wells, about 360 yards north of them, with a northerly dip, the northern side of a saddle. Another saddle, with so steep a southern dip as to amount to a fault in some places, brings up the same bed again along the brow of the nearly parallel ridge, some 60 yards still further to the north. But in all these outcrops, wherever exposed, it seems not to be bituminous, except in the places already mentioned. Indeed, the deposit of oil at the wells seems, like those found elsewhere in the district, to be of very limited extent—perhaps a few score yards at most.

d. Working.—It is clear, then, that any digging or boring should be made at first very near to the main well, so as not to fall quite outside of the deposit. As the rock just here dips steeply some 60° or more north-easterly, every 55 feet in that direction will find the bed at 100 feet greater depth if the dip should continue uniform. The rock however, as seen in the digging close to the oil well, changes its dip here two or three times within four or five yards, with little saddles and basins, so that its place at the distance of 55 feet cannot be counted on with certainty: still its most probable place is as just mentioned. It is possible that if the oil-bearing bed should be bored into at the depth of 100 feet or thereabouts, it might yield more oil there than at the present well; but it is not very probable.

The whole cost of the boring and digging of this year has, however, been at least equalled by the value of the oil taken; for that expense up to the end of September was about Rs. 1,200, or a little more, making the 2,000 gallons of oil cost about 10 annas a gallon. The cost in America of refining crude oil is about five annas or less a gallon; even if it were double that here, the cost of refined oil from this source would be but 20 annas a gallon, or less than half what it costs in the Rawalpindi market. If the crude oil yields 80 cubic feet of gas to the gallon as expected, the cost of this oil for gas would be at the rate of one anna for eight feet, or Rs. 7-13 for 1,000 feet.

On the 23rd May 1870 another well for a boring ("well No. 2") was begun at 50 feet north-west by west from boring No. 1 (by mistake this point was taken instead of "30 feet north-north-west," as directed); and on the 1st of October it had been dug to a depth of over 111 feet without coming to any solid rock on which to begin boring,—nothing but red and gray mottled clay. The object of the boring was to test the oil-bearing bed at a depth of 75 or 100 feet quite under cover, but not far from the first boring. The bed at the place taken for the well will, however, be somewhat deeper than that—say 150 feet to the bottom of it. If the dip should have grown steeper than at boring No. 1, or prove greater than 60 degrees, the depth may be still greater.

In August (contrary to the indications of this survey) a second boring was begun alongside of boring No. 1 in the same well; but, at the depth of about eight feet, was stopped by the sticking fast of a chisel that could not be removed. The boring of another hole so near the first was not advised, because the first would probably drain the rock of oil for some distance around it so thoroughly as to make another boring unlikely to pay its expense.

On the 24th September 1870 a third boring was begun at 88 feet east-north-easterly from boring No. 1, to be carried on at the same time with the digging of the second well, and to test the oil-bearing bed at a distance of 100 feet or so from the first well along the strike. On the 4th October 1870 a hole was likewise begun about 80 feet north-north-west of boring No. 3 to test the bed again at a depth of about 75 or 100 feet. If these holes should give encouragement, a hole might well be bored about 50 yards north-easterly from boring No. 1 near an old hole that has a show of oil in it; after that, if still

encouraged by the borings already made, one might be make at 30 feet north-north-west of this last, and so on, feeling the way along the strike north-easterly, and at the same time north-westerly to the dip. If these borings near the outcrop are successful, still deeper ones might be made to the dip. The borings themselves will give, as they go on, better and better information in regard to the course of the bed, both strike and dip, and be a guide to future borings.

5.—SHIPMENT.

As the well is close by the big road from Futtehjung to Campbellpoor, the oil or asphalt can be carried away either on camels or in bullock carts. The distance by the old road to Rawalpindi is 27 miles and a half; by the new road about 30 miles.

7.—BOOKS AND PAPERS.

The Gunda oil springs are spoken of in the "Report on Petroleum Operations" by A. Fenner, Assistant Engineer, Proceedings of the Government of Punjab, Public Works Department, 17th June 1866; in a letter on the Gunda Oil by Doctor T. E. B. Brown, Chemical Examiner, Supplement to the *Punjab Government Gazette* for 7th February 1867; in a manuscript Memorandum, No. 220, by Major C. H. Hall, Deputy Commissioner, 15th February 1868, on file in Public Works Department, Lahore; in a "Report on Borings for Petroleum by A. Fenner, Executive Engineer, Proceedings of the Government of Punjab, Public Works Department, July 1869, pages 2, 3, and 6; and in a "Note on the Petroleum Locality of Sudkal," by A. B. Wynne, F G.S., Geological Survey of India, Records of Geological Survey of India, Vol. III, 1870, No. 3, pages 73 and 74.

Report on the Chhurrut Oil Lands, Rawalpindi District, Punjab, accompanied by a Geological and Topographical Map of a Rough Survey, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

1.—SITUATION.

The Chhurrut oil well is 150 yards south-east of the village of Chhurrut, five miles and a half west by north of Futtehjung, and 28 miles in a straight line west of Rawalpindi.

2.—LAY OF THE LAND.

The oil well is in the middle of a little valley that stretches with a flat bottom for 200 yards to the east and 125 yards to the west, with a width of 40 yards at the oil well, but of 60 yards further east. This little valley is separated only by a narrow ridge, 60 feet high, from the Bugwan River on the south, which is here about 1,500 feet above the sea, and has a general east and west course. The little valley, only 10 feet above the river in level, is drained into the river around the western end of this hill. On the south side of the river is a flat about eight feet above the river in level and 100 yards wide. South of that is a long double east and west ridge of 80 feet or more in height, followed on the south by a narrow plain and other parallel ridges. North and west of the oil well the land rises to a level of 40 or 50 feet above the river, and reaches back in a plain, 400 yards to the north, to a long east and west ridge, some 40 feet higher, followed closely by other parallel ridges to the north. The village is built on the southern edge of the plain just mentioned.

3.—GEOLOGY.

a. Structure.—The rocks of the first long ridges on the north and south are in the main the same and dip away from the river, giving the whole valley between the appearance of a rock saddle valley or anticlinal valley, of half a mile wide. But the saddle is not a simple one, and has within it some eight or ten smaller saddles, and perhaps the southernmost of them should rather be considered as giving an anticlinal character to the southern mountain, and possibly the corresponding anticlinal on the north, which is half hidden, should

cause the valley to be regarded rather as a rock basin with smaller rolls within it. At the oil well itself the rocks form, it seems, a very small saddle; 40 yards south is another, and about 140 yards south of that probably another, and 80 yards south of that is another, and 100 yards south of that still another. On the north there seem to be small saddles at 50, 110, and 210 yards north of the oil well, and perhaps still others at 290 and 400 yards north of it.

b. Rock Beds.—The rock beds exposed in this neighbourhood are in the main the same as those seen around the Gunda oil wells, three miles to the east, but with some variations, and are of nummulitic age, except perhaps near the bottom. The following sections are exposed near the Chhurrut place:—

In the double ridge south of the Bugwan very soft greenish gray sand rock	about	6 feet.
Rather hard greenish gray sand rock	„	10 „
Hidden	„	4 „
Greenish gray soft sand rock	„	30 „
Hard coarse gray sand and pebble rock	„	2½ „
Greenish gray soft sand rock	„	5½ „
Red shales	„	2 „
Greenish gray soft sand rock	„	5½ „
Hard pebble rock (brown pebbles up to two inches)	„	4½ „
Greenish gray very soft sand rock (only 2½ feet exposed at top)	„	20 „
Greenish gray soft, partly hard, sand rock	„	23 „
Greenish and brownish gray sand rock and shales		about 113
Gray nummulitic shale, and two (two-inch) layers of gray lime rock	about	4 feet.
Very light gray lime-rock, crystalline and nummulitic	„	0½ „
Gray shales, full of nummulites	„	2 „
Light gray thin layered lime rock	„	1 foot.
Nummulitic shaly lime rock	„	2½ feet.
Mottled, white, brown, red, but dark weathering lime rock	„	1 foot.
Brown shales	„	2½ feet.
Nummulitic shaly lime rock	„	3 „
Gray lime rock shales	about	17
A gap here of perhaps	„	50

Then on the north side of the same ridge—

Hard shaly lime rock with iron ore (brown hematite altered from pyrites) in small crystalline nodules	about	3 feet.
Brown shales	„	6 „
Hard gray shaly lime rock	„	4 „
Gray lime rock and shales		about 13
Here a gap of perhaps		„ 30

Then in the north-east corner of the little flat in which the oil wells lie—

Light and dark gray lime rock beds, with gray shales between (in these the oil occurs, and at the well at least the lime rock is sandy)	about	30 feet.
Red shales (thick)	„	? „

Likewise, probably, the lower part of this last section in the north bank of the Bugwan, just south of the oil well—

Gray lime rock	about	4 feet.
Grayish green shales or clay	„	10 „
Red shales or clay	„	8 „
Hidden	„	5 „
Dark purple shales	„	4 „
		31 feet.

OIL AND BITUMEN.

a. Mode of occurrence.—The oil seems to flow from the crevices of the sandy gray lime rock marked bituminous in the section, and from the more

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sandy shales between the layers of lime rock, and to come then from the lower part of the sandy lime rock and shales of the Gunda section. The oil when fresh is dark green in color, but turns brown or black in the air.

b. Yield.—At the oil well a hole was dug by Mr. Fenner in 1869, 20 feet deep according to his report, and a bore hole sunk, he says, to the depth of 72 feet from the surface. He reports that the hole yielded two seers (or say half a gallon) of oil daily. The digging at the time of this survey (April 1870) was almost quite full of muddy water through which many bubbles of gas rose; but the amount of oil on the surface was extremely small, perhaps hardly a spoonful, and the villagers said that there had never been any more. As the oil does not seem to be gathered at all, the amount of it on the water must be the accumulation of a long time, so that the daily, or even monthly, yield would seem now to be extremely little.

On the surface of the ground and of the gray limestone rocks that crop out near the well are irregular deposits of solid mineral pitch or asphalt, sometimes a little softened in the heat of the sun, in some parts quite pure, but in others much mixed with sand and fine gravel. These deposits reach to 33 yards east of the well, and to 47 yards west of it, with a gap of 20 yards where none is exposed, just west of the well. The whole length then is about 60 yards; its average width is perhaps 1½ yards, and its average thickness ⅙ yard, making the whole amount 15 cubic yards. This impure asphalt would perhaps weigh a ton and a quarter to the cubic yard making 19 tons in all, and perhaps yield of gas as much to the cubic yard as half a ton of oil, or say 11,000 cubic feet. In the south bank of the Bugwan River, about 275 yards south-east of the oil well, are exposed within a space of 50 yards four deposits of solid impure asphalt, plainly thrown down by the river in a former bed. They are 1, 5, 3, and three yards long, and average about one-sixth of a yard in thickness, and reach into the bank perhaps one yard on the average, giving in all two cubic yards or 2½ tons. There would be then in all 17 cubic yards, or 21½ tons.

d. Working.—As the rocks here are in a saddle form, with a steep dip of about 70° on either side, it is necessary of course in boring to bore either along the top of the saddle, or within a short distance of it on either side. The northern dip of the saddle is the plainest, and the oil-bearing bed would be found at 100 feet greater depth for about every 17 feet of level distance in this direction. The small yield of the present holes, however, does not give encouragement to expect much oil from any deep borings. This oil deposit seems, in common with the others of the Punjab, to be of very limited extent; and it would therefore be necessary in boring to keep at the outset very near to the surface exposure of bitumen.

5.—SHIPMENT.

The bituminous earth or any oil that may hereafter be found could be carried either on camels or mules three miles to the big road at Gunda, and could thence be carried either in the same way or in carts 27 miles and a half to Rawalpindi, or 30 miles and a half in all by the old road, say 33 by the new.

7.—BOOKS AND PAPERS.

This oil place is spoken of in the "Report on Petroleum Operations," by A. Fenner, Assistant Engineer, Proceedings of the Government of Punjab, Public Works Department, July 1866; and in the "Report on Borings for Petroleum," by A. Fenner, Executive Engineer, Proceedings of Government of Punjab, Public Works Department, July 1869, pages 3, 4, 5, and 6.

Report on the Boraree Oil Lands, near Chhurrut, Rawalpindi District, Punjab, accompanied by a Geological and Topographical Sketch Map, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

1.—SITUATION.

The Boraree well, Rawalpindi District, Punjab, is three quarters of a mile south-west of Chhurrut, 6½ miles west of Futtehjung and 28½ miles in a straight line west of Rawalpindi.

2.—LAY OF THE LAND.

The oil well is in the bed of a very small brook, at its union with a somewhat larger brook called the Buraree Kussee, both coming from the west, and flowing 230 yards further east into a still larger brook that comes from the south, and flows 300 yards further northerly into the Bugwan River, just at a great bend it makes from running westward to running northward. The river here is about 1,500 feet above the sea-level, and the oil well some 15 feet higher. North of the oil well there are four or five ridges, rising from 50 to 70 feet above the river level, with narrow valleys between them, all within a distance of 300 yards. North of that the land is gently rolling for about 500 yards, with a general level of about 50 feet above the river, and then to the north are parallel ridges of some 50 feet high. South of the oil well rises steeply an east and west ridge, of 160 feet in height, followed on the south by a parallel ridge of some 90 feet above the river level, and then by a comparatively flat region with low parallel ridges. West of the oil well the land rises very steeply into two east and west ridges, 130 feet or more in height, or perhaps rather one ridge, with outliers on the south between it and the high ridge, just spoken of. To the east of the oil place the land is in parallel east and west ridges, some 60 or 80 feet high, with high rough valleys between.

3.—GEOLOGY.

a. Structure.—The high hill or mountain just south of the oil place seems to be made up of rocks in saddle form in the main, but with two subordinate rolls on the south side, and one or two others on the north side. South of these is perhaps another saddle, still within a quarter of a mile of the oil well; just south of the well seems to be another saddle, and some 40 yards north of the well a very sharp up-throw or fault of perhaps 50 yards, and at about 190 and 260 yards north of the oil well other saddles.

b. Rock Beds.—The rock beds exposed are the same as those to be seen near the oil well at Chhurrut, and in the main the same as those about the Gunda oil wells, four miles to the east, but with some variations, and are of nummulitic age. The following sections (downward) are exposed near the Boraree well. South of the mountain and south of the oil places—

Reddish sand rock, with white calc spar seams, perhaps .	about 50 feet.
Reddish gray soft shaly sand rock	„ 2½ „
Slightly reddish gray sand rock	„ 5½ „
Reddish sand rocks and shales .	„ . 58

On the north and south side of the same mountain—

Brown sand rock and shales? hidden	about 74 feet.
Red-pebbled pebble rock	„ 3 „
Gray (brown weathering) sand rock	„ 20 „
Brown and gray pebble rock, sandy	„ 12 „
Greenish gray, rather soft, sand rock	„ 3 „
Brown sand rock and shales .	„ . 112

On the south side of the same mountain, and at about two hundred yards east of the oil well—

Light gray lime rock	about 5 feet.
Gray nummulitic lime pudding rock	„ 20 „
Red shales, perhaps	„ 10 „
Greenish gray sand rock	„ 1 foot.
Gray (weathering brown) sandy lime rock	„ 5 feet.
(In parts a greenish gray sand rock, in other parts a pebble rock).	
Greenish gray sand rock	„ 20 „
Red shales	„ 8 „
Greenish gray shaly sand rock	„ 1 foot.
Red and green shaly clays, with salt and bitumen .	„ 30 feet.
Gray lime rock and shales .	100
	270

4.—OIL AND ASPHALT.

a. Mode of occurrence.—The asphalt here, then, seems to be near the upper part of the 190 feet of gray lime rock and shales of the Gunda section. For some 15 yards west of the digging the shales are bituminous, and 3 feet in thickness of them richly so. But the well (some 2½ yards in diameter, and, it is said, about six feet deep), although in line with these bituminous shales, exposes only a surface deposit of earthy asphalt, merely wash or alluvium that has been thrown down by the brook in its former bed. The whole is nearly full of muddy water, so that anything below this is hidden. Gas bubbles rise almost constantly in the water, especially in warm weather, seeming to be set free from the asphalt by the heat of the sun. The same heat likewise, as it seems, causes small streams of oil to flow from the edge of the same deposit of asphalt for a distance of some 18 yards east of the whole where the asphalt is covered by a bank of red earth on the north side of the bank. The amount of this asphalt seems to be about six cubic yards (9 yards long by 1⅜ yard average width, and ⅝ yard average depth); more may be hidden under the gravel and clay of the bank, which seems somewhat bituminous. The amount of oil is insignificant, perhaps a spoonful a day from the little streams on the bank; and in the whole there is on the water scarcely a trace of oil. About 175 yards east of the hole are exposed likewise in the north bank of the same stream, about two feet apart, to wash deposits of asphalt or bituminous red clay, oily in the sun's heat. They are each some 3 feet long by perhaps 18 inches wide and a foot thick, and would yield therefore about one-third of a cubic yard. These deposits of earthy asphalt on the Boraree Kussee would perhaps weigh a ton and a quarter on the average to the cubic yard, and yield perhaps as much gas to the cubic yard as half a ton of oil, or say 11,000 cubic feet.

b. Boring.—It is plain that any borings to be made to test the richness in oil of the main deposit must be made very closely along the line of outcrop, that is, about north 86° east and south 86° west of the present digging; for the dip here is almost vertical, say 87°. The dip is northerly, so that the borings should be made rather on that side of the outcrop than on the other; but with a dip of 87° the bed would sink 100 feet in about five feet of level distance northerly. The deposit, however, seems to be, like the others in the Punjab, one of very limited extent, as the same beds do not seem to be bituminous at any great distance, even 20 yards west of the digging, so that any borings should be made very near to the present hole. The prospect, however, is little encouraging for any such expense, and the better plan would be to dig the bituminous earth alone, and be satisfied with this easily won though at this point rather scanty source of oil and gas.

5.—SHIPMENT.

The bituminous earth could be carried only on the backs of animals by the present roads, either mules or camels, to Gunda, three miles and three quarters, and thence on the big roads either in the same way or by carts 27 miles and a half to Rawalpindi, in all say 31 miles, or by the new road 34 miles.

Report on the Jafir Oil Bore of 1869, Rawalpindi District, Punjab, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

The Jafir boring, made for oil in 1869 by Mr. A. Fenner, is on the east bank of the Ramora brook, one mile and a half north of Jafir, one mile and five-eighths south-west of Chhurut, six miles and a half west of Futtehjung, and 29 miles west of Rawalpindi. Mr. A. Fenner reports that he bored here 42 feet deep, chiefly or wholly in red sandstone, but that he found at most only a slight trace of oil. At present nothing is to be seen here but a hole, about four feet in diameter, nearly full of water, with a small exposure on one side of bluish gray soft shaly sand rock. The rock has a strike of about north 87°

east, and a dip of about 60° northerly. There is not the slightest trace of oil nor sign of its existence, and none is known ever to have been found there except the slight trace mentioned by Mr. Fenner. He does not think any further exploration here advisable, and certainly every thing seems to give strength to his opinion.

7.—BOOKS AND PAPERS.

The work at this place is described by Mr. A. Fenner, Executive Engineer, in his report on "Borings for Petroleum" in the Proceedings of the Government of Punjab, Public Works Department, July 1869, pages 5 and 6.

Report on the Dulla Oil Lands, Rawalpindi District, Punjab, accompanied by a Geological and Topographical Sketch Map, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

1.—SITUATION.

The Dulla oil lands are 38 miles and a half due west of Rawalpindi, 16 miles west north-west of Futtehjung, three miles south south-west of Boota, and two miles and a half north-north-west of Buttiot.

2.—LAY OF THE LAND.

The Dulla brook is a small stream that winds through the central parts of the Choor Mountains. Near the old Dulla trial pit the course of the brook is about north, and the pit is in the southern corner of a little flattish piece of ground, about 100 yards wide north and south, 300 yards long east and west. About 100 yards up-stream, south, is another flat of about the same size and parallel to the other, and through it the brook, and for a mile or more to the east, flows westerly; 200 yards north of the pit the brook turns from its northerly course, and flows again westerly for a mile or more, and then northwesterly; 600 yards west of the Dulla pit the Oodee brook, still smaller than the other, runs a little west of north into the Dulla brook, and at its mouth is another flat somewhat larger than the two already mentioned, and here is the deserted house that was once the Oodee salt chowkee. On the Oodee brook, a third of a mile west south-west of the Dulla pit, is the Oodee pit in a flat about 50 yards long and wide, and above this the brook has a north-easterly course, and is very small. Both pits are about 1,750 feet above the sea. The space between the two brooks and the two pits is filled by a steep hill, rising at one point to a height of about 270 feet above the pits, or perhaps 350 feet above the junction of the two streams. East and north of the Dulla pit are other steep hills of less height, and south and west of the Oodee pit are others still.

3.—GEOLOGY.

The rocks near the two trial pits lie in saddle form; those at the Dulla pit dip some 60° northerly, and those at the Oodee pit about as steeply southerly. Some 10 yards north of the Oodee pit the place of the axis is to be seen, and its dip seen to be some 20° westerly. The course of the axis is probably about north 83° east. The dip on the north side of the saddle seems to be gentler than that on the south, and, within a quarter of a mile of the axis, becomes about 30° only.

The chief rocks exposed are a bluish gray lime rock, in great part flaggy with perhaps some gray or light brown shales between the layers here and there. The whole thickness of these rocks would seem to be something more than 1,100 feet. No fossils have been found in it, but its age is probably the same as that of the Rutta Otoor lime rock, and also of the Punnoba lime rock, both nummulitic, and probably, too, the same as the main nummulitic lime rock of the Salt Range, as, for example, that of the Burra Kutta and Chhota Kutta oil springs near Jaba, a dozen miles east of the Indus.

Something more than 300 feet above the lowest exposed beds of rocks there is found a small amount of asphalt in the cracks of the lime rock through a thickness of some six feet.

Above the nummulitic lime rock, and uncomformable with it, are about five feet of a brown pudding rock and travertine, like those of Gunda and near the mouth of the Bussala River. It lies nearly or quite level, seems never to have been disturbed, and is of very small extent, only seen near the Dulla pit.

4.—OIL AND ASPHALT.

The asphalt is merely dried oil that was once liquid in this place, and might still be found so at a distance from the surface of the ground. It is exposed in both of the old trial pits, and in the heat of the sun a small portion of it melts, and becomes a black tar. There is also a small quantity of the asphalt in the wash near the Dulla pit, cementing together the rounded pebbles of the old bed of the brook. This deposit is some six feet long and about three feet thick at most, with an average thickness of say two feet, and a width of perhaps a yard though this is hidden in bank. Allowing one-half for the larger pebbles, there would be, then, some nine cubic feet of earthy asphalt. At the Oodee pit there is exposed in the cracks of the rock something like a cubic foot and a half of like asphalt. In all, counting some that is exposed in the rock of the Dulla pit, there is perhaps half a cubic yard of earthy asphalt, which would weigh say five-eighths of a ton.

There is no liquid oil exposed at all; the nearest approach to it is a few spoonfuls of black tar that has melted out of the asphalt in the sun's heat.

The outcrop of the oil-bearing or asphalt-bearing bed probably runs on the north side of the saddle is not far from a straight line from the Dulla pit to the Oodee pit, and near this turns and runs for a quarter of a mile at least a little south of east. East of the Dulla pit its course is about east.

As the outcrop of this bed through all this course has not been observed to be oil-bearing, it is highly probable that this character does not extend far from the pits in any direction. In order to test this point, therefore, by boring or deep digging, it would plainly be best to try at first only a very short distance from the pits, and then, if encouraged by success, to go further and further from them by degrees. The first boring ought to be, where the bed would lie, of not more than 50 or 100 feet deep below the surface of the ground, that is, not more than about 50 feet northerly from the Dulla pit, or 90 feet south-westerly from the Oodee pit. If the result of such a trial should be encouraging, a deeper boring might be made 120 feet northerly from the Dulla pit, or 150 feet south-westerly from the Oodee pit, so as to strike the oil-bearing bed about 200 feet below the surface. These borings would themselves show more precisely than is known at present the dip of the bed at either place, and would be a guide to further borings.

But the very unpromising amount of asphalt at either pit gives small encouragement for such borings, and the smallest of them would only be advisable on the part of the Government (never of any private individual) after meeting with fine success on other oil lands of the Punjab.

5.—SHIPMENT.

The inaccessibleness of the place is another drawback. It would be possible, however, to transport oil or asphalt down the Dulla brook, then up the Oodee brook, to the Oodee digging, a distance of three quarters of a mile; or a smoother road, but steeper, might be taken across the ridge between the two pits, rising to a height of 175 feet above them, but going a distance of only a third of a mile. From the Oodee pit the road leads south-westerly to Buttiot, a distance of three miles. Most of the distance from Dulla pit to Buttiot is by an extremely bad road, though a well-travelled one; it runs where possible through the bed of the water-courses, and is very narrow, and much encumbered with large stones. From Buttiot there is a bridle path eastward to Chhurrut, 11 miles and a half, and thence still eastward to Gunda, three miles. Thence south-easterly by big wagon road, two miles and a half to Futtehjung, and thence easterly by a big road, 25 miles to Rawalpindi, or 17 miles and a half of bridle-path from Oodee pit to Gunda, and 27 and a half of big road from Gunda to Rawalpindi, 45 miles in all. The big road might instead be struck at

Jafir, seven miles west of Futtehjunj, but the whole distance would still be about the same.

7.—BOOKS AND PAPERS.

The workings at Dulla are described in the report on "Borings for Petroleum," by Mr. A Fenner, Executive Engineer, in the Proceedings of the Government of Punjab, Public Works Department, July 1869, pages 4, 5 and 6.

Report on the Punnoba Oil Lands, Kohat District, Punjab, accompanied by a Geological and Topographical Sketch Map, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

1.—SITUATION.

The Punnoba oil springs, in the Kohat District, are in a straight line, 67 miles due west of Rawalpindi, 25 miles due east of Kohat, three miles and a half north of Shekh Khan, the same distance west north-west of Choorlukkee Meeshuk, and half a mile south-east of the village of Punnoba, some five miles south-east of the boundary of the land of the Afreedees.

2.—LAY OF THE LAND.

The springs, three in number, within 25 feet of each other, are about 1,150 feet above the sea in the eastern edge of the Punnoba brook, or close beside it just where the brook cuts through the first south-eastern high ridge of the mountains that separate British India in this region from Afreedeestan. This ridge runs north-easterly and south-westerly, is about 400 feet high, and has a quarter of a mile to the south-east a parallel ridge of about 70 feet high, and south of that a plain many miles wide. North-west of the main ridge, at a distance of a quarter of a mile, is another nearly parallel ridge, about 100 feet high; north-west of that is a narrow valley in which lies the very small village of Punnoba (deserted during the hot season, and without drinking water then), and north-west of that are high mountains in parallel ranges. The brook flows south-easterly from the village to the oil spring, then southerly for a quarter of a mile to the low ridge, then easterly 300 yards, then southerly around the eastern end of the ridge, and then easterly again. The slopes of the ridges are quite steep, especially where the brook breaks through the one by the oil springs.

3.—GEOLOGY.

The rocks at the oil spring dip steeply (70°) south-easterly; but it seems to be a reversed dip on the north-western side of a rock saddle that composes the high ridge, with a gentler dip on the other side. About 175 yards south-easterly from the oil springs there is another saddle in the rocks, with a dip of about 45° on the northerly side, and of about 80° or more on the southerly. Scarcely 30 yards south-easterly from this saddle the dip changes again to a steep northerly one, at first some 45°, then even 90°, then 70°, and at length, a quarter of a mile south of the oil springs, only 30°. The first ridge north-west of the oil springs is formed by a rock saddle with dips of about 45° on either side, and there seems to be but one basin between this and the oil springs.

The rocks all seem to be of nummulitic age; at the top some 500 feet of gray lime rock, mostly in thin much broken layers with some shales; below that some 500 feet of bright red sand rock and red shales, somewhat limy in the upper part, with white calc spar seams, and below that brown sand rock and brown shales, with some small pebble rock beds. The lime rock contains nummulites and other fossils, particularly a small bivalve shell, like an oyster, three quarters of an inch long, and it is probably the same as the great nummulitic lime rock of the Salt Range. The red sand rock and shales below seem to have no fossils, but closely resemble some of the red sand rocks at the top of Gunda group, to which they probably belong. The brown sand rock at bottom, with its pebble rock beds and shales, likewise resembles closely the brown sand rock, pebble rock, beds and shales of the Gunda group, and although less filled with fossils, what seemed an imperfect nummulite was found in it.

4.—OIL.

The oil of the springs seems to come from the cracks in the lime rock through a thickness of some 20 feet of the bed, at a distance of some 175 feet above the red rocks.

The three springs altogether would yield perhaps half a gallon a day if gathered daily; but it is only taken by the natives at odd times and with the help of wisps of grass, which sop it up, and are afterwards squeezed by the hand. They use it to burn in lamps; but it is so far inflammable that it can only be used with a lamp that has a tube expressly for the wick. If burned with the wick unprotected by such a tube (as the Gunda oil is burned safely), the oil all blazes up.

The outcrop of the oil-bearing layers of rock runs from the springs north-easterly and south-westerly, probably in nearly a straight line (say north 62°, east), with a very steep northerly dip or a quite vertical one, or a reversed southerly one. Some 250 yards north-westerly of this outcrop is probably another nearly parallel outcrop of the same rocks, with a south-easterly dip of say 45°, and consequently with bends to the north where the ground rises into hills. About 350 yards north-westerly of the oil springs is probably still another outcrop of the same layers, with a north-westerly dip of about 45° with corresponding bends to the south wherever the ground is high. No other oil springs have been discovered along these outcrops, even where they cross the brook; and is not likely that the oily character of the rocks extends to any great distance from the three springs. It is clear, therefore, that any borings to test the yield of the oil-bearing bed at some depth below the surface of the ground should be made to begin with as near as may be to the oil springs. As the dip there is some 70° south-easterly, a distance of about 36 feet in that direction would bring the bed to a depth of 100 feet deeper still, and so on. It is probable, however, that the dip of the bed in following it down soon changes to a northerly dip, which grows gentler and gentler to the middle of the basin where the bed is probably only about 500 feet below the level of the oil springs. It would be best, therefore, to make the first boring only 10 yards or so southerly from the oil spring, and it will probably strike the bed within 80 feet below the level of the spring, and follow it to a depth of 200 feet or more from the level of the springs. The bed can also be traced along by borings, say 100 feet north-easterly and south-westerly near the outcrop.

Salt.—The brook for a quarter of a mile above the springs and one-eighth of a mile below them, but especially within 75 yards above them, has a great many pools of very salt water, and even the village spring, about a quarter of a mile above the oil springs, is quite brackish at the end of April. The saltness of the water comes from that character in the rocks and shales from which it seems to have issued; the brook above and below is quite dry.

5.—SHIPMENT.

A bridle-path leads from the oil springs south-easterly to the big road about two miles and a half; and by this big road, very good for mules and camels, but hardly fit for carts, the distance is nine miles to the big wagon road that leads west 26 miles to Kohat, and east four miles and a half to the Indus at Khooshialgurh and thence 71 miles to Rawalpindi, and in all 37 miles and half to Kohat, and 87 to Rawalpindi.

Report on the Aluggud Oil Lands, Bunnoo District, Punjab, accompanied by a Geological and Topographical Map of a Rough Survey, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

1.—SITUATION.

The Aluggud oil lands are on the Aluggud brook, about 10 miles and a half south of Eesa Khêl, Bunnoo District, Punjab, two miles north-west across the mountains from the ancient ruins of Kafir Kot, and 124 miles south-west by west of Rawalpindi.

2.—LAY OF THE LAND.

The oil lands lie near the foot of a north-west and south-west ridge, about 500 feet high, that has a slope of nearly 25° on the south-western side, and is much steeper on the other. Between this and other parallel ridges on the south-west, from 100 to 200 feet high, the Aluggud brook (here about 750 feet above the sea) winds in a general northerly direction. It comes to the oil lands in a north-westerly course through gaps in these lower ridges, makes an oxbow 200 yards across towards the west, then, instead of cutting through a narrow neck of a ridge of clay, it makes a curious cut in oxbow shape again to the east, about 100 yards across through the lower part of the high ridge just mentioned in very hard rocks; the cut at first scarcely eight yards wide, afterwards 40, and then at the lower end half a dozen yards again, and throughout bordered by cliffs up to 150 feet or so in height. After that the brook flows half a mile or so westerly, and then north-westerly and northerly in a valley perhaps half a mile wide. The high ridge is cut through from east to west by three small valleys. The ridges east of the high one first mentioned are still higher, and rise to 2,200 feet above the sea.

3.—GEOLOGY.

The geological structure throughout these oil lands is extremely simple; the rocks all dip south-westerly, and a nearly uniform dip of about 25°, and they seem to form the westerly part of a great rock saddle.

The following is a section downwards of the beds of rock exposed here:—

Soft gray sand rock exposed here, say . . .	about	100	feet.
Red and greenish gray clays with a few layers of brown sand and pebble rock [at 202 feet from the top such a layer (sand and pebble) three feet thick; at 340 feet one (sand) three feet thick; at 370 feet one (sand and pebbles) three feet; at 380 feet one of three feet; at 400 feet one of three feet; at 450 feet one of five feet; and at 475 feet one (sand) of 10 feet] . .	„	700	„
Coarser (up to six inches) pebble rock, with pebbles of crystalline rocks of metamorphic red sand rock, of magnetite, especially for two feet at the bottom, and of cherty lime-stone, with imperfect encrinite (?) fossils	„	40	„
Brown sandy lime rock (with productus and other fossils, weathering gray, in places seeming to become merely a soft gray sand rock, in places richly bituminous)	„	40	„
Brown and gray shales	„	180	„
Soft gray sand rock, also bituminous in parts . .	„	100	„
Gray sand rock ??			
In all .	„	1,160	

The gray sand rock at the top of the section, and the 700 feet of red and gray clays below it, seem plainly to be the same as that at Jaba, in the Salt Range, near Kalabagh, and lie at some 1,100 feet above the nummulitic lime rock, and have commonly been called Siwalik in age. The coarse pebble rock and the underlying lime and sand rocks seem to hold the place of sand rocks of similar nature that lie at Jaba between those clays and the nummulitic lime rock. The rocks of the sections of the two places correspond in fact very well. But the productus and other fossils in the Aluggud lime rock seem to show these rocks to be of carboniferous age.

4.—ASPHALT, TAR AND OIL.

a. *Mode of occurrence.*—The oil that the oil-bearing rocks contained has partly oozed out of it where exposed in cliffs along the brook, and in drying has turned into a thin coating of black asphalt on the rock. At other places along the brook the oil in like manner formed pools that in drying became masses of asphalt. This asphalt partly melts in the heat of the summer sun, and small pools of black tar are formed, some of the smaller ones all of tar, but most of them a mere coating of tar from an eighth of an inch to an inch

deep upon pools of water which the tar protects from drying up. There is now no flow at all of oil proper.

b. Yield.—The asphalt deposits extend in spots for about a quarter of a mile along the east side of the brook, at most some 25 feet wide and one foot thick, and amount in all to about 350 cubic yards. It is somewhat impure from sand and pebbles mixed with it, and would weigh perhaps in all 550 tons. Of the liquid tar in the pools there was in May 1870 about 100 gallons; and this is likewise somewhat impure from leaves and sticks in it, and perhaps a little sand.

c. Outcrop.—The outcrop of the oil-bearing bed of rocks is to be seen in the cliffs along the brook in the oxbow cut in the lower part of the ridge mentioned as 500 feet high and rises to the top of this ridge on either side of the three narrow valleys that cut across it from east to west, that is, the outcrop has a general south-east and north-west course parallel to the strike of the rocks, but with these three long bends to the west where the rocks are cut through by small streams.

d. Working.—As the oil-bearing bed shows no signs of bearing oil, except near the exposures and asphalt deposits already mentioned, it is not likely that it continues bituminous to any great distance. A test by boring should therefore clearly be made as near as may be to these exposures. The most convenient places for the first borings would be in the little flats, just above where the brook enters the gorge in the high hill, and just below where it issues from the hill again. At both the entrance to this gorge and the issue from it the oil-bearing bed is near the water-level of the latter point, and dips south-westerly at such a rate as to be 100 feet lower below that level for about every 200 feet of distance. Owing to the thickness of the oil-bearing rocks, it seems highly probable that borings would meet with success as to the yield of oil. The great hardness, however, of the 40 feet bed of coarse pebble rock would make the boring slow and costly, and perhaps the pebbles by separating now and then from the sides of the bore hole (although they seem in general firmly cemented together) would cause vexatious and serious difficulties in the boring. Should this be found to be the case, it would be desirable to protect this part of the whole by tubing as soon as bored.

6.—SHIPMENT.

The asphalt, tar, or oil could be carried by a good bridle-path (that could at small expense be made passable even for carts) two miles and a half north to the mouth of the Aluggud Valley thence likewise by bridle-path either five miles south to the River Indus at Kafir Kot (whence it could be carried in boats up the river by towing, or down the river by drifting and rowing) or eight miles north to Eesa Khel; thence by wagon road north, 28 miles to Kalabagh, and thence likewise by wagon road (now out of repair near the Indus), 107 miles through Futtehjung to Rawalpindi, or in all 145½ miles to Rawalpindi.

7.—BOOKS AND PAPERS.

The oil place is mentioned in the "Report on the Geological Structure of the Salt Range," by Dr. A. Fleming, Journal of the Asiatic Society of Bengal, Vol. XXII, 1853, No. 3, pages 264, 265, 268.

Report on the Chhota Kutta Oil Lands, near Jaba, Bunnoo District, Punjab, accompanied by a Geological and Topographical Map of a Rough Survey, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

1.—SITUATION.

The oil springs on the Chhota Kutta brook, near Jaba, Bunnoo District, Punjab, are a mile and a half south by west of Jaba, 10 miles south-east of Kalabagh, and 95 miles south-west by west of Rawalpindi.

2.—LAY OF THE LAND.

Three or four oil springs lie within a distance of about 50 yards along the banks of the Chhota Kutta close beside the water's edge, at most some six feet above its level, which is about 1,450 feet above sea-level. The main spring is about midway between the uppermost and lowermost ones. They are just at the outlet (north-eastern end) of a narrow gorge square across the north-easternmost of the higher ridges of the Salt Range, running here north-westerly, and this ridge rises steeply on either side of the brook to a height of 600 or 700 feet, and within a mile or two to twice that height. The land north-east of the ridge is much broken into low hills, up to some 200 feet in height, growing gradually lower towards the great plain to the north-east. South-west of the main ridge there is a valley half a mile wide, bounded by a still higher ridge on the south-west, and the Chhota Kutta has its head in this valley up towards the north-west.

3.—GEOLOGY.

a. Structure.—The rocks that form the high ridge by the oil springs lie in the form of a saddle, with a dip of about 60° at the springs, and some 5° more in the gorge 60 yards south-west. The axis of the saddle crosses the brooks about 220 yards above the main oil-spring. A dozen yards from the axis the north-easterly dip is 54° and 25 yards from the axis on the other side the south dip is 73°. On either side, however, the dip soon lessens from the outcrop of the oil-bearing beds to 45°, and a third of a mile north-west of the oil springs even to 30°.

b. Rock Beds.—The following is a very rough section of the rocks exposed within a quarter of a mile of the oil spring. Downward :—

Greenish gray sand rocks and shales	about	190	feet.
Greenish gray sand and filbert pebble rock . . .	,,	10	,,
Greenish gray sand rock (and shales?)	,,	125	,,
Brown pebble rock	,,	4	,,
Greenish gray sand rock and shales?	,,	316	,,
Greenish gray sand rock	,,	30	,,
Dark red shales	,,	25	,,
Greenish gray sand rock (with red shales at bottom) .	,,	75	,,
Brown fine pebble rock	,,	6	,,
Red clay	,,	6	,,
Gray soft sand rock	,,	3	,,
Greenish sand rock and shales	,,	10	,,
Gray shales	,,	25	,,
Greenish gray sand and fine pebble rock	,,	6	,,
Red and greenish gray shales alternating	,,	64	,,
Blue gray (weathering brown filbert and larger pebble rock)	,,	5	,,
Greenish gray sand rock and shales, with some fine pebble rock and red shales	,,	900	
Blue gray lime rock (and perhaps some gray shales), with nummulites, echinoderms, and other fossils . .	,,	500	
In all	,,	1,400	

The top of the section is only some 150 feet below red and gray clays that seem to be the same as those of the upper part of the Aluggud group of rocks, and the greenish gray sand rock not only seems to hold the same place as the lower rocks of that group but to resemble them closely in appearance. But both the sand rock and the clays above have at Chhota Kutta been commonly called of Siwalik age, while the rocks below the clays at Aluggud have been called carboniferous.

The pebble rock, just above the lime rock, is made up in great part of limy concretions, many of these having water-worn pebbles, as a core. In at least one of these water-worn pebbles, of a pinkish lime-stone different from the gray concretions, was found a nummulitic.

The lime rock at the bottom of the section is the so-called nummulite lime-stone of the Salt Range.

4.—OIL.

a. Mode of occurrence.—The oil comes from the cracks of the gray lime rock through a space of about 100 feet, that is, from 50 to 150 feet below the top of the lime rock, and the main spring comes from about the middle of that thickness. There are three oil springs (the uppermost ones) on the eastern side of the brook near the water's edge (under water in the wet season it is said), and a fourth (the lowest one) on the western edge of the brook near where the brook leaves the upper edge of the lime rock; and perhaps some of the pools of the brook that are covered with a film of oil are supplied with it by other springs. These pools of water come from strong and very sulphury springs; and as the water is uninhabitable for fishes and other animals, the bottom and sides of the pools are covered with a thick white, pink, and red leathery fungus-like vegetable growth. The oil upon the pools of the brook is black, the color that comes from exposure to the air; but in the larger springs the oil can easily be seen to be green when it first rises, although even here there is much black or tarry oil. The oil in the springs rises with water, and floats upon it. At two or three of the larger springs holes have been dug, say a foot and a half across and two feet deep. At the main springs gas is constantly bubbling up.

b. Yield.—Last winter the oil from these springs and from those of the Burra Kutta, half a mile south-east, was gathered by a chowkidar every two or three days for three months and the whole amount, according to his account, was about 90 gallons, or an average of about a gallon a day. Since that, however, this gathered oil partly dried up or leaked away, so that there was only about two-thirds as much to be seen at the time of the survey, even if it was not over-estimated at first. It would seem, therefore, fair, on the whole, to take the average yield of Chhota Kutta springs, if skimmed daily, as about three quarts a day, for they yield decidedly more than the Burra Kutta springs.

c. Outcrop.—The outcrop of the oil-bearing bed runs in general north-west and south-east from the springs along the hill side, but with a bend to the north-east at the springs owing to the depth of the hollow there combined with the north-easterly dip of the rocks.

d. Working.—It would of course be best, as at the other Punjab oil springs, to make the first borings to test the oil-bearing bed as near as may be to the springs, but rather towards the dip. The dip of the bed is such that the middle of it lies at a depth of 100 feet at about 75 feet north-easterly from the main spring, 200 feet deep at about 160 feet from the spring, 300 feet deep at about 250 feet distant, 400 feet deep at about 350 feet distant, 500 feet deep at about 450 feet distant, 1,000 feet deep at about 1,000 feet north-easterly from the spring. As the oil-bearing beds amount to a thickness of 100 feet, the middle of them would be at 100 feet deep near the lowermost oil spring on the brook where the upper edge of the beds comes to the surface. This would be a good place to make the first boring, as it would be some 200 feet to the bottom of the beds, and this would be a good test of their capacity at no great distance from the springs nor from the surface, yet where the beds are wholly under cover. Afterwards other borings might be made either deeper and deeper to the dip, or along the outcrop south-eastward towards the oil springs of the Burra Kutta brook on the same beds. From the size of the springs, the thickness of the oil-bearing beds, and from the fact that they continue oil-bearing so far as the Burra Kutta, half a mile off, it seems highly desirable and worth while that borings should be made here.

Gypsum and Sulphur.—On the hill side on the either side of the brook at the springs there is a large quantity of a porous gypsum, seemingly produced by the action of the sulphur water upon the lime rock. It is said also that a great deal of sulphur was formerly gathered here, but none is now to be seen in the old holes on the hill side west of the springs. It is said to have been visible in small yellow particles in the gypsum, and is probably still to be found so below the surface in a fresh hole. There seem to be some thousands of tons of gypsum (perhaps 20); but the amount of native sulphur in it is quite unknown.

5.—SHIPMENT.

The oil gathered here could be carried on camels or mules a mile and a half by a very rough bridle-path (that would need improvement for at least 100 yards near the springs) to Jaba, thence by better and better roads, the worst of them very good for camels, and perhaps even passable for carts, 100 miles and a half to Rawalpindi, in all 102 miles. Calling this eight marches and a half for a camel, and a load of a camel 50 gallons, and his cost Rs. 8 a month, the carriage of oil to Rawalpindi would cost at least 1 anna and 7⅗ pies a gallon.

7.—BOOKS AND PAPERS.

These springs are mentioned in a "Report on the Salt Range," by Doctor A. Fleming, Journal Asiatic Society of Bengal, Vol. XVII, November 1848, page 517; in a "Report on the Structure and Mineral Wealth of the Salt Range," by Doctor A. Fleming, Journal Asiatic Society of Bengal, Vol. XXII, 1853, No. 4, page 347; in "Notes on the Geology of the Punjab Salt Range," by W. Theobald, Junior, Journal Asiatic Society of Bengal, Vol. XXIII, 1854, No. 7, page 669; in a "Memorandum on Petroleum in the Rawalpindi Division," by Colonel R. Maclagan, R. E., Secretary to Government, Punjab, Public Works Department, Supplement to the *Government Gazette*, 5th February 1862, page 23; in a "Paper on the Geology of Kashmir, Western Himalaya and Afghan Mountains," by Doctor A. M. Verchere, Journal Asiatic Society of Bengal, Part II, No. 1, 1867, page 13; in a "Manuscript Report on the Jaba Petroleum Springs near Kalabagh," by Lieutenant J. A. Armstrong, Executive Engineer, December 1869, on file in the Public Works Department at Lahore, 4 pages; and in a "Manuscript Report of his last season's Field Work in the Salt Range," by A. B. Wynne, F. G. S., Geological Survey of India, 1870, on file at the Office of the Geological Survey of India at Calcutta.

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1.—SITUATION.

The oil springs on the Burra Kutta brook, near Jaba, Bunnoo District, Punjab, are a mile and three quarters south of Jaba, 10 miles and a half south-east of Kalabagh, and 95 miles south-west by west of Rawalpindi.

2.—LAY OF THE LAND.

The three or four springs lie within a distance of about 60 yards along the western bank of the Burra Kutta brook close to the water's edge at low water, and about on the same level with it, which is about 1,450 feet above sea-level. The main spring, a dozen yards south of the northernmost spring, is just at the outlet or northern end of a narrow gorge that cuts in a crooked but generally south-eastern direction across the north-easternmost of the higher ridges of the Salt Range, running here north-westerly; and this ridge rises on either side of the brook at first with high cliffs, and then steeply to a height of 600 or 700 feet, and within a mile or two to twice that height. The land north-east of the ridge is much broken into low hills, up to some 200 feet high growing rather lower towards the great plain to the north-east. The gap in the main ridge is just at a point where the ridge is double, the north-western part standing a little in advance (north-east) of the south-eastern part, which begins just behind it, and quickly rises to be the main ridge easterly, while the other dies away. The brook comes to the gorge in a south-easterly course after flowing round the western end of this south-western ridge, behind which to the south-east the brook takes its rise in a narrow valley between this ridge and a still higher ridge on the south-west.

3.—GEOLOGY.

a. Structure.—The rocks of the ridge at the oil springs lie in the form of a saddle, with a reversed south-westerly dip of about 80° on the north-eastern side

near the main spring, and a like dip in the same direction on the other side of the saddle, just south of the southernmost oil spring. This saddle seems to be the same that is seen at the Chhota Kutta oil springs, half a mile to the north-west, but is much narrower and sharper here than there, and seems to be dying away very fast to the south-east. The northerly dip here as there grows rapidly gentler to about 45°, which continues for a quarter of a mile, and then grows less and less until perhaps nearly level at a distance of a few miles. This saddle seems to be accompanied here on the south-west by a smaller saddle (with dips of 80° or more on the north-east, and 50° or 60° on the south-west), which rides upon the side of a larger saddle still further south-west, with dips of about 60° or more on the north-east, and perhaps 45° on the south-west. Both of these last saddles are within a quarter of a mile of the springs, and they seem to rise south-easterly and take the place of the northern saddle which dies away, and is crowded out by them.

b. Rock Beds.—The following is a very rough section of the rocks exposed within a quarter of a mile or a little more of the oil springs. Downwards:—

Red and greenish gray clays, in all perhaps . . .	about	700	feet?
Greenish gray sand rock (and gray shales?) with some red shales, about 100 feet from the top, and with some layers of fine pebble rock	,,	825	,,
Dark red shales	,,	25	,,
Greenish gray sand rock (with red shales at bottom ?) .	,,	75	,,
Brown fine pebble rock	,,	6	,,
Red clay	,,	6	,,
Gray soft sand rock	,,	3	,,
Greenish gray sand rock and shales ?	,,	10	,,
Gray shales ?	,,	25	,,
Greenish gray sand and fine pebble rock	,,	6	,,
Red and greenish gray shales alternating	,,	64	,,
Blue gray (weathering brown) filbert and larger pebble rock	,,	5	,,
Greenish gray sand rock and shales, with some fine pebble rock and red shales	,,	1,750	,,
Blue gray lime rock (and perhaps some gray shales), with nummulites and other fossils	,,	250	,,
In all .	,,	2,000	,,

The red and greenish gray clays at the top of the section are no doubt the same as those near the top of the Aluggud group of rocks; it has commonly been reckoned as of Siwalik age. The greenish gray sand rock and shales would seem to hold the same place as the similar sand rock of the Aluggud group below the clay; but this has been called hitherto carboniferous in age owing to the productus and other fossils found near its top at Aluggud. Here, however, although no fossils have been noticed in the rock, its age must be newer than that of the lime-stone below, and this has from its nummulites and other fossils been called the nummulitic lime-stone. If the Aluggud so-called carboniferous rock be really older than this nummulitic lime-stone, then not only that lime-stone, perhaps 1,100 feet thick in all, but the 1,050 feet of sand rock and shales above it and below the red and greenish gray clays, or more than 2,000 feet in all, must have thinned out and disappeared between Burra Kutta and Aluggud, a distance of only 30 miles.

4.—OIL.

a. Mode of occurrence.—The oil comes from the cracks of the gray lime rock through a space of about 100 feet in thickness, and the main spring comes from about 100 feet below the top of the lime rock. The oil is dark green in color at the main spring when quite fresh from the rock, but in the air quickly becomes dark brown or black and tarry, as it is at all the other places near. The main spring is some six feet long and a foot or two wide, and quite shallow, and other springs are only a foot or two wide. At high water the springs are no doubt quite overflowed. Near the oil springs, as on the Chhota Kutta, there are sulphur water springs, but not so strong ones as there.

b. Yield.—The yield of the springs here amounts perhaps altogether to three pints a day.

c. Outcrop.—The outcrop of the oil-bearing bed comes to these springs in a south-easterly course from the Chhota Kutta oil springs; it seems barely to cross the Burra Kutta brook, then to return westerly and north-westerly again towards the Chhota Kutta. There is perhaps also a small nearly circular outcrop of the bed on the Burra Kutta, about a furlong south-west of the spring.

d. Working.—The springs yield so much oil naturally, and the oil-bearing bed is so thick, that it seems quite worth while to test the oil-bearing bed by boring into it at some distance below the outcrop. Of course it would be best to make the first boring as near as may be to the springs, although the Chhota Kutta oil-springs on the same bed seem to show that it is oil-bearing throughout the space between the two sets of springs. Owing to the steepness, and even reversal, of the dip at the Burra Kutta main spring, a boring close by it would go through the oil-bearing bed for perhaps 200 feet. At a distance of only 60 feet north-easterly from the main spring the middle of the bed would be at a depth of about 200 feet; at a distance of 130 feet about 300 feet deep; at 240 feet distant about 400 feet deep; at 340 feet about 500 feet deep; and so on to 840 distant, where it would be about 1,000 feet deep. The strike of the bed towards the Chhota Kutta springs is about north 53° west, and borings in this direction would be likely to yield as well as at the Burra Kutta.

5.—SHIPMENT.

The oil gathered here could be carried on camels or mules about two miles by a very rough bridle path to Jaba, thence by road, quite good for camels, and growing better and better as you go on, 100 miles and a half to Rawalpindi, say 102 miles in all. Calling this eight marches and a half for a camel, and his load 50 gallons, and his cost R8 a month, the carriage of oil to Rawalpindi would cost at least 1 anna and $7\frac{2}{3}$ pies a gallon.

Report on the Sadeealee Rock Tar Spring, near Nara, Jhelum District, Punjab, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

The Sadeealee rock tar spring, in the Jhelum District, Punjab, is about 90 miles south-west of Rawalpindi, seven miles south-east of Lawa, four miles south east of Nara, and two miles east of a salt chowki. It was described by a chowkidar of Lawa, one of the very few in that region who had ever seen it, as yielding a very small quantity of a black liquid (tar) that the people there called "Leleera," of whose nature they were quite ignorant. He said that it floated upon the water of a small pool, and covered with a thin film a space of perhaps eight or ten inches in diameter; that he skimmed off some with a stick, and then held the stick over a fire, but that it would not burn, would only hiss and give out smoke. He and the chowkidar of the salt chowki (the latter of whom made little pretence of knowing the way to the spring) tried to show where the spring was, but on getting, as they said, very near to it, were quite unable to point it out. As the dark-colored liquid seemed at the time unlikely to be tar, but rather some vegetable scum upon water, and its quantity was at any rate extremely small, the search was abandoned. After a survey, however, of the Chinnoor, Hungooch, and Dooma rock tar springs, where the tar is called "Leloora," it was clear that the "Leleera" of Sadeealee was also tar; but as it was also clear that its quantity was quite unworkable, as at those places, it seemed plainly not worth while to try again to find the place. The chowkidars, in trying to find the spring, led to a spot where the gray sand rock was exposed below the red and greenish gray clays, and with a gentle dip northward, all precisely corresponding to what is seen at the other three places. The geological position of the Sadeealee tar and the mode of occurrence, as well as the yield, are beyond a doubt the same as at the other three places. Even if it should be desired to bore here at any future time, the circumstances are so pre-

cisely similar to those at the other three places, that the instructions given for them would also apply here, and no doubt could possibly arise as to the mode of proceedings.

Report on the Chinnoor Rock Tar Springs, near Murdawal, Shahpur District, Punjab, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

The Chinnoor rock tar springs, in the Shahpur District, Punjab, are 83 miles south-west of Rawalpindi, two miles and a half north-north-west of Murdowal, and one mile and a half west-south-west of the Hungooch rock tar.

The springs are near the union of two branches of the Chinnoor brook, one coming from the east, the other from the south, while the main stream flows northerly. Between the two forks of the stream the land rises southerly without any great hollows in it, but north of the easterly fork and west of the southerly fork, and on either side of the main stream, hills rise to a height of 300 or 500 feet, with very steep cliffy sides towards these streams, but with a much gentler slope northerly.

The dip of the rock is gentler northerly, perhaps 25°, and its uniformity is the cause of the uniformity and comparative gentleness of the slopes of the surface of the ground in that direction, while the slopes in other directions are extremely steep and irregular. The slope between the two forks of the stream is formed by almost the very uppermost surface of the great nummulitic (bluish gray) lime rock (that of the Jaba group and of the Salt Range generally). The hills on either side of the main stream are formed by the brownish gray sand rock which reaches up to the red and greenish gray clays, exposed a little further north, and is no doubt the same as the thick sand rock in a similar position in the Jaba group.

The rock tar (called here by the natives "Leloora") issues from the rock in these places on the easterly fork perhaps 200 yards above the union of the two forks, on a small branch of this fork about 150 yards west of the first place, and on the northerly fork about 50 yards west of the second place. The tar at the first (easternmost) of these places comes from the lime rock, but very close to its upper surface; at the two other places it comes from the brownish gray sand rock quite near to its lower surface.

The amount of tar at the eastern place is scarcely a tea-spoonful, at the middle place perhaps half a pint, and at the western place at the time of the survey none at all, although some white scum was to be found here like that to be seen with the tar at Hungooch.

The outcrop is easily to be traced along the junction of the said rock and lime rock in a general east and west course; and the uniformity of the dip, as well as its gentleness makes it easy to dig or bore upon the tar-yielding bed at some depth below the surface by going to a little distance northerly from the outcrop. It would, however, be the height of folly to go to the expense even of boring, for it is very clear that the deposit, or rather the three deposits are extremely small ones, limited to a few feet or even inches from the places observed.

Report on the Hungooch Rock Tar Springs, near Dhuddur, Shahpoor District, Punjab, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

The Hungooch rock tar springs, in the Shahpoor District, Punjab, are 81 miles south-west by south of Rawalpindi, and two miles and a half north-west of the village of Dhuddur.

The tar springs are only 25 feet apart in the bed of a brook which flows thence north-westerly. The land rises south and south-easterly of the springs in a comparatively gentle and uniform slope, but on the east and west it rises steeply, and with high cliffs to some 500 feet. From this height the hills slope down rather gently and uniformly northward.

These gentle and uniform northerly slopes correspond to the uniform dip, about 25° of the rocks in the same direction. The lowest rock exposed is the bluish gray nummulitic lime rock of the Jaba group, and it here also contains nummulites. It is exposed here and there all over the hill side south of the tar. Upon the lime-stone, and forming the high hills on either side of the brook is brownish gray sand rock, clearly the same as the great sand rock in the same position at Jaba, and there 1,000 feet thick or so. Above it half a mile north of the tar, is seen the red and greenish gray clays found just above the Jaba group and near the top of the Aluggud group.

The tar issues from the brownish gray sand rock within a few feet of its bottom, and the two springs come from layers about six feet apart. The one from the upper layer is owing to the northerly dip (rather steeper than the slope of the ground), the more northerly of the two, and is the larger, but the whole amount of both together is hardly a pint.

The outcrop of the tar-bearing bed has a general east and west course; but bends round to the south from the springs on either side owing to the presence of the high hills along whose foot it runs near the upper surface of the lime-stone that forms the gentle hill-side between.

As the sand rock that yields the tar is well exposed at the springs, it is plainly seen that the bituminous matter from which the tar comes must be a very small deposit, not only a very thin layer, but almost certainly of very limited horizontal extent. It would therefore be very unwise to make borings here in hopes of finding a greater yield; but uniformity of the dip shows very plainly where borings should be made if it should ever be wished to test the bed at any depth The bed plunges beneath the surface of the ground at the springs, and would be found uniformly at a greater and greater depth in a northerly direction.

Report on the Dooma Rock Tar Springs, near Kubbukkee, Shahpoor District, Punjab, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

The Dooma rock tar springs are on the Wudda Dooma and Nikka Dooma brooks, within 40 yards of their union, which forms the Dooma brook. They are 77 miles south-west by south of Rawalpindi, and three miles and a half north-north-east of Kubbukkee.

The Nikka Dooma (the smaller of the two) comes to the springs from the south-east, and the Wudda Dooma comes from the south-west; the Dooma below the springs has, though crooked, a general northerly course for half a mile at least. The land between the two forks and on either side of the main stream is from 200 to 400 feet higher than the brooks, and has high cliffs along their borders, but above slopes gently northward, generally speaking.

The cause of this gentle and uniform northern slope is the uniform gentle dip (about 7°) of all the rocks in that direction. About a quarter of a mile southerly of the springs is seen the same bluish gray lime rock as that of Hungooch and Chinnoor, and the same as the great nummulitic lime rock of the Jaba group of rocks. It then passes below the greenish gray (brown weathering) sand rock, the same as that of Hungooch and Chinnoor, and as that of the Jaba group. The sand rock is much false-bedded, and in places pebbly. About three quarters of a mile north of the tar springs are seen resting upon the sand rock the red and greenish gray clays (perhaps 700 feet thick), which are seen at those other places, and also near the Aluggud oil springs.

The tar issues from the sand rock very near its bottom, perhaps within 30 feet of it, at four places on the Wudda Dooma within 40 yards of the union of the two brooks, and at one place 24 yards above that point on the Nikka Dooma. All the places are within a thickness of perhaps five feet of the rock, or even less. The tar seems to melt in the sun's heat from a small quantity of asphalt imbedded in the rock, but may perhaps issue first as oil, and then turn to black tar on exposure to the air. At two or three of the

places the tar has dried to asphalt, rather impure from pebbles and sand mixed with it.

There is perhaps a cubic yard and a half of this asphalt in all. The liquid tar amounts to scarcely a trace at the place on the Nikka Dooma, to perhaps a gill at the lower place on the Wudda Dooma, to two spoonsful at the next place, to a quarter at each of the other two, making half a gallon in all. Although the yield here is more than at Hungooch, and is spread over a greater space, it seems clear that the yield to be hoped for from a boring would be far too little to pay for the expense.

The outcrop can, however, easily be followed along the base of the cliffs on either side of the streams until it gradually rises southward to their northern face, always close above the lime rock, and takes in general an east and west course.

To bore from the top of the high lands above the cliffs would be very costly owing to the height above the tar or oil-bearing bed; and the only place where it could be reached from a comparatively short distance (without going far from the springs) is in the channel of the Dooma below the tar. A boring, however, is in any case not at all likely to pay for its cost, and the deposit is to be looked on rather as analogous to the little coal beds, of no value, often seen formed by a single plant or two turned to coal.

BENJAMIN SMITH LYMAN,

Mining Engr., P. W. Dept. of the Govt. of India.

Lahore, 5th November 1870.

SUPPLEMENT TO THE REPORT ON THE OIL LANDS OF THE PUNJAB.

Report on the Loonekee Kussee Sulphur Pits, Kohat District, Punjab, by BENJAMIN SMITH LYMAN, *Mining Engineer, Public Works Department of the Government of India.*

1.—SITUATION.

The Lunekee Kussee (or salt brooks) sulphur pits, in the Kohat District, Punjab, are near the western bank of the Indus, about a mile south-west of Dundee, on the other bank, and about two miles north-east of Choorlukkee Meeshuk, and on the road from this village to Dundee. They are about 900 feet above the sea, and perhaps 100 above the Indus.

2.—LAY OF THE LAND.

The pits are on the northern edge of what is in the main a great plain, but here it is very much cut down in steep-sided hollows, through one of which the Loonekee runs with a south-easterly course to the Indus. From this brook extends eastward for about 175 yards an oval-shaped hollow that is about 50 yards wide, and about 10 feet above the bed of the brook. Around the sides of this little hollow are traces of digging, and the sulphur is said to have been taken in large quantities from the earth here until the region came under British rule. North and south of the hollow the ground rises steeply to a height of 50 feet above the brook. About 150 yards north of the hollow is a low ridge of nodular lime rock; north of that still lower brown sand rock ridges or ledges, and north of them red sand rock and red shales.

5.—GEOLOGY.

The lime rock dips northerly some 60°, and therefore probably passes below the brown and red sand rocks. It seems, then, to hold the place of the lime rock of the Gunda group of rocks below brown and red sand rocks, which are no doubt the same that lie at the Punnoba oil springs in this order below what

seems to be the great nummulitic lime rock of the Salt Range. The lime rock of the ridge near the sulphur pits is grey, nodular, and thin-layered, and contains nummulites, and is therefore of nummulitic age.

But south of this ridge and at the sulphur pits the only rocks exposed lie nearly or quite level, and are plainly of the same older alluvial age as the rocks of the same position and appearance at Gunda along the Seel River, and along the Indus near Mukhud. The following section downwards is exposed in the banks of the Looneeke Kussee, just west of the surphur pits :—

Gray lime rock, full of holes, and with broken nummulitic lime rock pebbles, up to four inches long	about 5	feet.
Pebble rock, in parts hard, in other parts soft	„ 10	„
Salt shales, in parts very rich in salt, and covered with a white crust	„ 10	„
In all .	„ 25	„

In the bed of the brook is loose gravel containing also salt, and about a cubic yard of earthy asphalt scattered in spots for a distance of some 30 yards.

Sulphur.—The sulphur was got by sublimation from the loose earth (mostly red and mottled clay) of the pits, and probably occurred in the form of small yellow particles. None of it, however, is now to be seen in the surface earth, and it has probably disappeared by exposure to the weather for a little distance (a few inches at least) from the surface. In order, then, to determine its amount, it would be necessary to dig holes here and there, and to test the amount of sulphur that a given quantity of the earth would yield, and to extend these pits and trials until the limits of the deposit, both horizontally and vertically, had been made out. Such an examination would take more time than would have been compatible with the survey of the Punjab oil lands, to which this visit to the sulphur pits was merely incidental. The extent of the old pits and the traditions of the neighbourhood seem, however, to show that the amount of sulphur here is very large.

Gypsum.—Gypsum is exposed in little crystals in the earth here and there at the sulphur pits; but its amount has been left quite undetermined for similar reasons to the one just given. It would seem, however, to be quite a large amount; but the gypsum, so far as observed, was much mixed with clay and other impurities.

Salt.—The salt shales are exposed with their coating of salt for some 40 yards, and the salt seems to be gathered in all quantities by the country-people. There seems to be nothing approaching a bed of rock salt, and it seems highly unlikely that either the richness of the shale bed in salt or its extent will permit of the manufacture of salt here, except on a very small scale perhaps for the benefit of the immediate neighbourhood.

Asphalt.—The asphalt amounts (so far as exposed) to only about a cubic yard, and is therefore of trifling value. It seems to be a secondary deposit, washed here by the brook, and from what source it came does not appear. It no doubt issued somewhere from the solid rock as oil, then dried to solid asphalt, and then probably was washed by the brook from its original place to the little spots where it is now seen. It may even have formed at one time a small deposit in the older alluvium before this action of the brook, and in this case might be far removed from its original source, as far, say, as from Punnoba.

The amount of the asphalt is in any case so small as to give little encouragement to a search for the oil-bearing rock from which it first issued.

Report on the Punnoba Sulphur Pits, Kohat District, Punjab, by **BENJAMIN SMITH LYMAN,** ***Mining Engineer, Public Works Department of the Government of India.***

1.—SITUATION.

The Punnoba sulphur pits, Kohat District, Punjab, are about half a mile north-east of the Punnoba oil springs, about three quarters of a mile east of

Punnoba village, about four miles north-west of Choorlukkee Meeshuk, about four miles north of Shekh Khan, and about nine miles north of Khooshialgurh, on the Indus. They are about 1,500 feet above the sea, and about 350 feet above the oil springs.

2.—LAY OF THE LAND.

The pits are on the north-western side of the first (south-easternmost) high ridge of the mountains that border British Territory here next to Afreedeestan, the same ridge in which the oil springs occur at the gorge of the Punnoba brook. The general slope near the sulphur pits is north-westerly, but there are many small hollows cut down with steep sides by the small streams : and the pits are just at the top of a narrow "divide" between two heads of valleys at the point where the main ridge is joined by a small one that runs westerly from it.

3.—GEOLOGY.

This smaller ridge is formed by a saddle in the rocks, with dips of about 45° on either side. The rocks of the main ridge at the one or two points where they are exposed (about 150 yards south-west of the pits) dip about 45° south-easterly. Above the rocks that show these dips is in places a certain amount of loose earth or rock, with no dip that can be made out.

This loose stuff is partly bright red earth and partly gypsum, and perhaps partly gravel. The rocks that show the dips are gray limerock, no doubt the same as that of the Punnoba oil springs, of nummulitic age, and probably the same as the great nummulitic lime rock of the Salt Range.

Sulphur.—The sulphur has not been dug here for some 20 years, since the British rule began; but there are still traces of a number of small holes within a space of 15 or 20 yards across. The sulphur is not now to be seen in the earth here at the surface, but has probably disappeared merely from the action of the weather. It probably occurs in the form of small yellow particles scattered through the earth and gypsum, and it was formerly got from them by sublimation. The amount of sulphur that a given quantity of earth would yield is quite unknown, and the extent and depth through which the earth yields it is not known. Until these points are tested by digging at numerous points and trying the richness of the earth at each of them, it will be impossible to estimate the amount of sulphur that exists here. The delay of such an examination would have interfered far too much with the progress of the oil survey, and was therefore not undertaken. Although the holes seem much fewer, and within a narrower space than those of Looneekee Kussee, it may be chiefly owing to the less convenient accessibility of the place, and it is very likely that a large amount of native sulphur is scattered through the gypsum.

Gypsum.—Southerly from the sulphur pits and close to them rises upon the side of the main ridge a little hill that seems to be wholly made up of porous crystalline gypsum, similar to what is seen near the Chhota Kutta oil springs of Jaba in the Salt Range, about 10 miles east of the Indus. In both cases the origin of the gypsum is probably the same, namely, the effect of the water of a sulphur spring upon the gray nummulitic lime rock. This little hill of gypsum at the Punnoba sulphur pits rises some 75 feet above the pits, and the gypsum reaches to 100 yards or so south of them, and runs some 75 yards or more east and west. There are, then, perhaps 200,000 tons of gypsum here, but more of it may be hidden under loose gravel near by. The inhabitants of the region seem quite ignorant of the great value of the gypsum for its various uses, and it lies quite neglected.

BENJAMIN SMITH LYMAN,
Mining Engineer, P. W Department.

Calcutta, the 25th November 1870.

No. 99, dated 12th October, 1866.

From—T. E. B. Brown, Esq., M.D., Chemical Examiner, Punjab,
To—The Secretary to the Government of Punjab, in the Public Works Department.

I have the honour to acknowledge the receipt of your office letter No. 99C,

dated 19th July, and of the petroleum referred to in it, and to state concerning the latter, that I find it to be as follows :—

A greenish black fluid when examined in mass, but greenish red when looked at in thin layers, with a peculiar, rather unpleasant smell; its specific gravity is 931. It is not very inflammable, as it may be heated up to the temperature of 220°, or above the boiling point of water, without catching fire, even when a light is brought near it, but at 230° Fahrenheit it catches fire from any naked flame, and burns with a bright white light, giving off an abundant black smoke, which settles on any cool surface, forming carbon or lamp-black mixed with water. This proves that the substance is composed of carbon and hydrogen, but that it contains no oxygen is shown by the fact that not only is the metal potassium not ignited by contact with this petroleum, but that even if globules of potassium are thrown into a vessel containing both petroleum and water, they will be ignited by contact with the water, but immediately extinguished on rising into the petroleum.

The above experiment indicates that petroleum has great power in preventing oxidation in metals, or rusting, as it is called, when referring to iron, and combined with its oily qualities, indicates that it would be useful in lubricating machinery and preventing the corrosion of iron, and it has been found useful for lubricating machinery in America.

If the petroleum is heated to 230° Fahrenheit it will take fire on a light being applied, and burn with a bright flame, giving out much heat; this flame is not easily extinguished by the addition of water, but can be at once arrested by covering over the vessel, and thus stopping the influx of air. Petroleum has been largely used as a fuel in steamers. It is stated in the "Scientific American" that the volume of flame of petroleum was so great as to pass entirely through the tubes of the boiler and heat the smoke pipe red hot for several feet from the base.

The time of generating steam from water of equal temperature to 20lbs. pressure above the atmosphere was for the oil, an average of 20 minutes, and for the coal, 60 minutes, or in favour of the oil, 14 per cent. One of our iron-clads, by its successive use, would be able to keep the sea under steam three times as long with less labour and greater convenience as compared with the use of coal, equal weights of each on board being considered.

It is also stated that a frigate which can carry 10 days' coal costing about £1,000 could carry 20 days' petroleum costing £500.

If the petroleum be carefully distilled, a clear reddish fluid comes over, from which, if shaken with 5 to 10 per cent. of strong sulphuric acid and then allowed to rest for 24 hours, a dark fluid subsides, and the upper liquid becomes yellow; if this is then mixed with caustic lime and distilled, a nearly white volatile oil passes over, which has the appearance and all the properties of kerosine, and might be burnt instead of that substance in the proper lamps.

It is stated in the papers that kerosine lamps are ordered to be used in barracks in Bengal, and it is, without doubt, a clear, brilliant light and economic when the kerosine is procurable at a low price.

If the petroleum is allowed to flow slowly into an iron vessel heated to nearly redness, it is rapidly converted into a pure carburated hydrogen gas, which burns with a bright white flame; this I have prepared, and find that the process can be easily performed. It is stated also that the residue, after gas so obtained, contains much paraffine, and may be used for the preparation of candles, but I have not yet succeeded in effecting this, as it requires extreme cold to separate the paraffine.

It is also stated with respect to the American petroleum, that paint oils and varnishes are also prepared from it, and the benzine (*i.e.*, the liquid called kerosine) is used as a substitute for oil of turpentine. Some of the most beautiful and durable colours now worn are obtained from the waste petroleum, after refining, and after the separation of the naphtha; it has likewise been found a valuable substitute for pit oil in tanning, and produces a better and stronger quality of leather.

It is also recommended in medicine, to be used in skin diseases, and it has been employed at the hospital under my charge, with effect in some of these.

Mixed with powdered kunkur, it forms a solid substance which does not melt in a fierce sun, but can be spread by a red hot iron into a smooth surface, impervious to water. This deserves a trial on a roof, with respect to its powers of rendering houses water-proof in the Punjab, and if sufficient petroleum be sent I will have much pleasure in superintending this.

In cold climates, petroleum, boiled and mixed with lime, is used as a pavement, but I greatly doubt its applicability to this use under the burning sun of the Punjab.

Lastly, I would state that I believe there is little danger in storing petroleum of this kind, since it is stated that petroleum which does not ignite when poured on water heated to the temperature of 200°, and a flame applied, may safely be kept, while the specimen sent to me did not ignite even at 220°, but it is possible that other specimens may be more combustible than the above sample.

The experiment of pouring the oil on boiling water, and applying flame to it, can, however, easily be tried.

Dated 21st December, 1866.

From—T. E. B. Brown, Esq., M.D., Chemical Examiner, Punjab,
To—The Secretary to the Government of the Punjab, in the Public Works Department.

The constituents of American petroleum are numerous compounds of hydrogen and carbon, similar in composition to marsh gas, but most of them are liquids. It also contains paraffine, a solid of the same nature.

The Hydrocarbons are as follows :—C standing for Carbon, and H for Hydrogen.

			Specific gravity.	Boiling point.
Hydride of Ethyle,	C 4,	H 6	Gas.	...
„ of Propyle,	C 6,	H 8	„	...
„ of Butyle,	C 8,	H 10	600	39·2
„ of Othyle,	C 10,	H 12	628	86
„ of Caproyle,	C 12,	H 14	669	154·4
„ of Oenontlylene,	C 14,	H 16	669	198
„ of Capryle,	C 16,	H 18	726	242
„ of Elaene,	C 18,	H 20	741	278
„ of Paramylene,	C 20,	H 22	757	320
Unnamed	C 22,	H 24	766	361
	C 24,	H 26	776	392
	C 26,	H 28	792	422
	C 28,	H 30	Not ascertained.	464
	C 30,	H 32	„	500

Besides these, it contains paraffine, a solid hydrocarbon, which varies in composition, but is usually C 54, H 56.

It always contains two proportions of hydrogen more than the proportions of carbon, as the above series of liquid hydrocarbons do also.

2. I regret that I have not the means of separating these various substances at present, but from the different temperatures at which the Punjab petroleum boiled, and the fact that it contains carbon and hydrogen only, there is a great probability that most of these hydrocarbons would be found in this petroleum with the exception of the first three.

These all boil at a very low temperature, and are inflammable at the ordinary temperature of the air. I have never found any such vapours given off from the petroleum sent to me, but as that has probably been obtained from the surface, and therefore exposed to the high temperature of our summers, it is probable that the liquids which boil below 112° would be driven off, and it is quite possible that such easily inflammable vapours might be found in petroleum taken from a greater depth in the earth.

Note by Mr. H. B. Medlicott, *Superintendent, Geological Survey of India, dated 17th July 1883.*

Mr. Lyman's judgment on the Punjab petroleum can by no means be taken as final, except for the supply within shallow depths; although his

apparent reserve upon the question of deep borings seems really to amount to an adverse opinion when looked at through the very dogmatic views he enunciates as to the origin and distribution of the oil. At page 8, paragraph 4 of his report (in India), he makes out that the average extent in depth would be only about half the length of the oil-bearing outcrop, and having found this in every case to be small, he implies that the extension in depth would correspond, but such a limitation of a fossiliferous (oil-producing) deposit is quite inadmissible.

In previous paragraphs he gives a crude discussion upon the mode of origin of petroleum, and announces as a "now well established fact" that the oil is only found in the holes in which it was first formed by the slow decomposition of organic remains. Now it is absolutely certain that petroleum and its derivative asphalt occur extensively in cracks and fissures in which it cannot have thus originated, and such a mode of distribution is all the more likely in rocks so disturbed as those of the Punjab oil region. For the same reason the lighter oils seldom occur in such rocks.

Mr. Lyman had probably only worked in the flat oil-measures of the Eastern States. The man to try the Punjab ground should have worked in troubled rocks, as in California.

Nothing but boring trials will decide the question.

The geological description of the ground will be found in Mr. Wynne's Salt Range reports, *viz.* :—

Trans-Indus.

Memoirs, G. S. I., Volumes XIV and XVII, Part 2.

Mr. Wynne's note on the tertiary zone and underlying rocks in North-West Punjab,—Records, Volume X, Part 3.

But Mr. Lyman's *original* report *with the 11 plans*, give the most practical view of the nature of the ground.

Note by MR. H. B. MEDLICOTT, *Superintendent, Geological Survey of India, dated 15th August 1883.*

The note I appended to the petroleum file points out not only that Mr. Lyman's report gives no direct opinion upon the main feature of the case, the occurrence at greater depths, but also that the theoretical views he records bearing upon that point are demonstrably erroneous, 1st, the accumulations of fossils in circular patches from which he deduces the rule that the local limit of depth of an oil-bearing bed is equal to half the length of its local outcrop—the notion is untenable; 2ndly, his contention that the occurrence of oil out of the bed in which it was formed is quite an exceptional phenomenon—is scarcely less opposed to nature and experience. That oil will remain indefinitely in its original bed so long as this is undisturbed is likely enough; but that in contorted and broken rocks oil will not obey the laws of fluids and go where pressure or gravitation leads it would be too much to expect, and the fact of its being extensively found in cracks and fissures is quite beyond question.

The oil rocks of the Punjab are greatly disturbed and broken, and I should think that scarcely any of the original oil beds have escaped the action of underground drainage.

What I say is, that Mr. Lyman's report leaves us no wiser than we were before as to the oil resources of the Punjab. Oil-forming conditions seem at least to have been very widespread there; and as well as I can judge from published accounts, oil has been found abundantly by deep boring where the surface symptoms were not better than those. I am therefore decidedly of opinion that Government should not abandon the investigation. Large sums have recently been spent there in a search for coal where the chances of success were indefinitely less, indeed, in my opinion, *nil*. As for recommending any particular site for boring, it will be understood from what I have said regarding its probably promiscuous mode of occurrence in broken ground, that scientific judgment would be of very little use. It is just the case where the instinct formed by experience would be the only guide, so it would be a pity not to give the undertaking the benefit of such experience.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY TRAFFIC.

No. XXXVII OF 1883.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

	Railways.	Total mean length open.	Receipts for week ending 23rd September 1882. Total.	Per mile open	Total mean length open.	Receipts for week ending 22nd September 1883. Total.	Per mile open	Total Receipts from 1st April to 23rd September 1882. Total.	Per mile open per week.	Total Receipts from 1st April to 22nd September 1883. Total.	Per mile open per week.	Total Increase in 1883-84.	Total Decrease in 1883-84
			R	R		R	R	R	R	R	R	R	R
	Guaranteed.												
83	Eastern Bengal . .	172	1,91,453	1,113	172	(a)1,19,587	695	24,76,044	573	(a)21,49,825	500	...	3,26,219
.	Oudh and Rohilkhund	547	74,175	136	547	92,852	170	23,70,366	172	27,88,055	204	4,17,689	...
.	Sind, Punjab & Delhi .	676	1,60,918	238	749	1,74,047	232	44,30,747	260	55,89,641	300	11,58,894	...
.	Madras . . .	861	1,31,492	153	861	1,21,837	141	34,37,524	159	31,87,622	148	...	2,49,902
.	South Indian . .	655	70,638	108	655	77,179	118	18,81,579	115	19,51,367	119	69,788	...
.	Great Indian Peninsula	1,451	4,08,604	282	1,451	4,34,405	299	1,52,69,446	419	1,61,53,208	445	8,83,762	...
.	Bombay, Baroda and Central India . .	461	75,955	165	461	1,48,731	323	46,75,159	403	54,03,403	469	7,28,244	..
	TOTAL .	4,823	11,13,235	231	4,896	11,68,628	239	3,45,40,865	285	3,72,23,121	304	26,82,256	...
	State.												
83	East Indian . .	1,507	7,14,181	474	1,509	8,17,946	542	2,06,65,412	545	2,44,60,920	648	37,95,508	..
.	Calcutta and South-Eastern . . .	33	3,056	93	56	5,150	92	90,583	116	1,41,544	105	50,961	...
.	Nalhati . .	27	1,237	46	27	1,334	49	32,519	48	39,996	59	7,477	...
.	Northern Bengal .	230	49,487	215	239	42,640	178	9,03,421	155	9,73,752	166	70,331	...
.	Tirhoot . . .	75	10,718	143	166	17,380	105	3,07,895	151	4,09,370	100	1,01,475	...
83	Patna-Gya . . .	57	10,336	181	...	(b)	...	(c)1,82,944	152	(d)1,63,758	137	...	19,186
83	Cawnpore-Achnera .	138	10,318	75	138	8,359	60	2,51,302	72	2,59,462	75	8,160	...
.	Dildarnagar-Ghazipur	12	668	56	12	486	40	22,038	73	22,746	76	708	...
.	Rajputana-Malwa .	1,116	1,37,811	123	1,117	1,86,490	167	48,38,577	172	57,16,621	205	8,78,044	...
.	Wardha Coal . .	45	6,424	143	45	8,147	181	2,45,462	217	3,37,020	300	91,558	...
.	Nagpur & Chhattisgarh	98	4,604	47	149	7,774	52	2,60,974	106	6,28,004	169	3,67,030	...
.	Rangoon and Irrawaddy Valley . .	161	20,205	125	161	20,804	129	6,50,463	161	6,54,818	163	4,355	...
.	Sindia	75	4,583	61	75	4,667	62	1,47,012	78	1,45,801	78	...	1,211
.	Punjab Northern .	409	46,343	113	421	51,926	123	13,69,821	135	14,91,338	142	1,21,517	...
.	Indus Valley and Kandahar . . .	660	67,574	102	660	1,03,313	157	20,00,732	120	35,65,213	216	15,64,481	...
.	Kaunia-Dhurla . .	32	2,253	70	32	2,203	69	36,898	46	48,106	60	11,208	...
.	Rewari-Ferozepore .	...	...	...	89	7,000	79	...	...	1,70,936	77	1,70,936	...
	TOTAL .	3,168	3,75,617	119	e3,387	4,67,673	138	1,13,40,641	142	1,47,68,485	171	34,27,844	...
	Assisted Company.												
83	Bengal Central . .	...	...	...	35	1,938	55	...	...	52,528	60	52,528	...
	Native States.												
83	Bhavnagar-Gondal .	194	11,113	57	193	10,545	55	4,37,600	90	4,78,660	99	41,060	...
.	Nizam's . . .	121	15,408	127	121	19,577	162	4,13,254	136	3,77,110	125	...	36,144
.	Mysore . . .	86	4,610	54	86	5,137	60	1,35,204	63	1,26,089	59	...	9,115
.	Jodhpore . . .	19	929	49	19	440	23	(f)7,121	29	18,684	39	11,563	...
	TOTAL .	420	32,060	76	419	35,699	85	9,93,179	97	10,00,543	96	7,364	...
	GRAND TOTAL .	9,918	22,35,098	225	(e)10,246	24,91,884	243	6,75,40,097	272	7,75,05,597	301	99,65,500	..
	ESTIMATED EXPENSES .	...	...	...	...	...	..	3,50,02,735	141	3,95,10,932	154	...	...
	NET RECEIPTS .	...	...	...	...	...	...	3,25,37,362	131	3,79,94,665	147	54,57,308	...

Exclusive of the Company's share of the earnings of the Bengal Central Railway.
Return not received.
Total receipts from 1st April to 26th August 1882.
(d) Total receipts from 1st April to 25th August 1883.
(e) Excludes mileage of Patna-Gya State Railway (57).
(f) Total receipts from 24th June to 23rd September 1882.

R. A. SARGEAUNT, *Major, R.E.,*
Offg. Under-Secret.

MLA.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

BENGAL TENANCY BILL.

No. 484-116R., dated 1st May, 1883.

Office Memo. from—The Offg. Under-Secy. to the Govt. of India, Revenue and Agricultural Dept.,
To—The Secretary to the Government of India, Legislative Department.

The undersigned is directed to forward, for consideration by the Select Committee in charge of the Bengal Rent Bill, copies of the papers noted in the margin, regarding rent rates in Darbhanga, Murshidábád, Sháhábád, &c.

Bengal Government No. $\frac{753}{205}$L.R., dated 3rd March, 1883.
Do. " $\frac{754}{207}$L R., dated 3rd March, 1883.
Do. " $\frac{752}{206}$L.R., dated 3rd March, 1883, and enclosures.

Endorsement by the Officiating Under-Secretary to Government, Bengal,—(No. $\frac{753}{205}$L.R., dated 3rd March, 1883).

Copy, with copies of the enclosures and the plan in original, submitted to the Government of India, in the Department of Revenue and Agriculture, for information, in continuation of my endorsement No. $\frac{752}{205}$L.R. of this date.
The return of the original plan is requested.

No. 121A., dated Calcutta, the 19th February, 1883.

From—H. J. S. Cotton, Esq., Secretary to the Board of Revenue, L. P.,
To—The Secretary to the Government of Bengal, Revenue Department.

In continuation of the Board's letter No. 23A., dated 8th January, 1883, I am directed to submit copy of a report (with enclosures), dated 10th February, 1883, from Mr. M. Finucane, on the result of the enquiries made by him in the villages of the Narhun estate as well as in those belonging to other zamindars of pergunnah Sureysa, and to observe as follows:—

Hon'ble H. L. Dampier, C.I.E.

2. In paragraphs 4 and 5 of his report, Mr. Finucane has adopted the convenient plan of summarising his conclusions, and they need not be here repeated. The statements contained under head VI of paragraph 4 of the report justify all that has been said as to the evil effects of the Behar system of thikadari leases and the extortionate demands made under it.

3. It is impossible for the Court of Wards to interfere effectually on behalf of the ryots of the villages of the Narhun estate, which are leased to the manager of the Dalsingserai factory until the farming leases expire. The Commissioner might, however, remonstrate with the manager of the factory against his enhancements. The recent so-called temporary enhancement of rents, as explained by the manager in his letter, which is extracted in the margin of paragraph 11 of the memorandum on mouzah Tubka khas, seems to have been most inconsiderate. If the produce of the lands which paid their rents in kind was short, presumably the produce of the lands which paid money rents must have been short also, and the enhanced demand must have pressed severely on the ryots. Head IX of paragraph 5 of the report shows that the special measures, which have all along been recognized as necessary for Behar, are indeed required.

4. From clause 1 of paragraph 4 of the report it will be seen that the ryots are able to resist excessive enhancement of rents if they are well advised.

5. Head III of paragraph 5 of the report shows that there exist the same difficulties in the way of framing tables of rates in other estates as in those of the Narhun ward. It will be observed that the average rate of rent in the ward's estate is below that which prevails in neighbouring properties.

6. The remarks made in paragraph 6 of the report regarding village Jaezpotee show that lightness of the Government demand is no factor towards preventing excessive demands of rent.

7. Mr. Dampier agrees with Mr. Finucane that the state of things existing in North Behar, as brought out in his present report and compared with that existing in South Behar, Lower Bengal, and in the North-Western Provinces, calls for the introduction in the Rent Bill of a provision for a reduction of the existing rents where they are found to be excessive, and also for provision to check arbitrary enhancements. If the extension of this latter provision to any district, part of a district, estate or tract were left optional to the Government, the knowledge that such a power might be exercised would act as a check upon landlords inclined to excessive enhancement of rent. Such a check against arbitrary enhancement, as

is proposed, is provided in the twenty-second and following sections of the Chota Nagpore Landlord and Tenant Procedure Act I (B. C.) of 1879.

8. The most convenient method of making the landlords file jummabundis, as proposed in clause 1 of paragraph 7 of Mr. Finucane's report, would be to order a re-valuation of the district under the Road Cess Act, by which procedure the knowledge that cesses will be assessed on the jummabundi filed under that Act, provides a check against the insertion of rates in excess of what are really payable.

9. The Board are separately considering in the Wards Department whether any steps should be taken in the direction of reducing rents in the villages of the Narhun estate, which are held khas.

10. In paragraph 7 (*a*) of his letter Mr. Finucane writes that the ryot must take the initiative and assert his rights in courts before he can get the benefit of the restrictions on enhancements proposed by the Rent Law Commission. This is not strictly correct as a general proposition. Proceedings for the settlement of the land revenue show that the ryot has only to remain passive under the first demand of enhanced rent. The landlord must then sue him for the enhanced amount of rent, and the ryots would only have to plead those restrictions.

11. It is only in the case of enhanced rent recorded under the Bengal Settlement Act VIII of 1879 as payable to a landlord by a revenue officer in the course of proceedings for the settlement of the land revenue that the amount so recorded is binding against the ryot, unless he contests the enhancement in the courts. The suggestion made in paragraph 8 of the report, that the Board should be empowered to declare that the tables of rates or other authoritative declarations in connection with the determination of rents payable shall be in force for thirty years instead of ten, might also be adopted to meet the extreme cases contemplated by Mr. Finucane.

12. The line of distinction which Mr. Finucane in paragraph 9 of his report represents to exist in the minds of the Behar zamindars and ryots generally, between ryots of ancient standing and other ryots, is just what Mr. Dampier himself represented some twenty years ago in a report on the working of the Rent Act of 1859 from his experience as Collector of Tirhoot. He then said that thirty or forty years' tenancy rather than the twelve years period of the Rent Law might be taken as representing the ill-defined line of distinction which existed in the ideas of zamindars and their tenants between ancient ryots who are entitled to special consideration, and other ryots who are not entitled to any such consideration.

Dated Camp, the 10th February, 1883.

From—M. FINUCANE, Esq., C.S., on Special Duty,

To—The Secretary to the Board of Revenue, L. P.

I have the honour to report that, since submission to the Board of my last report, I have again gone over tract II, pergunnah Sureysa, of which I forwarded a map with my letter of the 18th December, and that I have made detailed enquiries regarding the history of enhancement of rent in each village, the facilities for communication and irrigation, number of non-occupancy and occupancy ryots, &c. I have also made enquiries from patwaris of villages appertaining to the estates of other proprietors, which are intermixed with Narhun villages, regarding amount and number of rates prevailing in them; but I have not gone into villages of this class for the purpose of making enquiries on the spot, as I have not been able to obtain the zamindar's consent to my doing so.

(1) Tubka Khas.
(2) Tubka Mughribee.
(3) Mahomedpore Sankura.
(4) Dalsingserai.
(5) Kooksa.
(6) Tubka Kishanpore.
(7) Baghopore.
(8) Gungowlee.

2. I now beg to forward copies of the notes which I have made on each of the villages noted in the margin.

3. It will be seen that two mehals included within the tract were brought under permanent settlement in 1242 to 1247 F.S. (1835 to 1840 A.D.)

Narhun villages.
(1) Tubka Khas.
(2) Surowlee.

Villages of other zamindars.
(1) Damodupore.
(2) Jaezpotee.

The settlement papers which have been received from the Durbhanga Collectorate make it possible to institute a comparison between the rates and prices prevailing at the time of settlement (1840) and those prevailing at the present time. The areas under cultivation in 1840 A.D. in the villages noted in the margin are given in these papers, while in the case of other villages only the prevailing rates are given.

Facts established regarding Narhun villages.

4. The following facts seem to me to be established from the village reports and statements now submitted.

(*a*) As regards the rates and rentals of Narhun villages—

I.—That of the two villages of the Narhun estate, Tubka Khas and Surowlee, for which *data* for comparison are available, cultivation has extended during the past 45 years by 47 per cent. in one and by 39 per cent. in the other, while the gross rental has in the same period increased by 321 and 269 per cent. respectively. (*Report on village Tubka Khas appended.*)

II.—That while the average rise in prices of staple crops for the past forty-five years has been only 73 per cent., the increase in rent-rates in these villages has been respectively 188 and 164 per cent.

III.—That as regards all the villages in this tract appertaining to the Narhun estate (shown in statement I), there has been an average increase in rates of 136 per cent. during the past forty-five years, the rise in prices in staple products during the same period being only 73 per cent. (*Statement I annexed to this report.*)

IV.—That there having been no increase in productiveness of soil, the only ground for enhancement of rent-rates was rise in prices.

V.—That the enhancement in gross rentals and in rent-rates has therefore far outrun the rise in prices.

VI.—That these enhancements were arbitrarily made by tikkadars during the lifetime of the late proprietor on each recurring septennial renewal of their tikka leases without reference to increase or decrease in prices, and that such enhancements were not regulated by law nor controlled by custom. (*For a specimen of the arbitrary way in which these enhancements were made, the annexed reports on Dalsingserai and Mahomedpore Sankura villages may be referred to.*)

VII.—That such arbitrary enhancements are even now being made by the manager of the Dalsingserai factory in villages leased to him. (*See annexed reports on villages Tubka Khas, Tubka Mughribee, Tubka Kishanpore, and Raghopore.*)

VIII.—That inasmuch as good lands near village sites have been taken up for indigo, and inasmuch as ryots' cultivation has, for that and other reasons, extended to inferior outlying lands, it follows that not alone are the rates all round now paid two to three times the rates paid forty-five years since, but these higher rates are paid for land which is, on an average, inferior to the land for which lower rates were formerly paid.

IX.—That this state of things is peculiar to North Behar, and has probably no parallel in any other part of India. (*See report on village Tubka Khas, section 9, headed "Determination of rates," and authorities quoted thereon.*)

If fair and equitable rates were now made out with reference to the rates of 1242-47, great reduction in existing rates necessary.

If fair and equitable rates were now to be fixed by reference to the standard of rates and prices prevailing in 1242 to 1247 F.S. (1835 to 1840 A.D.), existing rates would have to be reduced in the six villages (shown in statement III) by from 19 to 50 per cent. In one village in which the ryots resisted enhancements in court the rates are low, and would have to be enhanced. Taking the other villages together, the reduction would on an average be 39 per cent. on the existing rates.

But though the enhancements made since 1847 F.S. (1840 A.D.) are excessive and arbitrary, it would not be in accordance with law, and possibly it would not be in accordance with equity, to ignore them in now fixing fair rates. In Alapore pergunnah of North Durbhanga it was found that rates had been similarly enhanced out of all proportion to increase in prices within the last 40 years; but it was felt that it would be unjust to the proprietor to suddenly reduce them wholesale. A middle course was therefore adopted, and rates were reduced to the figure at which they stood in 1275 F.S. (1868 A.D.) before recent enhancements were made. I would be disposed to adopt a similar procedure were I called upon to make a re-assessment in this estate.

Facts established regarding other estates.

5. The following facts seem to me to be established regarding estates which are not the property of the Narhun minor but in which enquiries have been made :—

I.—That the number of rates varies in one village from a maximum of 95 to a minimum of 4, and that the average number for eight villages is 34.

II.—That the amount of the rates varies from a maximum of R10 to a minimum of 10 annas in the same village, and for all eight villages from R15 to 2 annas per local beegah of 3,600 square yards.

III.—That therefore the same difficulties would arise in framing tables of rates as have arisen in the Narhun property.

IV.—That as regards two villages, Damodurpore and Jaezpotee (see statement II), for which alone the data for comparison exist, the area under cultivation has increased by 31 per cent. in the former village and decreased by 3·9 per cent. in the latter since 1247 F.S. (1840 A.D.), while the rental of these villages has increased by 200 per cent. and 500 per cent. respectively in this same period.

V.—That while the average rate all round for Narhun villages is R3-6 per local beegah of land under cultivation, or R5-6-4 per acre, the average rate all round for the non-Narhun villages is R3 9-6 per beegah, or R5-12 per acre.

VI.—It follows that the rates in the Narhun estate are somewhat lower than in neighbouring villages, the owners of which, it is notorious, have been enhancing their rents in recent years.

Conclusions suggested by these facts.

6. The conclusions which suggest themselves to me from the facts disclosed in these reports, and from other facts connected with other estates in North Behar, of which the Board is cognizant, are :—

1st.—That provision should be made in the Rent Bill for reducing rents where they are clearly excessive.

2nd.—That provision should be made for the effectual prevention in future of arbitrary enhancement, and that such provision should not, in order to be effectual, depend on the ryot taking the initiative in court.

First suggestion.

That in now fixing fair and equitable rates any former period which the court may deem equitable may be taken for the purpose of comparison, and not alone the period when rates were last fixed.

As the Rent Bill stands, no provision is made for the reduction of excessive rents, except in the almost unheard-of cases in which the value of produce or productive power of the land has decreased since the rates were last fixed: ordinarily the rates when last fixed are presumed to be fair and equitable. Now it is obvious that if the rates when last fixed were rack-rent rates, as they are in many parts of North Behar, a Bill which makes no provision for the reduction of these rack-rent rates, but which does, on the contrary, make provision for their enhancement every ten years, is in reality a Bill *pro tanto* for the perpetuation of rack-rents. Take the instance of village Jaezpotee. The present proprietor of this village, Baboo Nundan Lal, has inherited it from his adoptive father, Baboo Brij Behari Lal, who was in possession when the permanent settlement of the mehal was made in 1247 F.S. (1840 A.D.) The area then under cultivation was 106 beeghas, the then gross rental, which was taken as the basis of settlement, being Rs. 151, and the average all-round rate being Rs. 1-7 per beegha. The Government revenue was fixed on the basis of half assets: and, as the settlement records which I have examined show, the very moderate amount thus fixed was objected to by the present proprietor's father on the ground that the rental of Rs. 151, taken as the amount of assets, was more than the ryots really paid. The objection was, however, overruled, and the settlement was accepted in 1247 F.S. (1840 A.D.)

Area under cultivation in 1847, 106 beeghas.
Area now under cultivation shown in the jummabundi, 102 beeghas.
Rental in 1247 F.S., Rs. 151.
Present rental, Rs. 905.

(*a*) After the lapse of 43 years what do we find in this village? We find that the area under cultivation has decreased by four beeghas, while the rental is now almost exactly six times the rental of 1247 F.S. (1840 A.D.) In other words, the average rates all round have been enhanced by 500 per cent. in 43 years, the rise in prices during the same period being at most 73 per cent. There is reason to believe that the state of things existing in Baboo Nundan Lal's property is not very materially different from what exists in other properties in the Durbhunga, Mozufferpore, and other North Gangetic districts of Behar.

The road cess papers show that the rental of Durbhunga generally, when the road cess papers were filed, was 7·2 times the Government revenue, of Mozufferpore 5·8 times, of Sarun 4·5, and of Chumparun 5·2 times the Government revenue. When it is remembered that the road cess papers probably understated the true rental, and ignored in many cases karchas and abwabs, it will be seen to what an enormous extent gross rental in these districts have increased since the permanent settlement. This enormous increase is, I think, mainly due to arbitrary enhancement in rent-rates, and not to extension of cultivation, for we are told that "Behar (at the time of the permanent settlement) was one of the most fertile, highly cultivated, and populous provinces of Hindustan in proportion to its extent of plain, arable land (*Supplement III, Historical and Comparative Analysis of the Finances of Bengal, by James Grant, 5th report, page 501, Madras edition.*) If the net income of zamindars was represented by one-tenth of Government revenue at the time of the permanent settlement, the road cess papers would show that, while the surplus now realised by a zamindar of Burdwan over his Government revenue is only five times, and that of a Dinagepore zemindar only twice the net income enjoyed by his predecessor at the time of the permanent settlement, the surplus realised by a zamindar of Durbhunga from his ryots is now thirty-eight times the surplus over Government revenue which was realized by his predecessor.

*Mr. Tobin's and Baboo Parbutty Churn Roy's reports.

See report on village Tubka Khas appended hereto, and references there quoted.

(*b*) When we find that the rents paid by occupancy ryots in Moorshedabad and Shahabad have not been changed for 40 years; that the rents in the Government estates of Khoorda, Majnamoota, and Jellamoota also have not been changed for 40 years; and that now, after 40 years' respite from enchancement, the ryots of these latter estates are asked for an enhancement in rates of only 50 per cent.; when we further find that the rates paid by occupancy ryots in the North-Western Provinces have also remained practically unaltered for 40 years; when we know that the Madras Government has not raised the assessments on its ryots to anything like the amount which would be justified by a rise in prices; when, in fine, we find this is the state of things in other provinces, and then, contrasting it with parts of North Behar, find that here the rents of occupancy and non-occupancy ryots alike have been raised by from 100 to 500 per cent. within the last 45 years, while prices have only risen by 73 per cent. during the same period, it is not unreasonable to conclude that some provision should be made for reducing excessive rents in Behar, and for giving the people rest from further harassment for a reasonably long period.

(*c*) I would therefore suggest that some such provision as the following be inserted in section 25 of the Bill, as one of the grounds for the reduction of rent, namely, that rent may be reduced:—

(4) "On the ground that the rent now bears a higher ratio to the value of the gross produce than the rent at any former period, which the court may think it equitable to take for the purpose of comparison, bore to the value of the gross produce at such former period."

The effect of such a provision in fixing rates in the case of Jaezpotee would be that the court might, taking the rates of 1247 F.S. (1840 A.D.) for the purpose of comparison, now fix rates by allowing only an enhancement proportionate to the rise in prices since that time, instead of taking the rates last fixed as its starting point, as it is bound to do under the present Bill. Some such provision as I have suggested would enable the courts to do practical justice, while the Bill, as it stands, will only perpetuate present excessive rents and facilitate the enhancement of them.

7. On the second point, namely, the effectual prevention of arbitrary enhancements in future, I would suggest that to the limitations on enhancements, provided in section 23 of the Bill, the following be added:—

Second suggestion.
That rates of occupancy ryots shall be enhanced only—
By an order of the court or under a written and registered agreement.

That pending the completion of a cadastral survey the rates paid by occupancy ryots be now ascertained by making it compulsory on zamindars to file the jummabundis of one year in the Collector's office, and that the rates paid by the occupancy ryots when thus ascertained shall not be enhanced, except (*a*) by an order of a court, (*b*) or by a written agreement registered under the Registration Act.

(*a*) Mr. Worsley proposed that this provision, which was taken from the Oudh Rent Act, should be extended to Behar, and the proposal was approved by the Behar Rent Committee. Though the proposal was considered of special importance by the Behar Committee, it was passed over without notice by the Bengal Rent Commission. I venture to think that it is the only limitation which is likely to have the least practical effect in preventing arbitrary enhancements in Behar. The limitations provided in the Bill of the Commission, namely, that (*a*) an enhanced rent shall in no case exceed 25 per cent. of the value of the gross produce, (*b*) that the new rent shall not be more than double the old rent, and so on, would have some effect in stopping arbitrary enhancements, if the ryot were a free agent, and were able to assert his rights in court. But if the ryot were thus capable of asserting his legal rights in court, is it possible that he would have submitted to the enhancements to which he has been subjected? Now, in order that the restrictions on enhancements proposed by the Bengal Commission may have any effect in preventing arbitrary enhancement, the ryot must take the initiative and assert his rights in Court; and as there is no more reason to suppose he will do this in the future than he has in the past, I am of opinion that these restrictions in enhancement will, for many years to come, have little or no practical effect in Behar in preventing arbitrary enhancements, which, being imposed at the will of the zamindar or tikkadar, are entered in the village papers by his mere order and without the ryot's consent. Zamindars and tikkadars would find arbitrary enhancements to be a different thing if they were bound to obtain a decree of court or to gather the ryots together at a Sub-Registrar's office and obtain their *bonâ fide* consent to future enhancements. The way in which enhancements are brought about at present is too well known to require description here. The assent of the village headmen and patwari is first procured by bribes and special concessions to them. The main body of the ryots, finding that their leaders have not resisted, ask: "Who are we that we should resist?" What is everybody's business is nobody's business, and so the enhancement is passively accepted. If, on the other hand, the ryots had to go to a public office and give their formal and individual assent to an enhancement, it would be found that they would refuse such express and formal assent, and arbitrary enhancements would thus be stopped. The principle of this proposal has been already accepted by the Government of India in legislating for Oudh. It was unanimously approved by the Behar Rent Committee: it is, I think, necessary in order to stop arbitrary enhancements in Behar. The only objections which I can conceive to it are that its adoption might be supposed to tend to prevent justifiable enhancements by mutual and friendly agreement, and that, inasmuch as the ryots are awaking to a knowledge of their rights, it may be supposed they will be able in future to protect themselves from arbitrary enhancements without such restrictions. It is not easy to see how the obligation of registering their agreements can prevent parties from entering into *bonâ fide* and amicable arrangements in the matter of fixing rents more than it does in agreements on other matters; and as for the supposed awaking of the ryots to a knowledge of their rights, I must say I fear there is not much evidence of the fact in this tract. Having made careful enquiries on the subject, it seems to me that those abuses on the one side and the same lethargy and helplessness on the other, which were commented on some five or six years since, still exist.

Third suggestion.
That the Board of Revenue be empowered to declare that the tables of rates in exceptional cases shall hold for thirty years instead of ten.

8. A third suggestion which I would offer for the restriction of arbitrary enchancements in Behar is that the Collector or Board of Revenue should be empowered to declare that tables of rates should be binding for such period not exceeding 30 years as may to the court appear equitable, instead of having such tables binding for only ten years (section 111 of the Bill). It is obviously inexpedient, and it would probably in many cases be unjust to the present proprietors, to reduce rents now to the figure at which they would stand, if enhancements had been made during the last fifty years, only on the ground and to the extent allowed by the law; but I think it is still more inexpedient, and it would be still more unjust, to perpetuate the present rates where they are excessive. In such cases I would therefore make a moderate reduction at present, and stop further enhancements for thirty years.

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9. Statement No. IV attached to this report shows that of a total number of 3,075 ryots in 23 villages, in which enquiries have been made, 2,646 have been in possession for twelve years or more, and 429 are now settlers or non-occupancy ryots. In other words, about 86 per cent. are occupancy, and 14 per cent. are non-occupancy ryots. These figures are founded on a comparison of the jummabundis, where they could be procured, and in other cases on the statements of the patwaris and jeth ryots. The distinction between ryots of twelve years' standing and those of less lengthened possession is not, however, in fact, understood by the ryots at all, either here or in any other part of the country to which my enquiries have extended. There is a general idea prevailing among the ryots that those of them who are of very ancient standing, or whose ancestors brought the village under cultivation, have a right to hold at privileged rates; but as for the mere right to possession, there is no distinction between a ryot of two years and a ryot of twelve years' standing. In the course of my enquiries, among some hundreds of thousands of ryots, I think I might truly say that I have not met ten ryots who understood the "magic of twelve years' possession." Every ryot believes himself entitled to hold possession of his ryoti as contradistinguished from the proprietor's *nij jote* or *khamar*, as long as he pays at the rates of rent current in his village; or where there are no village rates, as long as he pays at the rate originally agreed upon, together with such enhancements as are imposed from time to time in the village generally. I believe that this is not only the idea prevalent among the ryots, but it is also the idea prevalent among native zamindars also, with the exception of the few who have had an English education, or who have imbibed their ideas in our law courts. In confirmation of this view I may mention that at an interview between Mr. Reynolds and one of the most wealthy zamindars of Gya, at which I was present, the zamindar, while denouncing the proposal to confer occupancy rights generally, was asked, "if he ever ejected a tenant who was willing to pay his rent." His reply was: "Why should I do such an unjust act; I am not a person of that kind."

Number of occupancy and non-occupancy ryots.

10. There are very few sub-tenants. These few consist merely of farm-labourers, who are allowed by their employers to cultivate a beegah or so of their employer's land, either on the *battaia* system, or at the rates paid by the principal tenants themselves. The system of sub-letting ryot's land to indigo factories on what are called *kartouli* pattas, is, I am informed by the Sub-Registrar of Dalsingserai, being extended; but the cases of this kind which came under my notice were cases in which there was a dispute between the ryots and zamindar in villages held *khas*, and in villages held under lease they were cases in which it was alleged that the Dalsingserai factory wished to retain possession of *zerat* lands after the expiration of its lease, on the ground that such lands were sublet to it by the ryots.

Sub-tenants.

11. This year's crop of rice, the produce of specimen fields of which was given in my report of the 18th December last, may, as far as I can learn, be taken as an average crop.

Average produce of *dhan lands*.

12. As I have not been able to have the produce of any *bheet* lands weighed in my presence, I cannot speak with any degree of certainty as to the average outturn of such lands. I have received estimates from patwaris, jeth ryots, and others, which are scarcely worth reproducing. The most trustworthy estimate which I have received is one from Mr. Crowdy, the manager of the Dowlatpore factory, who has had many years' experience of pergunnah Bhoosaree, and who has generally placed at my disposal all the information and papers he could. His estimate of the outturn and value of the average produce of the various kinds of bheet lands, calculated on the staple crops—barley, makai, murwa, and khodo—is given below :—

Amount and value of produce in bheet lands.

	Average produce of—		Rate at which ordinarily sold.	Value.	What Mr. Crowdy considers a fair rent for such land.	What Mr Crowdy thinks to be on an average the existing rent.
		Mds.	Mds. Srs.	R a. p.	R a.	
Bheet *aoul*, known as gauhera, soombee, mal, &c.	Rubbee in barley— Bhadoi in makai— Barley Makai	 12 20	 1 10 1 20	22 14 11	5 0	From R 5 to R 8.
Bheet duim, known as pachusar, balguchar, &c., &c.	Barley for rubbee Murwa for bhadoi	8 14	1 10 1 10	17 9 7	4 0	" " 4 to " 6.
Bheet suim, known as usar	Rubbee in barley— Bhadoi in khodo— Barley Khodo	 4 10	 1 10 1 30	8 14 7	2 8	" " 1-8 to " 4.

13. I have nothing to add to what I have already stated on this subject. In order, however, to illustrate more clearly the difficulties already described, I append a rate-map of village "Tubka Mughribee." The village is sub-divided into blocks according to quality of soil, the boundaries of the lands comprised in each quality being shown by lines of different colour. A glance at the map will show the enormous variety of rates prevailing in each block for lands of the same quality.

Difficulty in fixing soil class rates.

I.—Statement showing increase in rates and rentals in villages of the Narhun Estate, pergunnah Sureysa, since 1247 F.S. (corresponding to 1840 A.D.)

Name of Village.	Government Revenue.	Rental in 1247 F.S. (1840 A.D.).	Rental in 1289 F.S. (1882 A.D.)		How many times rental of 1289 exceeds revenue.	Area under cultivation in 1247 F.S. (1840 A.D.)	Area under cultivation in 1289 F.S. (1882 A.D.)	Percentage of increase in cultivation since	Percentage of increase in gross rental since (1248 F.S.)	Percentage of increase in average all-round rate since 1247 F.S.
	R a.	R	R			Beegha.	Beegha.		R	R
1. Tubka Khas	1,330 0 (rows 1–3)	459	1,936	4,124 (rows 1–3)	3·1 (rows 1–3)	424	623	·47	321	168
2. Tubka Mughribee		Not known	833			Not known	482	Not known	Not known	78
3. Surowlee		340	1,255			294	409	·39	269	164
4. Mahomedpore Sankara	25 0	Not known	2,889		115·0	Not known	643	Not known	Not known	250
5. Dalsingserai	51 0	Ditto	485		9·5	Ditto	106	Ditto	Ditto	188
6. Tubka Kishenpore	550 0 (rows 6–7)	Ditto	1,113	1,510 (rows 6–7)	2·74 (rows 6–7)	Ditto	330	Ditto	Ditto	115
7. Roghopore *		Ditto	397			Ditto	173	Ditto	Ditto	23*
8. Kooksa	62 8	Ditto	1,168		19·0	Ditto	217	Ditto	Ditto	241
9. Raghopur, Gungowlee	357 0	Ditto	1,836		5·4	Ditto	568	Ditto	Ditto	68
										Average increase 138

* The ryots resisted the enhancement in civil court in this village.

II.—Statement showing increase in rates and rentals in villages of the other estates in pergunnah Sureysa since 1247 F.S. (1840 A.D.)

Name of Village.	Government Revenue.	Rental in 1247 F.S. (1840 A.D.)	Rental in 1289 F.S. (1882 A.D.)	How many times the rental of 1289 F.S. exceeds the Government revenue.	Area under cultivation in 1247 F.S. (1840 A.D.)	Area under cultivation in 1289 F.S. (1882 A.D.)	Percentage of increase in cultivation since 1247 F.S. (1840 A.D.)	Percentage of increase in gross rental since 1247 F.S. (1840 A.D.)
	R a.	R	R		Beegha.	Beegha.		
Damodurpore	387 0	460	1,354	...	324	427	31	200
Jaeznottee *	Not known	151	905	3·49	106	102	3·92 decrease	500
Deebhoobpore	1,075 0	Not known	11,685	..	Not known	3,218	..	
Purkhotimpore	195 12	Ditto	655	10·8	Ditto	113	.	
Hurpore, Dookhran	Not known	Ditto	323	3·35	Ditto	128	...	
Jelalpore	Ditto	Ditto	3,770	...	Ditto	1,074	.	..
Boolakeepore	Ditto	Ditto	1,124	...	Ditto	424	...	
Hurporepoorundar	504 0	Ditto	978	...	Ditto	298	..	...
Total			20,704			5,784	•	

The average rate per beegha for 1289 F.S. (1882 A.D.) R3-9-6.

* The village forms part of a mehal which includes other villages also.

III.—Statement showing reduction in present rent-rates which would have to be made in some of the Narhun villages if rates were now fixed by comparison with rates and prices of 1247 F.S. (1840 A.D.)

Name of Village.	Name of pergunnah.	Average rate per beegha all round on cultivated area in 1247 F.S. (1840 A.D.).	Add 36¼ per cent. for increase in prices.	Total, being new all-round rate.	Existing all-round rate per beegha.	Percentage of reduction on existing all-round rates and rentals, which would have to be made in order to make them fair and equitable according to the standard of 1247 F.S. (1840 A.D.)
		R a. p.	R a. p.	R a. p.	R a. p.	
Tubka Khas	Sureysa	1 1 3	0 12 6	1 13 9	3 1 9	40
Surowlee	Ditto	1 2 6	0 13 6	2 0 0	3 1 0	34
Mahomedpore Sankara *	Ditto	1 1 3	0 12 6	1 13 9	3 12 6	50
Dalsingserai	Ditto	1 1 3	0 12 6	1 13 9	3 1 9	40
Kooksa	Ditto	1 9 0	1 2 3	2 11 3	5 5 3	49
Tubka Kishenpore	Ditto	1 9 0	1 2 3	2 11 3	3 5 11	19

* This village was always leased to a native tikkadar, who, even in the last 20 years, raised the rates by 50 per cent.

IV.—Number of occupancy and non-occupancy ryots.—The following statement shows the number of occupancy and non-occupancy ryots in villages for which information on this point has been obtained :—

Name of Village.	Total number of ryots.	Occupancy.	Non-occupancy.	Remarks.
Gangowlee	90	87	3	Founded on statements of patwaris and jeth ryots.
Tubka Khas	189	188	1	Founded on statements of patwaris and ryots, jummabundis not having been received.
Tubka Mughribee	95	85	10	Ditto ditto.
Tubka Kishenpore	71	71	...	Ditto ditto.
Mahomedpore Sankara	188	178	10	Founded on a comparison of jummabundi papers.
Kooksa	54	54	...	Ditto ditto.
Dalsingserai	38	28	10	Ditto ditto.
Raghopore	36	31	5	Founded on statements of patwaris and ryots.
Narhun	531	525	6	Ditto ditto.
Hurrukpoora	66	40	26	Founded on a comparison of jummabundi papers.
Doomree	49	39	10	Founded on statements of patwaris and ryots.
Naraınpepper	273	268	5	Ditto ditto.
Pansalla	72	51	21	Ditto ditto.
Bukhda	47	38	9	Ditto ditto.
Badh Bukhda	29	25	4	Founded on a comparison of jummabundi papers.
Umaree	418	292	126	Ditto ditto.
Rasulpore Najeeb	123	106	17	Ditto ditto.
Mirzapore	55	38	17	Founded on statements of patwaris and ryots.
Phaphont	313	226	87	Jummabundi.
Meghoul Gobourdhan	82	64	18	Ditto
Hingu Meghoul	148	116	32	Ditto
Yakubpore	53	47	6	Ditto
Abunasipore	45	39	6	Ditto
Total	3,075	2,046	429	

Notes on Tubka Khas village No. 6 of Map II.

Government Revenue.—This mouzah formed part of a Nankar mehal, which was resumed and brought under settlement in 1242 F.S. (1835 A.D.) In the course of the settlement proceedings, the jummabundis of the year 1242 to 1247 F. S. (1835 to 1840 A. D.) were filed in the Collector's office. A comparison of these jummabundis with the jummabundis of the present time makes it possible to come to some conclusion as to the extent to which the rates and gross rentals of this and neighbouring villages have been enhanced during the past 50 years.

This Nankar mehal included an 8-anna share of—

Villages . . . { (1) Tubka Khas.
(2) Tubka Mughribee.
(3) Surowlee.

The Government revenue fixed in perpetuity in 1247 F.S. (1840 A.D.) is Rs. 607 sicca, the mofussil rental of the whole mehal then being Rs. 1,320-15-11. The present mofussil rental is Rs. 4,125-6-8, that is to say, six and three-fourth times the Government revenue and three times the average rental of the years 1242 to 1247 F.S. (1835 to 1840 A.D.). The Government revenue in 1242 F.S. (1835 A.D.) was, it is to be remembered, fixed on the basis of half assests.

Abstract of Jummabundi.—The following statement gives an abstract of the present jummabundi of the minor's share in mouzah Tukba Khas and of the jummadundis of the year 1242 F.S. (1835 A.D.)

Abstract of Jummabundi for the Year 1242 F. S. (1835 A. D.)				Abstract of Jummabundi for the year 1289 F.S. (1882 A.D.)					Remarks.
Total area of lands.	Detail of cultivated lands.		Rate of rent per beegha.	Total area of land.	Detail of cultivated lands.		Rate of rent per beegha, excluding karchas.	Rate of rent per beegha, including karchas.	
B. K. D.	No.	B. K. D.	R a. p.	B. K. D.		B. K. D.	R a. p	R a. p.	
424 13 9	1	0 7 10	6 0 0	623 5 4	1	1 7 4	6 4 0	6 7 4½	
	2	0 8 15	5 0 0		2	0 2 17	6 0 0	6 3 0	
	3	0 15 0	4 0 0		3	2 17 3¼	5 11 0	5 12 9	
	4	0 3 0	3 4 0		4	2 0 0	5 0 3	5 9 0	
	5	1 9 10	3 2 0		5	2 9 15	5 6 0	5 8 9	
	6	0 17 0	3 0 0		6	0 8 7½	5 0 0	5 2 6	
	7	1 0 0	2 11 0		7	8 4 10	4 12 3	4 14 7½	
	8	11 0 13	2 10 0		8	0 8 3¾	4 12 0	4 14 4¼	
	9	9 17 8	2 8 0		9	9 6 4½	4 11 9	4 14 1½	
	10	0 14 0	2 7 0		10	11 10 2¼	4 11 0	4 13 4¼	
	11	5 14 0	2 6 0		11	6 11 13½	4 0 3	4 11 6	
	12	2 15 0	2 4 0		12	7 5 8	4 9 0	4 11 3	
	13	18 6 11	2 0 0		13	8 4 9	4 8 9	4 11 0	
	14	0 15 0	1 14 0		14	4 17 8	4 8 3	4 10 6	
	15	2 5 0	1 12 0		15	2 5 6¼	4 8 0	4 10 3	
	16	12 11 0	1 10 0		16	0 8 6¾	4 7 0	4 9 3	
	17	82 11 10	1 8 0		17	6 11 17¼	4 6 0	4 8 3	
	18	9 16 6	1 6 6		18	3 3 18¾	4 5 0	4 7 3	
	19	1 16 13	1 6 0		19	12 6 10½	4 4 0	4 6 1½	
	20	1 9 0	1 4 0		20	0 19 5	4 3 9	4 5 10½	
	21	81 7 10	1 0 0		21	6 9 6	4 3 6	4 5 10	
	22	66 16 0	0 15 0		22	1 10 0	4 0 6	4 2 6	
	23	8 16 0	0 14 0		23	5 7 5	4 0 0	4 2 0	

ABSTRACT OF JUMMABUNDI FOR THE YEAR 1242 F.S. (1835 A.D.)

Total area of lands. B. K. D.	Detail of cultivated lands. No.	Detail of cultivated lands. B. K. D.	Rate of rent per beegha.* R. a. p.
	24	20 15 12	0 12 0
	25	3 0 0	0 10 0
	26	3 0 0	0 9 0
	27	19 5 9	0 8 0
	28	20 0 0	0 5 0
	29	7 2 10	0 2 0
		19 13 0	Bhaoli.

Jamma ... Rs. 459-12-10½.

ABSTRACT OF JUMMABUNDI FOR THE YEAR 1289 F.S. (1882 A.D.)

Total area of land. B. K. D.	Detail of cultivated lands. No.	Detail of cultivated lands. B. K. D.	Rate of rent per beegha, excluding karchas. R a. p.	Rate of rent per beegha, including karchas. R a p.
	24	57 13 2½	3 15 6	4 1 6
	25	1 19 13	3 14 6	4 0 6
	26	0 7 0	3 12 0	3 13 10½
	27	2 0 13	3 11 6	3 12 6
	28	0 6 15	3 10 0	3 11 9
	29	0 6 0	3 9 3	3 11 0
	30	2 16 12½	3 8 0	3 9 9
	31	10 0 15	3 7 6	3 9 3
	32	6 12 1	3 6 0	3 7 9
	33	3 2 18	3 4 0	3 5 6
	34	1 16 9	3 3 6	3 5 0
	35	0 2 8	3 2 0	3 3 6
	36	12 6 8	3 1 6	3 3 0
	37	5 10 0	3 0 9	3 2 3
	38	0 10 10	3 0 0	3 1 6
	39	6 10 0	2 15 8	3 0 9
	40	3 10 5	2 14 0	2 15 6
	41	1 0 0	2 12 3	2 13 7½
	42	4 6 0	2 12 0	2 13 4½
	43	2 0 1	2 11 9	2 13 1½
	44	2 1 12	2 11 6	2 12 10½
	45	57 0 13½	2 10 0	2 11 3
	46	1 2 1	2 9 0	2 10 3
	47	1 6 10	2 8 6	2 9 9
	48	4 1 10	2 8 0	2 9 3
	49	1 2 10	2 7 3	2 8 6
	50	4 9 15	2 7 0	2 8 3
	51	1 0 0	2 6 9	2 8 0
	52	1 0 0	2 6 6	2 7 9
	53	15 15 19	2 6 3	2 7 6
	54	2 9 14½	2 5 0	2 6 1½
	55	2 17 5	2 4 9	2 5 10½
	56	1 0 0	2 3 9	2 4 10½
	57	5 4 2	2 3 0	2 4 7½
	58	11 8 16½	2 3 0	2 4 0
	59	7 16 17	2 2 0	2 3 0
	60	3 3 10	2 1 0	2 2 0
	61	6 18 17	2 0 6	2 1 6
	62	3 2 7	2 0 3	2 1 3
	63	14 19 8	2 0 0	2 1 0
	64	2 13 10	1 15 0	2 0 0
	65	0 11 12	1 14 6	1 15 6
	66	0 4 0	1 14 0	1 15 0
	67	4 11 0	1 13 0	1 14 0
	68	4 12 10	1 12 3	1 13 3
	69	2 18 0	1 12 0	1 13 0
	70	3 5 1	1 11 6	1 12 3
	71	28 13 9	1 11 0	1 11 9
	72	1 12 0	1 10 6	1 11 3
	73	4 1 10	1 10 3	1 11 0
	74	6 19 4½	1 10 0	1 10 9
	75	6 15 0	1 9 6	1 10 3
	76	4 16 8	1 8 6	1 9 3
	77	0 8 10	1 8 0	1 8 9
	78	1 14 8	1 7 0	1 7 1
	79	6 0 10	1 6 9	1 7 0
	80	6 3 13	1 6 6	1 7 3
	81	9 17 0	1 6 0	1 6 9
	82	1 19 0	1 5 6	1 6 3
	83	5 13 10	1 5 0	1 5 9
	84	1 12 0	1 4 0	1 4 6
	85	4 0 0	1 3 9	1 4 3
	86	19 12 18	1 3 6	1 4 0
	87	15 13 4½	1 2 0	1 2 6
	88	1 6 0	1 1 6	1 2 0
	89	1 0 0	1 1 3	1 1 9
	90	14 12 6	1 0 6	1 1 0
	91	6 15 0	1 0 0	1 0 6
	92	5 11 0	0 15 0	0 15 6
	93	20 13 6¾	0 13 6	0 14 0
	94	0 15 0	0 12 0	0 12 4½
	95	12 17 7	0 10 3	0 10 6
	96	3 19 5	0 9 0	0 9 3
	97	1 15 0	0 8 0	0 8 3
		35 10 0	Bhaoli.	

REMARKS.

1242 F.S. (1835 A.D.)

B. K. D. 424 13 9 — R a. p. 459 12 10½

* The average rate per beegha, Rs. 1-1-3.

1289 F.S. (1882 A.D.)

B. K. D. 623 5 4 — R a. p. 1,936 8 4

The average rate per beegha, Rs. 3-1-9.

From these abstracts it will be seen that, while the area under cultivation has increased by only 47 per cent. in this village within the last 50 years, the gross rental has increased by 321 per cent.; further, that while the average rate per beegha for the whole area under cultivation was in 1242 F.S. (1835 A.D.) Rs. 1-1-3, the average rate for the area now under cultivation is Rs. 3-1-9, or little less than three times the rate of 1242 F.S. (1835 A.D.) It is true that the highest rate in 1242 F.S. (1835 A.D.) was Rs. 6, while now the highest rate is only Rs. 6-7-4½, but the six-rupee rate in 1242 F. S. (1835 A. D.) was nominal, being the ground-rent of a shop. The average rates all round for cultivated land have been nearly trebled in the last 50 years; but not only have the rates all round been thus trebled, but the land for which these trebled rates are now being paid is inferior to that for which the lower rates were paid in 1242 F. S. (1835 A.D.); for 69 beeghas 21 kottahs of the best land near the village site have been taken from the ryots and converted into indigo zerat during the past 25 years, while the ryots' cultivation has been extended over the outlying poorer lands.

2. *Past history of the village.*—The jeth ryots say that Mahtab Singh was tikkadar in the time of Ram Narain Singh, who was the present minor's grandfather. He took half an anna karcha on the old rates. He was succeeded by Bechuklal Misser, tikkadar, who incorporated with the rent the half anna taken as karcha by his predecessor, and then realised an anna in the rupee as karcha on his own account. Bechuklal's lease having been renewed, he

similarly again incorporated previous karcha with the rent, and levied an anna per rupee as karcha in addition. On the expiration of Bechuk Misser's lease, the village was leased to the Dalsingserai factory in 1270 F.S. (1863 A.D.) The first lease to the factory was for seven years. This lease was renewed for a further period of seven years, and was again renewed for a term of nine years, which term will not expire before 1292 F.S. (1885 A.D.)

The factory enhanced the rates by one and a half annas in the rupee during the currency of its first lease in 1275 F.S. (1868 A.D), and again enhanced the rents by half an anna in the rupee last year. This so-called enhancement consisted in simply ordering the patwari to enter the amount as a demand in the village papers against each ryot.

3. *Explanation of increase in number of rates.*—The increase in the amount of the rates is explained in the preceding paragraph. The patwari explains the increase in the number of rates as follows:—As the rates, he says, had become confused in consequence of the numerous enhancements and karchas, the factory manager ordered him in 1285 F.S. (1878 A.D.) to take each ryot's gross rental, inclusive of karchas, and divide it by the number of beeghas of land he held, thus establishing a separate average rate for each ryot. The patwari did so; and the result is that there are 97 separate rates where there were only 29 in 1247 F.S. (1840 A.D.) These 97 rates are, it will be seen, neither village nor customary nor soil-class rates. They are in fact "personal" rates, made out by striking a separate average for each separate ryot's holding.

4. *Facilities for irrigation.*—This mouzah is irrigated from the rivers Mutyee and Kamraen; it is situated within a few miles of the Tirhoot State Railway.

6. *Karchas and abwabs.*—As stated above, half an anna per rupee karcha was imposed last year. The patwari has this year been ordered to incorporate this sum with the rent.

Hisabana intended for pay of the patwari is realized at one pie per rupee.

Special crop rates.—Special rates are not charged for tabacco or other special crops.

7. *Classes of soil.*—The jeth ryots and patwari say there are only two classes of soil and five qualities:—

I.—*Bheet aoul* or gauhera, *i.e.*, manured land near the village sites; *bheet duim*, pachusar, in which there is a large admixture of sand; *bheet suim*, usur up-land (in which there is a mixture of reh).

II.—Dhanhar or matiyar aoul } clayey loam on which rice is grown.
Dhanhar or matiyar duim }

The outturn of two fields of dhan cut by me in this village was respectively 12 maunds and 10¾ maunds of dhan per beegha. This is represented to be a twelve-anna crop. Last year the jeth ryot, Abalak Thakur, had what he calls a sixteen-anna crop, which yielded 15 maunds per beegha.

There are no special rates for groves and thatching grass.

No rent is charged for bastoo lands, that is to say, for the sites of ryots' houses.

8. *Occupancy ryots.*—The jummabundis of 12 years are not forthcoming, from which it might be ascertained how many of the present ryots have held for 12 years The patwar and jeth ryots say there are no new settlers, that all the ryots are hereditary and resident. There is not land enough for old ryots; why, they ask, should new ryots come?

There are, it is said for the same reason, no sub-tenants in this village. Some few ryots made over a beegha or so for cultivation to their farm labourers at the rates paid by themselves, so as to induce the former to continue in their service; but otherwise land is not sublet by occupancy ryots for profit.

9. *Determination of fair and equitable rates.*—It is generally alleged by the cultivators that the productive power of the land here, as elsewhere, has decreased and is decreasing. Such assertions are, however, founded on vague impressions of what the present generation have heard from their fathers, and in the case of their fathers, from the common tendency to praise the past at the expense of the present. The extension of cultivation to inferior lands has doubtless made the average gross produce per beegha of the whole village area less than it was in former times; but there is nothing to show that the lands which were actually under cultivation in those days produced more then than they do now. On the other hand, there have been no improvements in the system of agriculture, nor have there been any increased facilities for irrigation, owing to which it might be concluded that the average productive power of the land has increased. No account need therefore be taken of increase or decrease of the productive power of the land in now determining fair and equitable rates. I shall accordingly only consider what increase or decrease, if any, should be made in the present rates on the ground of increase or decrease in the value of the produce since the rates were last fixed or at any subsequent or former time. Fortunately the materials exist for instituting a comparison of the present rates at present prices in this and neighbouring villages, with the rates and prices of the period 1242 to 1247 F.S. (1835 to 1840 A.D.) These materials are to be found in the settlement records of the taluka which was brought under permanent settlement in 1247 F. S. (1840 A.D.)

In the settlement papers of 1247 F.S. (1840 A.D.) the ameen gives a statement of the prices prevailing in this neighbourhood at that time, which statement was accepted by the Settlement Deputy Collector as correct. The following is a comparative statement of the

increase in prices and increase in rent-rates during the period 1247 to 1289 F.S. (1840 to 1882 A.D.) :—

	Price in 1247 F.S. (1840 A.D.)	Price in 1289 F.S. (1882 A.D.)	Percentage of increase on prices since 1247.	REMARKS.
	Seers of 80 S.W per rupee.	Seers of 80 S. W. per rupee.		
Unhusked rice (dhan)	90	50*	80	I take the ameen's prices of 1247 F S (1840 A.D.) for the purpose of comparison, they being the only prices available; but there is reason to doubt their accuracy. Prices in the neighbouring districts have only risen by 50 to 60 per cent in the last 40 years, while, according to the ameen's lists, they have risen here by 73 per cent In my calculations of rates the zamindar gets all the benefit of any inaccuracies there may be in the ameen's prices
Indian-corn	80	45	77	
Barley	70	40	75	
Millet	80	50	60	
Tobacco	Not given			
		Average increase.	73 per cent.	

* Paddy does not sell at the same rate per rupee as its equivalent in rice, as the purchaser suffers from the loss of weight in drying, carriage, storage, &c

Average rate per beegha in 1247 F S (1840 A D)	Average rate in 1289 (1882 A.D.), including abwabs.	Increase in rent-rates.	Increase in prices.
R a. p.	R a. p.		
1 1 3	3 1 9	188 per cent.	73·

It thus appears that while the increase in prices for staple crops has been only 73 per cent. in 42 years over the prices of 1247 F.S. (1840 A D.), the increase in rent-rates has been 188 per cent. over and above the rates of 1247 F.S. (1840 A.D.); and this, be it remembered, though the ameen's prices for 1247 F.S. (1840 A.D.) are accepted as correct. In fact, however, the ameen did, in all probability, understate the prices of 1247 F.S. (1840 A.D.), in order to have the zamindars' jumma fixed at a low figure. As the increase in rates is only justified by increase in prices, and inasmuch as the increase in prices since 1247 F.S. would not be as much as even 73 per cent. if the ameen understated the prices of 1247, it follows that in the proportion that prices ruling in 1247 F.S. (1840 A.D.) were really higher than those given by the ameen, so much the less reason is there for the enhancements which have since taken place. But it is to be further remembered that the ryots pay these enhanced rates for land which is inferior to that which was under cultivation in 1247 F.S. (1840 A.D), because, as already noted, the best lands have been taken up for indigo, while the ryots' cultivation has been extended to the outlying inferior lands.

Tested, then, by comparison with the rates and prices prevailing in 1247 F.S. (1840 A.D.) it follows that the present rates are excessive. The rent-rates have not only kept pace with, but they have far outrun the increase in prices during the last 45 years—a state of things which probably exists in no other part of India.

Behar peculiar in that rise in rents has outrun rise in prices.

10. In Bengal it is a subject of complaint on the part of zamindars that they have been able to obtain little, if any, of that increase in rentals to which increase in prices would legally entitle them.

In the Cawnpore district of the North-Western Provinces, the price of wheat rose by 42·7, of bijhra by 34·2, of juar by 43·6, and bajra by 47·7 during the 30 years' period of the last settlement. Yet rent-rates had scarcely risen at all in the North-Western Provinces during the same period—"rent-rates" (*see* Mr. Colvin's settlement memorandum of 1872, paragraph 18, page 741) "not being immediately acted on by prices, but limited by custom and largely controlled by law." (Settlement Report of the Cawnpore district, 1878, page 60, paragraphs 39 and 43.)

In the Azimgurh district the Settlement Officer reported in 1881 as follows :—

"The fixity of cultivating tenure which our system of land revenue and record, falling in with the general feeling of the community, has brought about, has prevented any general rise of rent in land upon which a right of occupancy had previously accrued."

In the Muthra district, the price of wheat has risen by 55 per cent., of barley by 65, of gram by 45, and of bijhar by 52 per cent. since the mutiny, yet the rise in the competition rents paid by non-occupancy ryots had only risen by 25 to 30 per cent. "since the revision of the records of that district—a period of 28 years." (Settlement Report of the Muthra district, 1879, page 89)

The Settlement Officer of the Agra district, writing in 1880, says—"The measures adopted at the last settlement with regard to the rents of occupancy tenants have altogether prevented their rising in any proportion to any increase in the value of the land to whatever extent that may have taken place."

The competition rates paid by non-occupancy ryots have risen by 32 per cent. in the Agra district during the last 35 or 40 years, while prices have risen by 50 per cent. in the same period. (Settlement Report of Agra district, 1880, paragraphs 98, 99, and 124.)

Speaking generally of the North-Western Provinces, Mr. Stack, in his memorandum on current land revenue settlement, 1880, says—"Throughout the greater part of the provinces,

prices have risen by 40 to 50 per cent. during the currency of the last settlement" [in the last 45 years]; "but it has been everywhere found that the rise of rents has not kept pace with rise of prices."

It follows, then, that though prices have risen by 40 to 50 per cent. during the last 45 years in the North-Western Provinces, yet the rent-rates paid by occupancy ryots have scarcely increased at all, and those paid by non-occupancy ryots have only risen by 25 to 30 per cent., while in this village the rates paid by occupancy and non-occupancy ryots alike have been increased all round by 188 per cent., and they have, moreover, far outrun the rise in prices. If, then, the rates for this village were now to be fixed by comparison with the rates of 1247 F.S. (1840 A.D.), taking into consideration the rise in prices since that time, the new average all-round rate would stand as follows:—

	R	a.	p.
Rate of 1247 F.S. (1840 A.D.)	1	1	3
Add 73* per cent. for increase in prices since that time, such increase not having been effected by the agency of either ryot or landlord (see section 23 of the Bill)	0	12	6
New all-round rate	1	13	9
Present all-round rate	3	1	9

If the rates and prices of 1247 F.S. (1840 A.D.) could be taken as the standard of comparison, the present rates would have to be reduced by 40 per cent. all round in order to arrive at fair and equitable rates.

The rates of 1247 F.S. (1840 A.D.) cannot, however, be taken under the present or proposed law as the basis of comparison, for it is only the prices prevailing when the rates were last fixed, or at any subsequent time that can be taken for comparison in considering the rise of prices. The rates in this village were last fixed in 1275 F.S. (1868 A.D.)

The following is a comparative statement of the then ruling prices with present prices:—

	1868-70.	1880-82.	REMARKS.
	Srs.	Srs.	
Common rice	24	25¼	The data on which these figures are based are given in detail on the notes on Dalsingserai annexed.
Indian-corn	35 7/12	47 1/12	
Wheat	21 5/6	29⅓	

The above figures show that prices now are somewhat lower than when the rates were last fixed in 1275 F.S., yet an enhancement of half an anna per rupee all round was demanded last year by the factory manager, and is now, the patwari says, shown in the jummabundi.

(11.) To sum up the preceding remarks, it appears that the rent-rates of this village had been enhanced during the 20 years prior to 1868 A.D., out of all proportion to increase of prices, rent-rates having been nearly trebled, while prices increased by only 73 per cent., *secondly*, that though there has been no increase of prices since 1868, but rather the reverse, yet the Dalsingserai factory manager is* now demanding a further enhancement of half an anna in the rupee; *thirdly*, that owing, in a slight degree, to extension of cultivation but chiefly to the arbitrary enhancement of rates, the gross rental has been more than quadrupled during the last 45 years; further that if rates were now fixed on the basis of comparison with the rates and prices of the year 1247 F.S. (1840 A.D.), (on which rates and prices the permanent Government revenue of this mehal was fixed), existing rates would have to be reduced by 40 per cent. in order to make them fair and equitable. It also appears that there is no justification for the enhancement of half an anna in the rupee demanded last year and now being enforced.

* I wrote to the factory manager, asking on what ground this enhancement is being made. I quote in full his reply (received since this was written). It shows a curious misconception of the grounds on which an enhancement may be made:—

"The enhancement you mention is temporary, and you are misinformed, inasmuch as you have been told that I had given orders that it should be incorporated with the rent. No orders have been passed on the subject in regard to the current season. The enhancement was established by my predecessor for one year *to meet loss from a deficiency of bhowlee crops*, with the intention of keeping the jummabundis uniform; and as the ryots were informed of the cause, they voluntarily paid the enhancement, on the understanding that they should receive credit for it in such a year when the bhowlee was above the average."

That is to say, that because lands A, B, and C yielded less than was expected, the lands of C, D, and E must be assessed so as to make up the difference.

Notes on Tubka Mughribee.

(1) *Government revenue.*—This mouzah forms part of the Naukar mehal, of which the Government revenue is given under Tubka Khas.

(2) *Details of area.*—The details of the present rates and of the areas at each rate are given below. The rates prevailing in 1242 F.S. (1835 A.D) are not specified in the settlement papers of 1242 to 1247 F.S. (1835 to 1840 A.D.), but they were probably the same as in the

* NOTE.—I have in calculating enhanced rates given the full benefit of increase in prices, according to the rule of proportion, to the zamindar. The meaning of section 3(*a*) of the Bengal Commissioners' Bill giving the benefit of only half the increment to the zamindar is not clear. If it means only half the *proportion* of increment, then it would introduce a very great change in the enhancement law, and if it means half the lump increment, the limitation provided in clause (*b*) which adheres to the rule of proportion, would render clause (*a*) inoperative, except where the rent was more than 50 per cent. of the gross produce.

neighbouring village, Tubka Khas, which would give an average rate all round of Rs. 1-1-3. The present average all-round rate is Rs. 1-14-9 :—

ABSTRACT OF JUMMABUNDI FOR THE YEAR 1289 F.S. (1882 A.D.)

Total area.			Detail of cultivated lands				Rate of rent per beegha.			REMARKS.
B.	K.	D.	No.	B.	K.	D.	R	a.	p.	
482	2	12½	1	0	3	0	5	15	0	
			2	0	1	4	5	5	0	
			3	0	5	5	5	0	0	
			4	2	18	15	3	14	6	
			5	1	12	10	3	13	9	
			6	0	7	0	3	13	3	
			7	0	4	8	3	11	0	
			8	4	1	1	3	7	9	
			9	2	9	5¾	3	7	6	
			10	3	2	10	3	6	0	
			11	2	4	10	3	4	3	
			12	6	8	17	3	2	3	
			13	0	1	1	3	0	0	
			14	0	6	0	2	10	6	
			15	15	0	6	2	9	9	
			16	63	12	0	2	8	0	
			17	0	3	10	2	7	0	
			18	5	17	7½	2	5	9	
			19	10	7	11½	2	5	0	
			20	2	1	0	2	4	3	
			21	0	19	6½	2	4	0	Jumma of 1280 F S (1882 A.D) . R 933 a 4 p 2½
			22	0	7	0	2	3	0	The average rate per beegha is . . . 14 9
			23	3	5	0	2	2	0	
			24	3	3	19¾	2	1	6	
			25	3	19	17¼	2	1	0	
			26	75	6	2	2	0	0	
			27	4	10	0	1	14	0	
			28	3	12	2	1	13	0	
			29	0	7	0	1	12	6	
			30	3	9	0	1	11	0	
			31	1	0	0	1	10	9	
			32	1	10	0	1	10	6	
			33	2	0	0	1	10	0	
			34	3	15	0	1	9	9	
			35	24	4	11	1	8	0	
			36	11	16	10	1	5	9	
			37	27	1	0	1	4	0	
			38	4	0	0	1	1	0	
			39	81	14	7	1	0	0	
			40	10	15	10	0	8	0	
Bhaoli . .				94	0	0				
				482	2	12½				

(3) *Past history.*—The mouzah was leased to Bekram Lal from 1250 to 1256 F.S. (1843 to 1849 A.D) The rates prevailing in this period are not known. From 1257 to 1274 F.S. (1850 to 1867 A.D.), it was leased to Mahtab Sing. He raised the rates by 4 annas per beegha in 1257 F.S. (1850 A.D.)

From 1275 to 1283 F.S. (1868 to 1876 A.D.), the village was leased to the Dalsingserai factory. This lease was renewed for a further period of 9 years, which will expire in 1292 F.S. (1885 A.D.)

The factory raised the rates by one and a quarter annas in the rupee in 1275 F.S. (1868 A.D.) In 1284 F.S. (1877 A.D.), part of the village was again given in lease to the Dalsingserai factory, and the rest was leased to Tirguman Misser and Medini Thakur, who are themselves ryots.

The factory has, during the currency of its last lease, demanded an enhancement of half an anna in the rupee, and entered this demand in the jummabundi.

(4) *Irrigation and facilities.*—The village is irrigated from the Mytee, and is only a few miles from the Tirhoot State Railway.

(5) *Classes of soil.*—There are two classes of soil and five qualities :—

I—(1) Bheet aoul, or gauhera.
(2) Bheet duim, or pachusar.
(3) Bheet suim, or usar.
II—(4) Dhanhar aoul.
(5) Dhanhar duim.

(6) *Number of occupancy and non-occupancy ryots.*—The putwari says there are no new ryots. All are occupancy ryots. There is no distinction in rates paid by occupancy and non-occupancy ryots as such. The jummabundi for the past 12 years are not forthcoming. I cannot therefore test the truth of the statement that there are no non-occupancy ryots. The distinction between occupancy and non-occupancy ryots is not in fact at all understood here. Ryots of high caste, whose ancestors have been resident for generations, have sometimes managed to hold at favourable rates, as compared with others; but a ryot once allowed to settle in the village is understood to have a right to hold as long as he pays the rent originally agreed upon, together with such enhancements as may be subsequently made in the village generally.

(7) *Average produce.*—Three specimen fields of *dhan* were cut by me, yielding 7½, 4½, and 4 maunds per beegha. This year's crop is represented to be an 8-anna crop in the up-lands and 12-anna in the low-lands.

(8) *Determination of fair and equitable rates.*—The present average all-round rate, ascertained by dividing present gross rental by area now under cultivation, is Rs. 1-14-9. The average all-round rate in 1247 F.S. (1843 A.D.) for this and the neighbouring village of Tubka Khas was Rs. 1-1-3, which rate is similarly ascertained by dividing the gross rental by the area then under cultivation. It appears therefore that the rates all round have been enhanced by 80 per cent. since 1247 F.S. (1840 A.D.), while the increase in prices during the same period was 73 per cent. If, then, fair rates were now to be fixed by the standard of comparison with the rates and prices of 1247 F.S. (1840 A.D.), existing rates would have to be reduced. The enhancement of half an anna in the rupee, which the ticcadar demanded last year, would in any case have to be struck off, as not being justified by any increase in average prices since 1275 F.S. (1868 A.D.), when the rates were last fixed.

Notes on Mahomedpore Sunkura, Village No. 9 of Map II.

(1) The Narhun minor is proprietor of 8 annas of this mouzah, which forms part of taluk Kishenarainpore, and was permanently settled in 1210 F.S. (1803 A.D.) The Government revenue of the Narhun share is Rs. 25, as shown in the settlement papers: the present rental is Rs. 2,889-3-1½, or one hundred and fifteen times the Government revenue.

(2) *Abstract of jummabundi.*—The following statement shows the present rates, and the areas held at each rate. The areas held at the several rates are not given in the old settlement papers, but the rates prevailing in 1248 F.S. (1841 A.D.) are given in the settlement papers of a neighbouring taluka, and are shown below, with the rates and areas of 1275 and 1289 F.S. (1868 and 1882 A.D.):—

Abstract of Jummabundi for 1248 F.S. (1841 A.D.)		Abstract of Jummabundi for 1278 F.S. (1868 A.D.)				Abstract of Jummabundi for 1289 F.S. (1882 A.D.)			Remarks.
Number of rate.	Rate of rent per beegha	Detail of the cultivated land.		Rate of rent per beegha.	Total area of the land	Detail of the cultivated land.		Rate of rent per beegha.	
	R a. p.	No.	B. K. D.	R a. p.	B. K. D.	No.	B. K. D.	R a. p.	
(1)	2 14 0	1	1 9 14	4 0 0	643 9 8½	1	0 19 0	5 0 0	
(2)	2 13 0	2	133 8 9	3 12 0		2	106 7 11½	4 10 0	
(3)	2 11 0	3	15 7 7	3 8 0		3	35 10 0	4 8 0	
(4)	2 10 0	4	123 1 16	3 4 0		4	11 7 12	4 4 0	
(5)	2 9 0	5	10 11 0	3 0 0		5	105 18 12¾	4 2 0	
(6)	2 7 0	6	84 9 1	2 8 0		6	49 9 0	4 0 0	
(7)	2 6 0	7	4 17 11	2 7 0		7	7 15 4	3 12 0	
(8)	2 3 0	8	1 0 0	2 6 0		8	7 7 3	3 10 6	
(9)	2 2 0	9	5 8 17	2 4 0		9	0 18 8	3 10 0	
(10)	2 1 0	10	93 1 15	2 0 0		10	1 10 0	3 9 0	
(11)	2 0 0	11	0 13 11	1 0 0		11	97 16 4	3 8 0	
(12)	1 15 0	12	6 0 0	0 8 0		12	0 3 5	3 7 0	
(13)	1 14 0					13	58 8 10	3 6 0	
(14)	1 13 0		479 9 6	39 0 0		14	28 0 17	3 4 0	
(15)	1 12 0		37 13 14	Malik's zerat		15	4 7 9	3 0 0	
(16)	1 11 0		124 6 8¼	bhaoli.		16	57 12 7	2 14 0	
(17)	1 10 0					17	28 6 3	2 12 0	
(18)	1 9 0		641 9 8½			18	1 0 0	2 11 0	
(19)	1 8 6					19	2 16 0	2 10 0	
(20)	1 7 0					20	5 11 9	2 8 0	
(21)	1 5 0			R a. p.		21	0 13 13	2 5 0	
(22)	1 4 0		Jumma including karchas	1,648 12 7		22	8 19 1	2 4 0	
(23)	1 1 6		Average on cultivated area	2 7 3		23	1 15 4	2 3 0	
(24)	1 0 6					24	0 18 17	2 2 0	
(25)	1 0 0					25	7 1 2	2 0 0	
(26)	0 15 0					26	1 12 0	1 8 0	
(27)	0 14 0					27	10 0 0	0 8 0	
(28)	0 12 0								
	50 6 6						641 9 8½	83 15 6	
							2 0 0	...	Bhaoli.
							643 9 8½		
								R a. p.	
The average on area taken from Tubka Khas. Rs. 1-1-3.							Jumma	2,435 15 0	
							Average on cultivated area	3 12 0	

From this statement it will be seen that, while the highest rate at present is Rs. 5, the highest rate in 1248 F.S. (1841 A.D.) was only Rs. 2-14. Further, that, excluding Tola Jagurnathpore, the gross rental was Rs. 1,648 in 1275 F.S. (1868 A.D.), while with the same area under cultivation in 1289 F.S. (1882 A.D.) it is Rs. 2,435; in other words, the gross rental has been enhanced by 50 per cent. within the past 15 years. The fact that the Government revenue bears such an insignificant ratio to the present rental further shows either that the rental must have been enormously enhanced since the settlement of 1210 F.S. (1803 A.D.), or that there was some irregularity in fixing the Government revenue.

(3) *Past history.*—This village was leased to Dalsingserai factory for three years, 1267 to 1269 F.S. (1860 to 1862 A.D.), at Rs. 850. The jeth ryots say that the rates then were from Rs. 2-8 to 8 annas.

From 1270 F.S. to 1276 F.S. (1863 to 1869 A.D.) it was leased to Behari Raout at a jumma of Rs. 1,151. During this period the ticcadar raised the jeth ryots' rates by 8 annas per beegha in 1275 F.S. (1868 A.D.), and the ryots' rates by 14 annas.

From 1277 to 1285 F.S. (1870 to 1878 A.D.) the lease to Behari Raout was renewed for nine years at a jumma of Rs. 1,600. During the currency of this lease, the ticcadar again raised

the jeth ryots' rate 8 annas, and the ryots' rates 12 annas per beegha. In 1285 F.S. (1878 A.D.) finding he could not realize rent at the above rates, Behari Raout reduced them by 2 annas and 3 pies per beegha. From 1286 to 1292 F.S. (1879 to 1885 A.D.), the village was again leased to Behari Raout at Rs. 1,900. He has this year relinquished the lease, being apparently unable to realize his enhanced rents. His relinquishment has been accepted. The present jumma, inclusive of Tola Jagarnathpore, is Rs. 2,889. It thus appears that the reserved rental payable by the ticcadar to the proprietor has been more than doubled in the course of 20 years, further, excluding Tola Jagarnathpore, for which the materials for comparison are not available, it appears, as already noted, that the mofussil jumma of the remaining portion of this mouzah was Rs. 1,648 in 1275 F.S. (1868 A.D.), while in 1279 F.S. (1872 A.D.), it was raised to Rs. 2,600, and was reduced in 1285 F.S. (1878 A.D.) to Rs. 2,435; *in other words, an increase of 50 per cent. was made in the gross rental in the course of the past 15 years, the cultivated area remaining the same.*

(4) *Irrigation and facilities of communication.*—The mouzah is irrigated from the river Jumooaree, and is situated a few miles from the Tirhoot State Railway.

(5) *Karchas.*—The only karcha levied is kiyali at half an anna a rupee. It is realized from all ryots other than Bhabuns, who are exempted.

(6) *Occupancy ryots.*—A comparison of the jummabundis of 1275 F.S. and 1289 F.S. (1868 and 1882 A.D.) shows that, of a total number of 188 ryots, 178 are *kadimee* resident occupancy ryots, 10 are *noabad* non-occupancy ryots. The latter settled in the village within the last 10 years.

(7) *Average outturn.*—The patwari says this year's crop was a full sixteen-anna one.

Determination of fair and equitable rates.—The area under cultivation now is exactly the same as it was in 1275 F.S. (1868 A.D.), *i.e.*, 15 years ago. The average rates and gross rentals have been enhanced by 55 per cent. by the native ticcadar Behari Raout in this period; while, as I have shown in my notes on Dalsingserai, there was no increase in average prices in the same interval. In now fixing fair rates, all enhancements made subsequent to 1275 F.S. would have to be ignored as being excessive and arbitrary. Even the rates of 1275 F.S. (1868 A.D.), if compared with those of 1248 F.S. (1841 A.D.), would be found to be excessive.

Soil-class rates.—There are two classes and five qualities of soil, namely :—

(1) Bheet aoul or gauhera.
Bheet duim or balguchar.
Bheet suim or usur.

(2) Dhanhar aoul.
Dhanhar duim.

Subject, of course, to the remarks which I made in a former report, as to the difficulty and inexpediency of fixing soil-class rates in this tract, I should, were I called upon to fix soil-class rates for this village, fix them as follows :—

	Maximum.		Average.		Minimum.	
	R	a.	R	a.	R	a.
Bheet aoul	5	0	4	4	3	8
Bheet duim	3	8	3	4	3	0
Bheet suim	3	0	2	0	1	0
Dhanhar aoul	3	8	2	12	...	
Dhanhar duim	3	0	2	8	2	0

These rates would, I believe, be accepted by the ryots, and taking into consideration the past history of the village, they are certainly anything but low. This is an example of a village held in lease by a native ticcadar, and it shows, as already stated, that though rents in villages leased to the Dalsingserai Indigo Factory have been enhanced out of proportion to any increase in prices, the rents in villages leased to native ticcadars have been enhanced still more. I have ascertained from the settlement papers that the average all-round rate of neighbouring villages was Rs. 1-1-3 in 1247 F.S. (1840 A.D.) If rates were now to be fixed by comparison with the rates and prices of that time, the average all-round rate would stand thus :—

	R	a.	p.
Rate of 1247 F.S. (1840 A.D.)	1	1	3
Add 73 per cent. for increase in prices	0	12	6
TOTAL	1	13	9
All-round rate on same land at present	3	12	6

The present rental and average rates all round would therefore have to be reduced by 50 per cent. in order to make them fair and equitable, as compared with the rates of 1247 F.S. (1840 A.D.)

Notes on Dalsingserai, Village No. 12 of Map II.

The Narhun minor is proprietor of eight annas of this village, the other eight annas being held by Baboo Pirnarayan Singh and others, who are known as the Ramghur Baboos. The two eight-anna shares are held separately, and have separate towji numbers.

(1) *Government revenue.*—The Government revenue of the Narhun eight-anna share is Rs. 51, while the present gross rental, as shown in the jummabundi of 1289 F. S. (1882 A.D.),

inclusive of bazar fees and other miscellaneous items, is Rs. 966, or nineteen times the Government revenue. Excluding such miscellaneous items, the rental of the land alone is Rs. 676. This, however, includes the house-rents of shops in the bazar. The rental proper for cultivated land is Rs. 485, or nearly ten times the Government revenue.

(2.) The total area of the Narhun share is 148 beeghas, of which (1) 106 beeghas 5 kottahs 10 dhurs are cultivated rent-paying, (2) 41 beeghas 14 kottahs 10 dhurs are non-cultivated and non-rent-paying.

The annexed statement gives an abstract of the jummabundis of 1274 and 1289 F.S. (1867 and 1882 A.D.) :—

1275 F.S. (1868 A.D.)			1282 F.S. (1875 A.D.)				1289 F.S. (1882 A.D.)				
Total area of land.	Detail of cultivated land.	Rate of rent per beegha.	Total area of land		Detail of cultivated land.	Rate of rent per beegha.	Total area of land.		Detail of cultivated land.	Rate of rent per beegha.	
B. K. D.	B. K. D.	R a. p	B K D	No	B K. D	R a p	B. K D	No.	B K. D	R a. p.	
88 11 5	0 9 10	6 0 0	81 12 11¾	1	0 9 10	6 0 0	106 5 10	*1	0 3 0	60 0 0	*(1) This is a separate rate of ground rent for a godown.
	0 2 10	5 0 0		2	0 16 18	3 8 0		*2	0 14 16	12 0 0	*(2) This is a special rate paid by prostitutes for land occupied by them
	0 7 6	4 0 0		3	11 6 11	3 4 0		*3	2 3 14	11 0 0	*(3) This is a special rate paid by *palki*-bearers.
	13 7 19¾	3 4 0		4	2 4 10	3 0 0		*4	0 7 1½	10 0 0	*(4) This is a special rate paid by *palki* bearers
	1 12 10	3 0 0		5	15 19 1¼	2 12 0		5	3 13 15	6 0 0	(5) Special rate paid for indigo zerats.
	24 18 18¾	2 12 0		6	9 9 15½	2 8 0		6	13 0 1½	6 0 0	(6) Includes special rate for indigo and some land held by Assamees
	8 2 10	2 8 0		7	0 11 18	2 4 0		7	1 10 0	5 11 0	(7) Assamees' land.
	40 5 5½	2 0 0		8	37 9 12¾	2 0 0		8	16 15 10	5 0 0	(8) Ditto.
	1 5 0	1 4 0		9	0 8 15	1 12 0		9	28 0 14	4 0 0	(9) Ditto.
	88 11 5			10	1 13 0	1 8 0		10	0 16 1	3 12 0	(10) Ditto
				11	1 5 0	1 4 0		11	7 0 0	3 10 0	(11) Ditto.
					81 12 11¾			12	13 17 0½	3 8 0	(12) Dhanhar rate.
Jumma .		Rs. 216-15-9						13	2 19 0	3 2 0	(13) Bheet
			Jumma . . Rs. 201					14	2 2 12	3 0 0	(14) Dhanhar.
			B K D 23 8 0 of indigo zerats not included in the above					15	3 2 10½	2 8 0	(15) Bheet.
			Average rate all round, Rs 2-7.					16	8 11 4	2 0 0	(16) 4 beeghas 1 kottah 4 dhurs bheet and 4 beeghas 10 kottahs dhanhar.
								17	1 2 9	1 4 0	(17) Dhanhar
									106 5 10		Average rate per beegha at present all-round Rs 3-13, including indigo zerats.
							Jumma .		Rs. 4 5		Average all round rate, excluding zerats, Rs. 3-1 9

(3) *Post history of the village.*—The jeth ryots and patwarees and a mohurir of the Narhun estate, who is in my camp, say that the present rates were fixed in 1285 F.S (1878 A.D.) The village was leased to one Gourdial Sing from 1264 to 1270 F.S. (1857 to 1863 A. D.) It was next leased to the Dal-ingserai factory* from 1271 to 1284 F.S. (1864 to 1877 A. D.) From 1285 F.S. (1878 A.D.) it was leased to Behari Raout, and not to the factory. Certain ryots, it is said, agreed in 1285 F.S. (1878 A.D.) to pay enhanced rates of rent on condition that the native ticcadar would settle with them the indigo zerats lately held by the factory. The ticcadar had a measurement of the village and a re-assessment of each field made in that year. The ryots, it is said by the patwaree and mohurir, agreed to the new assessment and signed the new parchas.

The new rates were not made out by an enhancement of so much on the rupee or so much per beegha on the old rates. The patwaree who made the assessment simply assessed each field at the rate he thought fit and in this way more than doubled the previous gross rental. The ryots say they never agreed to any enhancement; they refused to pay at the new enhanced rates, and were accordingly sued for arrears of rent in 1288 F.S. (1881 A. D.), at the enhanced rates which were being demanded. The suits were all dismissed, and decrees were given only at the rates acknowledged by the ryots. The latter say that many of them did not get possession of any portion of the indigo zerat land, yet their rates were enhanced. The following ryots are mentioned as examples:—

1. Chulai Ja, in 1284 F.S. (1877 A.D.), held 9 kottahs 4½ dhurs at Rs. 2-8 per beegha rent, Rs. 1-2. According to new assessment his rental is Rs. 2-4.
2. Jitlal Ja, 10 kottahs 9½ dhurs; former rent Rs. 1-12 to Rs. 3-2 per beegha; new assessment at Rs. 5-2 per beegha; rental Rs. 4.

Both these are occupancy ryots, and none of the zerat lands was settled with them. The jummabundis corroborate these statements. This new assessment and the jummabundi founded on it must be, I think, entirely set aside as both illegal and inequitable. The ryots say they are willing to pay an enhancement of 4 annas a beegha on the rates which prevailed before 1285 F.S. (1878 A.D.) for the lands then held; and for the zerats they are willing to pay at Rs. 6. per beegha.

(4) *Previous enhancements.*—Setting aside the rates fixed by the patwaree in 1285 F.S. (1878 A.D.), the year in which the rates were last fixed is 1274 F.S. (1867 A.D.). In that

* NOTE.—Behari Raout was the late proprietor's cook and a man of straw. Thicka leases were nominally given to him whenever an enhancement was demanded, so that the proprietor might escape personal responsibility for any illegalities which might be practised.

year the factory manager called the ryots together, and asked them to pay half an anna in the rupee by way of commission to the tehsildar who then collected rents. This half-anna in the rupee is shown in the jummabundi of 1275 F.S. (1868 A.D.) separately from the *assal* jumma, and is entered as "*beshi.*"

It is to all intents and purposes an enhancement of rent, though the ryots say it is nothing of the kind. It was, they say, an illegal *abwab.*

There is no evidence to show what rates prevailed before 1274 F.S. (1867 A.D.) The ryots allege that the rates given in the jummabundi of that year, less by the half-anna *beshi* then added, had come down from the most ancient times. I believe this statement to be untrue. It is made under the impression that the right to hold at fixed rates will be established by false allegations of the existing rates having remained unaltered for a long period. Similar statements were made in regard to Tubka and other villages, and are shown by the settlement papers of 1242 F.S. to 1248 F.S. (1835 to 1841 A.D.) to be quite untrue. It was at first stated by the jeth ryots and patwarees, from similar motives, in regard to these latter villages also that the present rates had come down unchanged from time immemorial; but when the old jummabundis were produced and examined, it was at once admitted that these statements were false, and the true history of the enhancement was then given.

(5) *Classes of soil.*—The jeth ryots say there are only two classes and four qualities of soil in the village, namely :—

Bheet aoul—Which includes classes I to VI, as shown in the jummabundi of 1289 F.S. (1882 A.D.)

Bheet duim—Which includes the present classes VI to XII.

Bheet suim—All the rest of the *bheet dhankar.*

1. *Bheet aoul*—Includes the late indigo zerats and the manured land near the village site.

   Bheet duim—Is up-land, in which there is a larger mixture of sand called bhullawahs or *balguchur.*

   Bheet suim—Up-land, in which there is a mixture of *reh,* locally called *usar.*

2. *Dhanhar*—Is the clayey loam known as matiyar.

(6) *Irrigation.*—Dalsingserai is partly irrigated from the Bolan river. The up-lands are not irrigated.

(7) *Facilities for communication and proximity to markets.*—There is a large bazar in the village. The Tirhoot State Railway passes through it.

(8) *Occupancy and non-occupancy ryots.*—There were 38 ryots in this village at the end of 1289 F.S. (1882 A.D.) Of these, 28 are hereditary ryots, whose fathers and forefathers lived in this village. Owing to the system of exchanging indigo for ryoti lands, it is impossible to say whether all or any of these have cultivated the same identical fields for 12 years successively. Seven have been old residents of this mouzah, but they cultivated in the nizamut and not the Narhun *pottee* till 1285 F.S. (1878 A.D.), when they began to cultivate in the Narhun share. There are old residents of the Narhun *pottee,* but only took to cultivation of land in 1285 F.S. (1878 A.D.)

(9) *Determination of fair and equitable rates.*—I have not been able to procure lists from the local bazar chowdhry or from the factory manager at Dalsingserai, from which the prices prevailing before 1868 A.D. could be ascertained, though I have no doubt such lists exist. I am therefore obliged to fall back on the price current lists received from the Collectorate, which only go back to 1868 A.D., and give only the prices prevailing at Tajpore, the head-quarters of the sub-division. For the purposes, however, of instituting a comparison between the present value of the produce and the value when the rates were last fixed in 1868 A.D., the lists of prices ruling at Tajpore will be sufficient. Prices may ordinarily be a seer or two more or less in Dalsingserai than in Tajpore, but prices now in Dalsingserai probably bear the same proportion to prices in 1868 at Dalsingserai, as prices now in Tajpore do to prices in 1868 A.D. in Tajpore.

The following statements show the average prices prevailing in Tajpore during the three years 1868, 1869, and 1870, as compared with the prices prevailing during the past three years—1880, 1881 and 1882 :—

Statement of prices in 1868, 1869, 1870.

	1868.				1869.			
Common rice	January. Seers. 28	February. Seers. 25	March. Seers. 25	Average. Seers. 26	January. Seers. 18	February. Seers. 17½	March. Seers. 17	Average. Seers. 17½
Indian-corn	September. Seers. ...	October. Seers. 36	November. Seers. 31	Average. Seers. 33½	September. Seers. 35	October. Seers. 36	November. Seers. 33	Average. Seers. 34⅔
Wheat	April. Seers. 25	May. Seers. 25	June. Seers. 26	Average. Seers. 25⅓	April. Seers. 16	May. Seers. 14½	June. Seers. 15	Average. Seers 15⅙
Pulses	April. 25	May. 25	June. 26	Average. 25⅓	April. 18	May. 17½	June. 16½	Average. 17⅓
Barley	Not given.				Not given.			
Millet	Not given.				Not given.			

	1870.			
Common rice	January. 22	February. 22	March. 22	Average. 22
Indian-corn	September. 41	October. 36	November. 36	Average. $37\frac{2}{3}$
Wheat	April. $18\frac{1}{2}$	May. 18	June. 18	Average. $18\frac{1}{6}$
Barley	Not given.			
Millet	Not given.			

Statement of prices in 1880, 1881 and 1882.

	1880.				1881.			
Common rice	January. 15	February. 15	March. 15	Average. 15	January. 25	February. 26	March. 25	Average. $25\frac{1}{3}$
Indian-corn	September. 38	October. 37	November. 40	Average. $38\frac{1}{3}$	September. $42\frac{1}{2}$	October. 50	November. 55	Average. $49\frac{1}{6}$
Wheat	April. 15	May. 19	June. 19	Average. $17\frac{2}{3}$	April. 24	May. 24	June. 23	Average $23\frac{2}{3}$
Pulses	Not given.				Not given.			
Barley	Not given.				Not given.			
Millet	Not given.				Not given.			

	1882.			
Common rice	January. 26	February. 25	March. 25	Average. $25\frac{1}{3}$
Indian-corn	September. 45	October. 45	November. 45	Average. 45
Wheat	April. 16	May. 18	June. 17	Average. 17
Pulses	Not given.			
Barley	Not given.			
Millet	Not given.			

III.—Comparative statement of average prices for the periods 1868, 1869 and 1870, and 1880, 1881 and 1882.

	1868, 1869 and 1870,	1880, 1881 and 1882.
Common rice	$21\frac{5}{6}$	$21\frac{8}{9}$
Indian-corn	$35\frac{5}{8}$	$44\frac{1}{6}$
Wheat	$19\frac{11}{18}$	$19\frac{4}{9}$
Pulses, barley, and millet	Information for comparison not available.	

It will be observed that there is an abnormal year in each of these periods: the year 1869 in the first period, when prices were unusually high, owing probably to famine in Central India and scarcity in the North-Western Provinces in that year; the year 1880 in the second period, when prices were abnormally high owing to a local failure of crops.

Leaving these two years out of consideration, the comparative statement would stand thus—

	Average price. 1868 to 1870.	Average price. 1881 to 1882.
Common rice	24 seers.	$25\frac{1}{3}$ seers.
Indian-corn	$35\frac{7}{18}$ "	$47\frac{1}{12}$ "
Wheat	$21\frac{5}{6}$ "	$20\frac{1}{3}$ "

From these statements it will be seen that, whether the abnormal years are included or excluded from the calculation, average prices now, so far as there has been any change at all, are rather lower than they were fifteen years ago. There is therefore no sort of justification for any enhancement of the rates fixed in 1274 F.S. (1867 A.D.)

The legal, fair, and equitable rates for this village would therefore now be Rs. 6 per beegha for the indigo zerat land lately settled with the ryots, that is to say, the rate actually obtained by competition, and for the rest of the village the rates shown in the jummabundi of 1874 A.D.

Striking out mere nominal rates which applied to only a few cottahs of land, the legal, fair, and equitable rates will stand thus:—

1. 27 beeghas 6 kottahs 4 dhurs at Rs. 6 (indigo zerat.)
2. 15 beeghas 9 dhurs at Rs. 3-4.
3. 22 beeghas 18 kottahs 18 dhurs at Rs. 2-12.
4. 8 beeghas 2 kottahs 8 dhurs at Rs. 2-8.
5. 41 beeghas 10 kottahs 5½ dhurs at Rs. 2.

If I were to fix rates according to classes of soil for this village, I should fix them thus:—

	Maximum.	Average.	Minimum.
	Rs.	Rs.	Rs.
I.—Bheet aoul	8	6	4
Bheet duim	4	3-4	2-8
Bheet suim	2-8	2	1-4
II.—Dhanhar	3	2-8	2

The only reasons I can assign for fixing these rates are—

(1) that they would probably leave the gross rental at the sum shown on other grounds to be fair and equitable in the legal sense;

(2) that they would be accepted by the ryot

I do not, however, say that these rates are fair and equitable according to principles of justice and equity, for I think that the rates of 1274 F.S. (1867 A.D.), on which the above rates are founded, are at least three to four times the rates which prevailed in 1210 F.S. (1803 A.D.), when the permanent settlement of this village was made; and I do not think prices have risen to anything like three or four times the prices prevailing in 1210 F.S. (1803 A.D.) If the prices prevailing in 1210 F.S. (1803 A.D.) could be ascertained and compared with the present prices, and rents were now fixed by that standard, they would have to be very much reduced. Since writing the above, I have received and examined the settlement records of 1247 F.S. of neighbouring villages. They show that a reduction of 40 per cent. in existing rates would have to be made in order to make the present rates fair and equitable according to the standard of rates and prices of 1247 F.S. (1840 A.D.)

Notes on Kooksa, Village No. 13 of Map II.

This village is entirely the property of the Narhun minor. It is situated about two miles south-east of Dalsingserai, and contains 258 local beeghas of 3,600 square yards.

(1) *Government revenue and present rental.*—The Government revenue, which was fixed in 1803, is R 62-8, and the present rental, exclusive of karchas, is R 927-15-1, and including karchas, R 1,158-10-3½, or nearly nineteen times the Government revenue.

ABSTRACT OF JUMMABUNDI.

The following statement shows the details of the present jummabundi and of the jummabundi of 1274 F.S. (1864 A.D.), i.e., *the year before the present rates were fixed.*

ABSTRACT OF JUMMABUNDI FOR 1274 F.S. (1864 A.D.)

Area of cultivated lands.	Detail of cultivated lands. No.	Detail of cultivated lands. B. K. D	Rate of rent per beegha, exclusive of karchas. Rs. A. P.	Rate of rent per beegha, inclusive of karchas. Rs. A. P.
B. K. D. 216 14 7				
	1	84 0 12	3 9 0	4 2 3
	2	4 8 5	3 8 0	4 1 3
	3	42 6 4	3 7 0	4 0 0
	4	13 6 1	3 5 0	3 13 6
	5	0 14 12	3 4 0	3 12 6
	6	18 3 6	3 8 0	3 11 6
	7	46 12 11	2 15 0	3 7 0
	8	5 10 6	2 13 0	3 4 3
Bhoali .		0 4 0		
Total .		216 14 7		
Average rate per beegha, R 4-1-6				

ABSTRACT OF JUMMABUNDI FOR 1282 F.S (1875 A.D.)

Area of cultivated lands.	Detail of cultivated lands. No.	Detail of cultivated lands. B. K. D.	Rate of rent per beegha, exclusive of karchas. Rs. A. P.	Rate of rent per beegha, inclusive of karchas. Rs. A. P.
B. K. D. 217 2 6				
	1	88 11 13	4 8 9	5 5 0
	2	4 8 5	4 7 0	5 4 0
	3	37 15 16	4 6 9	5 2 9
	4	17 9 13	4 3 7½	5 0 0
	5	0 14 7	4 2 6	4 13 6
	6	15 14 6	4 1 6	4 13 0
	7	44 14 17	3 12 6	4 7 3
	8	2 8 16	3 12 0	4 8 9
	9	5 0 13	3 10 9	4 3 6
Bhaoli		0 4 0		
Total .		217 2 6		
Average rate per beegha, R 5-3-3, including abwabs and selrahs not shown above				

(2) *Past history.*—This village was given by the Narhun Baboos to one Sridist Narain of Chainpore, by way of gift during his lifetime. When he died without heirs, the village was resumed and leased in 1265 F.S. (1858 A.D.) to Behari Raout. Behari Raout immediately proceeded to enhance the rates by two annas in the rupee. His lease expired in 1274 F.S. (1867 A.D.) It was renewed in 1275 F.S. (1868 A.D.), when he again raised the rates by four annas in the rupee.

It thus appears that from 1265 to 1275 F.S. (1858 to 1868 A.D.), or within a period of eleven years, the rents of this village have been enhanced by 37½ per cent.—an enhance-

ment which is out of all proportion to the increase in value during that period of produce or productive powers of the land. The ryots did not resist the enhancements by appealing to the civil courts. There is no evidence to show what were the rates prevailing before 1265 F.S. (1858 A.D.)

(3) *Karchas and sairats.*—The following are the karchas realized in this village :—

I.—*Gaumia.*—Half an anna in the rupee, intended to pay salary of patwari, village amla.

II.—*Butta.*—One anna per rupee, being for difference between Company's and country rupee.

III.—*Kiyali.*—Realized from *beparis* or traders who come from outside to purchase grain in the village. It is levied at the rate of 1½ pies in the rupee. The beparis for this cess take 2½ seers per maund from the ryots. This cess was abolished in Durbhunga under the orders of the Court of Wards—*see* Board's No. 611A, dated the 1st September 1876, to the Commissioner of Patna, and their other orders on abolition of cesses in the Durbhunga raj.

IV.—*Katiari*—This is a cess of from 10 annas to 4 annas, realized from *bunneahs*, *jullahas* (weavers), *dunniahs* (cotton spinners), and *mallahs* (fishermen). It is realised from persons of these castes solely because they are of these particular castes, and whether they follow their several professions or are merely cultivators. This cess was abolished in the Durbhunga raj under the orders referred to above, which might with advantage, I think, be applied to this estate also.

V.—*Kotwali.*—On tobacco, at R 1-4 per beegha, over and above the rent. Only realized on tobacco actually grown. I have found this cess only in this and one other village.

Classes of soil.—The jeth ryots say there are only five real distinctions of soil :—

I.—Bheet aoul, gauhera, *i. e.*, manured upland near the village sites.
Bheet duim, balguchar, *i.e.*, bheet, some distance from the village, not manured.
Bheet suim—usur.

II.—Dhanhar or matiyar.
Dhanhar { aoul. / duim.

(5) *Occupancy and non-occupancy ryots.*—A comparison of the jummabundis for 13 years shows the total number of ryots in this village at the end of 1289 F.S. (1882 A.D.) was 54, all of whom are old resident ryots.

(6) *Determination of fair and equitable rates.*—The rates were last fixed in 1275 F.S. (1868 A.D.) The law presumes the rates then fixed to be fair. I have shown in my notes on village Dalsingserai that there is no legal ground for altering the rates then fixed. The present rates would therefore be fair and equitable in the legal acceptation of these terms. Some of the karchas and abwabs are illegal, and should be struck off. If I were asked to fix rates according to quality of soil, I should, having regard to the present rates and to the arbitrary enhancements of the past, fix them as follows :—

	Maximum.		Average.		Minimum.	
	Rs.	A.	Rs.	A.	Rs.	A.
I.—1. Bheet aoul	5	0	4	8	4	0
2. Bheet duim	4	0	3	8	3	0
3. Bheet suim	3	0	2	8	2	0
II.—4. Dhanhar aoul	4	0	3	8	3	0
5. Dhanhar duim	3	0	2	8	2	0

These rates would still be considerably higher than those which prevailed before the last enhancement. If the fair rates were now to be fixed by comparison with the rates prevailing in neighbouring mouzahs in 1247 F.S. (1840 A.D.), they would stand thus :—

	Rs.	A.	P.
Average rate of 1247 F.S. (1840 A.D.) (in neighbouring mouzah) Tubka Kishenpore	1	9	0
Add 73 per cent. for rise in prices	1	2	3
New all-round rate	2	11	3
Present all-round rate	5	5	3

The present rates would therefore have to be reduced all round by 49 per cent. in order to make them fair and equitable, as compared with rates and prices of 1247 F.S. (1840 A.D.)

Notes on Village Tubka Kishenpore.

This mouzah forms part of taluka Kishore Narianpore Nair, which was permanently settled in 1210 F.S. (1803 A.D.) The Government revenue is Rs. 550-0-6.

(1.) The following statement gives details of area and present rates, and of the rates prevailing in 1247 F.S. (1840 A.D.) taken from the settlement papers :—

Abstract of Jummabundi for 1247 F.S. (1840 A.D.)				Abstract of Jummabundi for 1289 F.S. (1882 A.D.)				Remarks.
Total area of lands.	Detail of cultivated lands.		Rate of rent per beegha.	Total area of lands.	Detail of cultivated lands.		Rate of rent per beegha.	
B. K. D.	No.	B. K. D.	Rs. A. P.	B. K. D.	No.	B. K. D.	Rs. A. P.	
49 13 10				330 4 7½				
	1	13 15 19	2 0 0		1	75 0 0	4 0 0	
	2	1 15 0	1 12 0		2	7 11 3	3 7 6	
	3	21 6 0	1 10 0		3	0 9 12	3 2 0	
	4	6 10 2	1 8 0		4	1 7 12	3 0 0	
	5	1 2 0	1 2 0		5	7 7 12	2 14 8	
	6	3 2 10	1 0 0		6	1 8 1	2 14 0	
	7	0 12 10	0 12 0		7	17 13 15	2 13 0	
	8	0 10 0	0 5 0		8	17 15 4	2 12 0	
					9	0 11 0	2 11 0	
Jumma, Rs. 79-1-10 of part of the village taken as a specimen of the whole by the ameen in 1247 F.S. (1840 A.D.)					10	26 13 11½	2 10 6	
					11	7 5 10	2 10 3	
					12	1 5 12	2 9 9	
					13	3 6 12	2 8 3	
					14	0 10 0	2 8 0	
					15	4 6 13	2 7 0	
					16	0 10 0	2 6 6	1247 F.S. (1840 A.D.)
					17	3 5 2	2 5 0	
					18	4 6 7	2 4 6	B. K. D. Rs. A. P.
					19	4 11 15	2 4 0	49 13 10 . . . 79 1 10
					20	5 8 18	2 3 0	The average rate per beegha is Rs. 1-9-0.
					21	1 16 13	2 2 6	
					22	0 10 17	2 1 0	
					23	35 13 3	2 0 0	
					24	2 4 8	1 14 6	1289 F.S. (1882 A.D.)
					25	1 9 0	1 14 0	
					26	3 8 3	1 13 6	B. K. D Rs. A. P.
					27	1 8 9	1 13 0	330 4 7½ . . . 1,113 14 0
					28	0 15 0	1 12 0	The average rate per beegha is Rs. 3-5-11.
					29	1 17 9	1 10 3	
					30	4 17 17	1 10 0	
					31	5 2 5	1 8 0	
					32	3 7 3	1 7 6	
					33	17 16 3	1 7 3	
					34	14 5 10	1 5 3	
					35	9 0 6	1 4 3	
					36	16 15 7	1 4 0	
					37	2 9 10	1 3 0	
					38	1 10 0	1 2 0	
					39	1 1 4	1 1 0	
					40	2 12 19	0 14 0	
					41	6 12 7	0 8 9	
					42	1 10 0	0 8 8	
					43	3 10 0	0 8 0	

(2.) *Past history.*—Bikram Lal was ticcadar from 1250 to 1256 F.S. (1843 to 1849 A.D.) He enhanced the rates, but the ryots say they do not remember by how much.

From 1257 to 1274 F.S. (1850 to 1867 A.D.), Mahtab Singh was ticcadar. He raised the rates by one anna in the rupee during his first lease, and again by one anna in the rupee during his second lease.

From 1275 to 1284 F.S. (1868 to 1877 A.D.) the village was leased to the Dalsingserai factory, which raised the rates by one and a half annas in the rupee in 1876 F.S. (1869 A.D.)

From 1285 to 1292 F.S. (1878 to 1885 A.D.), the lease to the factory was renewed. During this period the rates have been enhanced in the year 1289 F.S. (1882 A.D.) by half an anna in the rupee; and the same process of striking average "personal" rates was gone through, as has been described in other villages leased to the factory.

(3.) *Irrigation and facilities for irrigation.*—The mouzah is irrigated from the river Mytee and is within a few miles of the Tirhoot State Railway.

(4.) *Occupancy and non-occupancy ryots.*—The manager of the Dalsingserai factory, to which this village is in farm, says he cannot produce the jummabundis of the past twelve years, as they are filed in court. It is therefore impossible to ascertain the number of occupancy as compared with non-occupancy ryots. The jeth ryots say there are no non-occupancy ryots. There are 71 ryots and one or two sub-tenants. The sub-tenants are merely servants of the higher caste cultivating ryots, to whom the latter have let a beegha or so of land each, as an inducement for them to remain in the village and work as farm labourers. Lands thus sublet are said to be sublet at the rates paid by the subletting tenants themselves.

(5). *Determination of fair rates.*—The present average all-round rate is Rs. 3-5-11. The average all-round rate in 1247 F.S. (1840 A.D.) was Rs. 1-9. There has therefore been an increase in rates of more than 110 per cent. during the past 42 years, while the increase in prices during the same period is only 73 per cent.

If rates were now fixed by the standard of comparison with rates and prices of 1247 F.S. (1840 A.D.), the new all round rate would stand thus :—

	Rs. A. P.
Rates of 1247 F.S. (1840 A.D.)	1 9 0
Add 73 per cent.	1 2 3
New rate	2 11 3
Present average all-round rate	3 5 11

A reduction of 19 per cent. all-round would therefore have to be made in the present rates, in order to arrive at rates which would be fair and equitable, as compared with the year 1247 F.S. (1840 A.D.)

As, however, the ratés were last fixed in 1276 F.S. (1869 A.D.), the rates of that year would be the fair and equitable rate in the leasa of the present law and Bill. There, in the sense of the present law and Bill, is no justifiction for the demand of an enhancement of half anna per rupee made last year.

Notes on Raghopore.

THIS mouzah is part of talooka Kishore Narainpore.

(1). The annexed statement gives an abstract of the present jummabundi and of part of the jummabundi of 1242 F.S. (1835 A.D.), which was taken as a standard of comparison in fixing the rates of neighbouring villages under the then settlement :—

ABSTRACT OF JUMMABUNDI FOR 1242 F.S. (1835 A.D.)				REMARKS.
Total area of lands.	Detail of cultivated lands.		Rate of rent per beegha.	
B. K. D.	No.	B. K. D.	Rs. A. P.	
52 8 7	1	10 15 7	2 8 0	This abstract was only for part of the village, which was taken by the ameen as a specimen of the whole.
	2	1 0 0	2 6 0	
	3	12 0 10	2 4 0	
	4	16 0 0	2 0 0	1247 F.S. 1835 (A.D.)
	5	1 15 0	1 4 0	B K. D. Rs. A. P.
	6	6 17 10	1 0 0	52 8 7 99 11 0
	7	4 0 0	0 8 0	The average rate per beegha is Rs. 1-14.
		52 8 7		
Jumma ... Rs. 99-11				

ABSTRACT OF JUMMABUNDI FOR 1289 F.S. (1882 A.D.)					REMARKS.
Total area of lands.	Detail of cultivated lands.		Rate of rent per beegha, excluding karchas.	Rate of rent per beegha, including karchas.	
B. K. D.	No.	B. K. D.	Rs. A. P.	Rs. A. P.	
13 11 17	1	0 9 7	3 12 0	3 13 10½	
	2	0 16 2	3 9 0	3 10 9	
	3	0 4 10	3 8 0	3 9 9	
	4	3 10 7	3 5 6	3 7 0	
	5	0 17 12	3 2 0	3 3 6	
	6	7 13 7	3 0 9	3 2 3	
	7	10 17 14	3 0 0	3 1 6	
	8	5 0 16	2 14 9	3 0 3	
	9	0 17 10	2 12 0	2 13 4½	
	10	5 14 2	2 11 6	2 13 0	
	11	3 16 18	2 11 0	2 12 4	
	12	5 14 4	2 10 9	2 12 0	
	13	25 8 9½	2 10 3	2 11 6	
	14	1 16 7	2 8 0	2 9 3	
	15	3 6 19	2 5 6	2 6 9	
	16	6 17 4	2 4 0	2 5 1½	1289 F. S., 1882 (A. D).
	17	1 0 0	2 2 6	2 3 6	B. K. D. Rs. A. P.
	18	0 17 4	2 2 0	2 3 0	137 11 17 397 7 6, including karchas.
	19	27 5 3	2 0 0	2 1 0	
	20	9 16 6	1 14 0	1 15 0	The average rate per beegha is Rs. 2-4-8.
	21	10 4 7	1 13 3	1 14 1½	
	22	0 18 0	1 13 0	1 14 0	
	23	2 17 10	1 12 0	1 12 10½	
	24	0 13 3	1 11 0	1 11 9	
	25	1 6 14	1 10 9	1 11 0	
	26	1 2 1	1 10 0	1 10 9	
	27	6 6 5	1 8 9	1 9 3	
	28	6 14 11	1 7 6	1 8 3	
	29	1 2 8	1 6 0	1 6 8	
	30	2 7 11	1 2 0	1 2 6	
	31	12 0 0	1 1 0	1 1 6	
	32	3 6 0	1 0 0	1 0 6	
	33	2 0 0	0 8 6	0 8 9	
		173 11 17			
Jumma . Rs. 397-7-6					

(2). *Past history.*—The village was leased to Mahtab Sing from 1257 to 1247 F.S. (1850 A.D.). He raised the former rates by one anna in the rupee.

From 1275 to 1284 F.S. (1868 to 1877 A.D.) the mouzah was leased to the Dalsingsera Factory, which demanded an enhancement of one and a half annas per rupee in that period.

The jeth ryot says the ryots refused to pay this enhanced rate. The factory manager sued Chutter Chowdhry for rent at the enhanced rate which he was demanding. The suit was dismissed, and rent was decreed only at the former rate admitted, namely, Rs. 2-10, Rs. 2, Re. 1, and Re. 0-10-0.

The village was again leased for nine years to the factory, from 1284 to 1293 F.S. (1877 to 1886 A.D.) During this period the factory has demanded an enhancement of half an anna in the rupee.

(3). *Determination of fair rates.*—In this village the enhancement of rates is not excessive with reference to increase of prices; but there is no justification for the demand of half an anna in the rupee made in 1289 F.S. (1882 A.D.) It will be observed that the ryots of this village resisted enhancements in the civil courts, hence it is that the present rates are low compared with the rates of 1247 F S. (1840 A.D.) I would not, however, interfere with present rates, for they are low compared with those of 1247 F.S.

Notes on Gongowlee.

The total rent-paying area, exclusive of some 35 beeghas held under mokurraree lease by the Dowlutpore Factory is Rs. 568-17-14, the total mofussil rental, exclusive of karchas, being Rs. 1,377, and, inclusive of karchas and abwabs, Rs. 1,621. The Government revenue is Rs. 357.

(1.) The following statement gives an abstract of the jummabundis of 1289 F.S. (1882 A. D.), and shows the rates prevailing in 1248 F.S. (1841 A. D.), as ascertained from the settlement papers :—

Abstract of Jummabundi for 1289 F. S. (1882 A. D.)						For 1284 F.S. (1841 A. D.)			
Total area of the cultivated lands.	Detail of cultivated lands.		Rate of rent per beegha, excluding karchas.	Rate of rent per beegha, including karchas.		Detail of cultivated lands.		Rate of rent per beegha.	Remarks.
B. K. D.	No.	B. K. D.	Rs A. P	Detail.	Rs. A. P.	No.	B. K. D.	Rs. A. P.	
406 9 16	1	0 15 0	3 4 0	Buttamal .	65 11 9	1	......	2 8 0	
135 0 0	2	0 13 1	3 2 0	Durbutta .	6 2 1½	2	......	2 6 6	
541 9 16	3	0 11 19	2 14 0	Shellamee .	8 4 3	3	......	2 6 0	
	4	0 18 15	2 13 6	Terakafout .	18 11 9	4	......	2 4 6	
	5	135 15 8½	2 11 6	Nage . . .	2 11 1½	5	......	2 3 0	
	6	19 14 17½	2 9 3			0	......	2 2 0	
	7	72 14 0¾	2 8 9	Total .	101 9 0	7	......	2 1 3	
	8	6 9 9	2 8 6			8	......	2 0 0	
	9	8 0 4	2 8 0	Haut . .	71 8 0	9	......	1 12 6	
	10	3 19 15	2 6 6	Bale . .	0 15 9	10	......	1 8 0	
	11	6 18 18	2 6 0	Julkur .	42 0 0	11	......	1 4 0	
	12	13 17 1½	2 4 6	Tar . .	2 12 6	12	......	0 8 0	
	13	8 10 1	2 4 0	Muturia .	0 13 6				
	14	94 10 15½	2 0 0	Khupra at				22 15 7	
	15	0 5 0	1 12 0	Rs. 1-4 per					
	16	1 8 19¾	1 8 0	beegha .	20 2 3				
	17	1 8 0	1 7 6						
	18	2 9 2	1 4 0	Total .	150 4 0				
	19	1 0 0	1 3 3						
	20	9 16 17	1 0 0						
	21	16 12 11½	0 8 0						
Zerat .	...	135 0 0	418 11 3						
Total .	...	541 9 16	45 10 6						Average rate of 1248 F. S (1841 A. D.), Rs. 1-14-8.
Including karchas, &c. .			1,836 0 0						
Average rate per beegha of 1289 F. S. . . .			3 3 6						

(2.) *Past history.*—This village was leased to Bhagwanpore Factory for 28 years, from 1234 to 1261 F.S. (1827 to 1854 A.D.) The rates were not altered during this period.

From 1262 to 1270 F.S. (1855 to 1863 A.D.) it was leased to Ram Sing, ticcadar. He raised the rates by three and a half annas per beegha.

From 1271 to 1284 F.S. (1864 to 1877 A.D.) it was leased to the Dowlatpore Factory. The rates were not changed in this period.

From 1285 F.S. (1878 A.D.) it was leased to Behari Raout, who sold his interest to the manager of the Dowlatpore Factory. The Collector, on the part of the Court of Wards, objected to the sale, on the ground that a ticcadar is not empowered to transfer his interest by sale. The ryots alleged that Behari Raout had settled the zerat lands with them before selling his interest to the factory, and they also were opposed to the sale. Friction consequently arose between them and the factory. The factory was, however, declared by the civil courts entitled to possession of the zerat lands.

(3.) *Occupancy and non-occupancy ryots.*—There are 90 ryots in the village, of whom the patwaree and jeth ryots say that only three are non-occupancy ryots. The others are all old resident ryots, but their lands are changed under the system of indigo cultivation from time to time.

(4.) *Sub-ryots.*—About ten beeghas have been sublet to six sub-ryots, who are mere farm-labourers. The land is sublet at the rates paid by the ryots themselves.

(5.) *Karchas and abwabs.*—A list of the karchas and abwabs is given in the abstract of jummabundi above. The following are peculiar :—

Khapra.—A cess levied at Rs. 1-4 per beegha on tobacco actually grown.

Terakapaut.—Said to have been originally levied for expenses of constructing a *bund.* The *bund* has long since been destroyed, but the abwab is retained.

Sadiat.—Marriage expenses, but retained, though there are no marriage expenses.

(6.) *Determination of fair and equitable rates.*—There has been comparatively little increase in the rates of this village during the last forty years—a circumstance which is due partly to the fact that is was so long under lease to the Bhagwanpore Factory and partly to the fact that the jeth ryots, who are Bhabuns, resisted enhancements in court.

M. FINUCANE.

Endorsement by Officiating Under Secretary to Government, Bengal,—No. $\frac{754}{257}$L.R., dated 3rd March 1883.

Copy, with copies of the enclosures and the plans in original, submitted to the Government of India in the Department of Revenue and Agriculture, for information, in continuation of my endorsement No. $\frac{753}{256}$L.R. of this date.

The return of the original plans is requested.

C. S. BAYLEY.

No. 122A, dated Calcutta, the 19th February 1883.

From—H. J. S. COTTON, ESQ., Secretary to the Board of Revenue, L. P.,

To—The SECRETARY to the GOVERNMENT OF BENGAL, Revenue Department.

I am directed to submit the accompanying copy of a report No. 114, dated 6th February 1883 (and maps), from Baboo Parbati Churn Roy, on the result of his enquiries for the preparation of tables of rent rates.

HON'BLE H. L. DAMPIER, C.I.E.

2. In the first instance the tract assigned to this officer was defined as the Nizamut lands, and he commenced his enquiries on villages belonging to the Nizamut estate in the Gopinathpore pergunnah in the district of Moorshedabad. As, however, it was ascertained that the Nizamut lands are scattered over several districts, the tract over which his enquiries were to be made was more accurately defined. He was directed to limit his enquiries to an area of about 25 square miles, which should comprise lands belonging to private zemindars as well as Nizamut lands.

The substantive results of his investigation as bearing upon the present object is as follows—

3. With rare exceptions and those applying only to very small areas, or to small fractional shares in joint estates, the landlords have no jummabundis showing rates, by which the existing rents are determined. They have only annual jumma-wasil-baki papers which show the demands, collections, and balances in respect of each ryot.

"The scale of prevailing rates." *Vide* section I, clause 3 of the Instructions for the guidance of the rate officers.

No classification of land is recognized in the existing rent arrangements. The only possible means of finding the average incidence of the present rents on the area under enquiry would be by a measurement of the land included in each holding, and then striking the average incidence on each beegah of the total amount of rent payable for the holding.

Clause 8 of the Instructions.

4. In paragraph 16 of his report No. 36,* dated 8th January 1883, Baboo Parbati Churn Roy describes his attempt to carry out this operation in the village of Kandi Gopinathpore. The result as applied to the holdings of ten ryots of that village is as below :—

* Submitted to Government with Board's No. 79A, dated 1st February 1883.

NAME OF RYOT.	Area of holding.			Total Rent of holding.			Rent per beegah.		
	Bs.	K.	D.	Rs.	A.	P.	Rs.	A.	P.
A	18	$12\frac{3}{4}$	0	37	1	0	2	0	0
B	1	$15\frac{3}{4}$	0	5	8	0	2	14	0
C	16	18	0	14	0	0	2	9	0
D	18	7	0	42	14	0	2	5	0
E	38	11	0	65	7	0	1	11	0
F	15	5	0	34	12	0	2	4	6
G	14	4	0	26	3	0	1	13	6
H	6	18	0	36	9	0	5	3	0
I	1	$11\frac{1}{2}$	0	2	12	0	1	11	6
J	4	10	0	10	8	0	2	5	4
TOTAL OF HOLDINGS	......			......			24	12	10

The general result is an average incidence of rent at the rate of Rs. 2-8 on each beegah, but the average incidence per beegah struck on the rent of each holding, taken separately, varies from a maximum of Rs. 5-3 to a minimum of Re. 1-11. If the holding which averages Rs. 5-3 be thrown out of the calculation as exceptional, the general average would be Rs. 2-2-10 per beegah; but even this would press with undue severity on the two holdings which now pay at the average rate of Re. 1-11 only. Rejecting these two again from the calculation, the average incidence on the remaining seven holdings would be about Rs. 2-5. This as a general rate would do no great violence to the remaining seven holdings, but it is clear that a rate which can only be derived by excluding three holdings out of ten from the calculation of the average cannot be taken to be a working "general rate" for the purpose of a table of rates.

It is beyond the scope of the present enquiry to make the extensive measurements which would be necessary to ascertain the average incidence of rent on lands in the other villages.

5. There is no reason to doubt that Gopinathpore is a typical village, and the conclusion may be accepted that in the absence of jummabundis and similar information, there is no possibility of educing from existing rents such an average rate as can properly be adopted as a fair general rate.

Similarly, without such measurements, which would make it possible to institute a comparison between area and rents, it is impossible to say whether existing rents are fair or not; but in his last report Baboo Parbati Churn Roy expresses the belief that owing to these rents being founded on assessments made so long ago, they now sit very unequally on the ryots. The lands of some of the ryots which have improved by fluvial action are now under-assessed, while the majority of the ryots cannot pay their nominal rents in consequence of the reduction in the profits of the land owing to the decline of the silk industry.

6. The general information contained in paragraphs 8, 9 and 10 of Baboo Parbati Churn Roy's present report regarding the decline of that industry, the depression which it has produced on the general condition of the ryots of this part of the country without directly affecting the zemindars' rents, and the effect it has had on the adjustment of rents, points to the necessity of providing by legislation for facilities for claiming reductions of rent in consequence of altered circumstances of the ryots.

II. "The scale of rates which, according to the judgment of the rate officer, following the rules hereinafter to be stated and formed on a mature consideration of all the circumstances would be fair and equitable for the tract," *vide* section II, clause 3 of the Instructions.

7. In order to frame the scale of rates which would be fair and equitable for any particular tract, the ascertainment of the general existing rates is the first essential; but the attempt to ascertain these rates in the present case has failed and left no foundation on which the fabric of a fair and equitable table of rates can be constructed. Old canoongoe papers are forthcoming, from which the rate prevailing some 50 years ago can be ascertained. A laborious enquiry might bring out a comparison of doubtful trustworthiness between average prices of produce at the time when the rates of the canoongoe papers prevailed and those which now exist; but before this could be of any value for the purposes of framing a "table of rates" under the provisions of the Rent Bill, it would be necessary to determine whether the prevailing rates of rent at which the ryots pay are at higher rates than those shown in the canoongoe papers. If this is not the case, except in the very improbable alternative of the zemindars being able to prove variation of the rate of rent since the permanent settlement and before the preparation of the canoongoe papers, the 20 years' presumption would bar enhancement, and the table of rates could recognize nothing higher than the general rate of existing rents.

Clause 12 of Instructions.

8. If the prevailing rents were shown to be at higher rates than those of the canoongoe papers, the presumption of right to hold at fixed rents would not arise; but before the enhanced rates obtained by raising the canoongoe rates in the same proportion as prices of produce have risen, could be adopted as fair and equitable rates for a table on the principles of the Rent Bill and the Instructions which were approved by Government, it would be necessary to make sure that they did not transgress the limitation imposed, *viz.*, that they have not the effect of more than doubling the existing general rate. The datum required for the imposition of this limit also is wanting.

III. "The preparation of an estimate of the gross produce of the land and of the average prices at which it is locally sold by the ryots to pay thier rents." Section III of clause 3 of the Instructions.

9. With a view to prepare an estimate of the average produce and its money value, Baboo Parbati Churn Roy first ascertained by experiment the actual outturn of produce per beegah of a certain number of fields in a village, and then applied the average as the average outturn per beegah of these fields. Accepting this result as the average yield for the present year and the vague statements of the ryots (no other information being available) which he found to be approximately correct for the past four years, he calculated the average annual outturn for five years. The average price of a maund of rice was ascertained from the account books of certain grain dealers of Kandi Gopinathpore bazar, where the ryots of the three villages of Kandi Gopinathpore, Raiabati, and Thira sell their rice. In calculating the average money value of the gross produce per beegah, Baboo Parbati Churn Roy has adopted the proportion of rice to paddy as given at page 290 of the first volume of the Statistical Reporter, and this proportion has been found to be very nearly the same as that obtained by him from experiments subsequently made, the result of which was reported to Government in my No. 79A, dated 1st February 1883.

10. The following results were obtained by this method of calculation :—

Gopinathpore.

"Estimated average outturn per beegah . . { 5 maunds 17 seers of paddy, yielding 3 maunds 34 seers of rice.

Raiabati.

"Estimated average outturn per beegah . . { 3 maunds 29 seers of paddy, yielding 2 maunds 26 seers of rice.

Thira.

"Estimated average outturn per beegah . . { 5 maunds 10 seers of paddy, yielding 3 maunds 29 seers of rice.

"The average price of a maund of rice being Re. 1-8-11, the money value of the average gross produce in the three villages will be as follows :—

Gopinathpore.

	Rs.	A.	P.
"Rice, 3 maunds, 34 seers, at Re. 1-8-11 per maund	5	15	11
"Straw	1	8	0
Total money value	7	7	11

Raiabati.

	Rs.	A.	P.
"Rice, 2 maunds, 26 seers, at Re. 1-8-11 per maund	4	2	0
"Straw	1	0	0
Total money value	5	2	0

Thira.

	Rs.	A.	P.
"Rice, 3 maunds, 29 seers, at Re. 1-8-11 per maund	5	12	8
"Straw	1	8	0
Total money value	7	4	8"

11. Mr. Dampier cannot, however, think that any averages founded on such limited enquiries as these would form a safe basis for general conclusions. Further experiments cannot be made at present, as no rice crop is on the ground. And further enquiries for the purpose of drawing conclusions seem to be unnecessary as the result is required for the object of framing tables of rates, which object, it has been shown, cannot be attained for other reasons. Baboo Parbati Churn Roy's special enquiries may therefore be considered at an end, and the Board have directed him to return to his general duties.

No. 114, dated Camp Kandi *viâ* Berhampore, the 6th February 1883.

From—BABOO PARBATI CHURN ROY, on Special Duty,

To—The Secretary to the Board of Revenue, Lower Provinces.

I have the honor to submit the following report of the progress of operations conducted by me during the fortnight ending with Saturday, the 3rd February 1883.

2. Agreeably to the orders contained in your letter No. 109A, dated the 29th January 1883, I have confined my enquiries to the tract of 25 square miles marked out round Kandi Gopinathpore in the one inch map submitted with my letter No. 86, dated the 24th ultimo.

Enquiries confined to the tract of 25 square miles round Kandi Gopinathpore.

The villages contained within this tract are shewn in the accompanying trace prepared on the scale of 4" = 1 mile.

3. In my letter No. 109, dated the 2nd instant, I have brought to the notice of the Board that the circumstances of the other estates comprised within the selected area were similar to those of Gopinathpore, and that there was no evidence to prove that the rents of those estates had varied since the permanent settlement. Of the 74 villages included within the selected tract, 13 belong to pergunnah Gopinathpore. The proprietors of 54 out of the remaining 61 villages, on being called upon to produce the jummabundi and other papers whence the present and former rates of the lands in their possession could be ascertained, have filed petitions to the effect that they had no jummabundis or other rate papers, and that all that they possessed were jumma-wasil-bakis. These jumma-wasil-bakis are similar to those filed by the Nawab of Moorshedabad, a copy from a page of which was submitted by way of a specimen for the inspection of the Board with my letter No. 36, dated the 8th January 1883. These jumma-wasils are quite useless for the purposes of the present enquiry, as they do not shew rates of rents nor areas of holdings. It does not also appear from the jumma-wasil-bakis that the rents have ever varied since the permanent settlement. For seven villages jummabundis have been filed on behalf of the proprietors, but it will appear from the account given below regarding each of these seven villages that the jummabundis do not shew any variation in rents, and that they are therefore quite as useless as the jumma-wasil-bakis.

Character of the jumma-wasil and jummabundi papers of the villages brought under enquiry.

Thurgaon Kashba.—The jummabundi paper that has been filed by one of the proprietors of this village is dated 1245. It shews that in 1245 the rates for bastu were Rs. 5 and Rs. 3 a beegah, and that the other rates varied from Rs. 2-8 to 8 annas. It is said that there has been no variation in the rates since 1245, but as there is no evidence that there existed other

rates at any time previous to 1245, the jummabundi of this village is no more useful than the jumma-wasil-baki papers of the villages which have no jummabundis.

Gupinathpore Ar.—The *patnidar* of this village has filed jummabundis prepared by him in 1285 after he had taken patni. These papers do not shew the rates actually paid by the ryots, but what the patnidar after measurement considered were fair and equitable rates, for it appears from memoranda recorded in the body of the jummabundis that the amounts actually paid by the ryots were much less than what were assessed according to the rates entered in the jummabundis. These papers are therefore no guide as regards existing rates, and there is no evidence to shew what rates prevailed before.

Jadub Singbatee.—This village belongs to pergunnah Gopinathpore and to pergunnah Dhawa. There are many petty proprietors in the latter pergunnah, two of whom filed jummabundis. The papers of one of the proprietors named Kristo Lall Ghose are dated 1269, 1273, and 1277 B.S. They shew slight variation in rents, which amount every year to about Rs. 30. The average rate shewn by the jummabundis of 1269 and 1273 is Re. 1-5, while that shewn by the jummabundi of 1277 is Re. 1-8-6. The proprietor states that the actual realizations are greater. The other proprietors' papers are dated 1193, 1198, and 1252 B. S. He too is a small shareholder, the total annual rental of his share being about Rs. 25, and though his rates are a little higher than those of the first named proprietor and shew slight variations, the area covered by his jummabundis is too small. His rates cannot, therefore, be used for purposes of comparison as regards the lands of adjoining mehals.

Amooa Ar.—The proprietor of this mehal has filed a jummabundi paper dated 1244. In his petition he states that he has no other paper regarding the mehal than the one filed by him. Amooa Ar is a very small village, as will appear from the map.

Jashoharee.—This village belongs partly to pergunnah Gopinathpore and partly to another pergunnah, Mahlundi. One small shareholder of the latter pergunnah has filed the jummabundis of his share for 1269, 1273, and 1277. These papers shew some slight variations in rents. The average rates for the above three years are 10 annas, 10½ annas, and 11 annas respectively. But the proprietor, Kristo Lall Ghose, who is the same person who has filed the jummabundis for *Jadab Singbatee* noticed above, says that the actual realizations are greater than the rents entered in the *ashal jummabundis* filed by him. The average rate per beegah for pergunnah Gopinathpore in this village has been ascertained from rents and areas to be Re. 1.

Baloor.—The proprietors of this village have filed a jummabundi dated 1244 B.S. They state in their petition that they have no other jummabundis whereby it could be ascertained whether there have been any variations in the rents either before or after 1244.

Chand Singbatee.—The same Kristo Lall Ghose, whose jummabundis of Jadab Singbatee and Jashoharee have been referred to above, has also filed jummabundis for this village for 1269, 1273, and 1277. These papers shew that in 1269 and 1273 the rents were Rs. 62 for 62 beegahs, but that in 1277 they were 68 for 66¾ beegahs, more lands having been brought under cultivation this year. The average rent per beegah is therefore Re. 1, but, as in the case of Jadab Singbatee and Jashoharee, the actual realizations are said to be 1½ times the rents entered in the jummabundis for those that are not actual cultivators, 1¾ times for mondals, and 2 times for actual cultivators. The rates for bastu, udbastu, mulberry, and sali, as entered in the jummabundis, are Rs. 5, Rs. 2-8, Rs. 2, and Re. 1-8 respectively. These agree with the rates for the same classes of lands given in the canoongoe papers for this village, with the exception of the rate for mulberry, which is entered in the canoongoe papers at Rs. 2-8 instead of Rs. 2 entered in the jummabundi. It therefore seems that, at least in this village, the canoongoe rates are the rates still prevailing, or are the rates recognized by the landlord and tenant.

Beel Dabeshwar.—The proprietor of this village has filed no jummabundis or other papers whereby the rates of rents could be ascertained. He has filed some kabuliyats taken from ryots in 1238. The kabuliyats give the total area and the rent of each holding, from which the average rate per beegah seems to be about Re. 1-4. These kabuliats are, no doubt, evidence as regards the ryot who executed them, and they may be of value when the question of enhancement in the case of those particular ryots has to be decided; but they can have no possible value in the decision of the general question of the determination of rent-rates applicable to a comparatively large tract of country. Moreover, the circumstances of this village, which, as its name imports, once formed the bed of a *beel*, are altogether different from those of an ordinary village, and the rates current in this village must not be taken into consideration while preparing rent-rates for villages differently circumstanced.

Bamun Dasbatee.—The proprietor of this village has filed jummabundis for 1219, 1222, and 1223 B.S. These jummabundis shew no variation in rates. All these papers are upwards of 65 years old, and as none have been filed shewing the rates at present prevailing, it is not possible to say whether there have been any variations in the rents or not since these jummabundis were prepared.

Canoongoe rates appear to remain unchanged; but actual realization seem to be greater on the whole.

4. From what I have learnt from the zemindars and others, as well as from the circumstances described in the preceding paragraph, it appears that as a rule the canoongoe rates remain unchanged. There exist in the Collectorate canoongoe rate papers for all the villages excepting only a few. These rates have been obtained from the Collector of the district, and have been shewn under each village in the trace submitted herewith. There has not been, as far as I have been able to ascertain from enquiry, any enhancement of rates

above the canoongoe ones. But if the statement of Kristo Lall Ghose, noticed above, in connection with the jummabundis of *Jadzb Singbatee, Jashoharee*, and *Chald Singbatee*, is correct, *i. e.*, if the practice of taking 1½, 1¾, and 2 times of the *ashal* rents based on the canoongoe rates is general, then the condition of the ryots of the tract under enquiry cannot be very satisfactory. I applied to the Collector of Moorshedabad for information regarding the circumstances under which the canoongoe rates were prepared. But as yet I have not been favoured with a reply. I have, however, been informed by a clerk whom I sent with the letter to the Collector that the circumstances could not yet be traced.

The present state of confusion.

5. But whatever the circumstances may have been under which the canoongoe rate papers were prepared, the fact that there does not exist even for a single village in a tract of country containing 74 villages any *chitta* or *jummabundi papers* cannot but be disadvantageous to both the landlord and the tenant. Baboo Nurrendro Narayen Roy, zemindar of 8-anna share of pergunnah Futtehsing, in reply to my letter to him asking for jummabundis, writes as follows:—

"With reference to your letter No. 61 of the 19th instant, I have the honor to submit the papers as per accompanying list. Only two jummabundis of the two mouzahs, *i. e.*, Naba Durga and Banuri, have been found in the sherista. As for the other papers of the several mouzahs, as are written on the the list, I am able to supply you with only jumma-wasil-bakis. They will do to serve you if you can kindly undertake to measure the lands inserted therein and compare them with the jummas of each of them. I hope you will be able to ascertain something of the rates of rent now in vogue."

Now it will be seen from the above that what the zemindar means by "rates of rents in vogue" is not the average rent per beegah determined from total area and rental. He evidently refers to some rates such as the canoongoe rates, though he does not expressly say so for fear lest he should be a loser by accepting them. Neither does he state what the rates in vogue are according to his knowledge or belief, but leaves them to be determined after measurement and enquiry. This shews the state of confusion at present prevailing.

Evils of the present state of things.

6. But the evils of the present state of things under which the extent of a ryot's holding, not to speak of the different classes of lands comprised in the holding, cannot be determined from any papers in the zemindar's sherista must be more serious than they at first sight appear to be. So long as things get on smoothly there can be no harm to the zemindar or the ryot; but no sooner a difference arises between the two than the position of both becomes difficult. For instance, when a zemindar sells the *jote* of a ryot in execution of a decree for arrears of rent, the purchaser, whether the landlord himself or some other person, knows only the *jumma* of the *jote*, and has to find out the different plots comprised in the holding from enquiry, unaided by any documentary evidence; and it not unfrequently happens that when a ryot holds more than one *jote*, which he often does, the purchaser of one of the *jotes* seizes more lands than he is entitled to, or the ryot tries to retain a portion of this jote along with his other jotes. Similar difficulties arise in cases of enhancement or rejectment. In this manner litigation goes on, and he who succeeds in securing the largest number of witnesses on his side wins in the end. The man who is supposed to be acquainted with the different plots of land belonging to the holding of each ryot in a village is called the *halshana*, and it is on his mercy more than on anything else that the zemindar as well as the ryots have to depend. As regards the ryot, the non-existence of any record of the lands comprised in each holding is productive of further difficulties and troubles when the division of a holding takes place, either through transfer or inheritance.

Vast changes produced in the character of the soil since the permanent settlement through the actions of the More and Dwarka hill-streams.

7. It may at first be imagined that notwithstanding all the evils attending the non-existence of jummabundis, the position of the ryot must on the whole be good, as under the law the zemindar is prevented from making further enhancement in rents from want of evidence proving variation since the permanent settlement. But from a careful study of the condition of the ryots, I cannot but think that the present rents do not, at least in the case of the ryots of some of the villages, press very hard. This part of the country is subject to annual inundations through the actions of the rivers More and Dwarka, both of which are hill-streams. The floods of the More in former times used to cause so much damage to crops that the zemindars of pergunnah Futtehsing, most of whose villages are situated on the banks of this river, were allowed at the time of the permanent settlement abatement in the revenue in order to enable them to raise embankments for the protection of the low lands. But since that settlement, and even during the last 40 or 50 years, vast changes have taken place in the character of the country. High lands which were once valued on account of their comparative security from floods, have grown too high and risen above the ordinary flood level, while low lands, which formerly suffered from inundations, have gained by gradual alluvial deposits and in many cases risen high enough, so as not to suffer from the effects of destructive floods. In consequence of these changes rich lands have grown poor, and poor lands have grown rich. Moreover, as in more recent times, 30 or 40 years ago, there has been a diversion in the course of the More by which the main channel has taken a more southerly course, the deterioration in the productive powers of the high lands in the tract under enquiry may be said to be of a permanentnature.

8. But the principal circumstance which enabled the ryots of the upland villages to bear the high rates of rents in former times was the very prosperous condition of the silk industry. This industry has greatly declined of late, and though ryots still continue to grow mulberry and rear silkworms, they do not find it to be a profitable business. "The silk industry, once so flourishing," says a writer on 'The Silk Industry in Moorshedabad' in the Statistical Reporter for 1876, "has however, been for years in a declining state, and its decline has been so much accelerated within the last two or three years (which makes it ten years from 1883) by causes which have affected the whole of the Bengal silk trade, that its extinction at no very distant date may well be apprehended. * * * To those who are dependent on the industry for their livelihood," * * * "its decline and probable extinction mean impoverishment and ruin." * * * "Many individual owners of filatures, principally natives, are compelled to close their filatures; rearers of silkworms, exposed to the numerous accidents of rearing, are abandoning their occupation, or carrying it on without profit; and growers of mulberry are rapidly withdrawing their lands from the cultivation of that plant, leaving it in the hands of rearers who are bound to provide food for their worms. The effects on the other classes interested are obvious. Many spinners are thrown out of employ; weavers must content themselves with the bare means of subsistence instead of the affluence of former days; and *zemindars must relinquish the high rental of the abandoned mulberry lands, or receive no rental at all on such lands* for some years, as they cannot generally be used at once for the cultivation of other crops."

Decline in silk industry.

All that is said above regarding the effect that depression has produced on the condition of all concerned in silk industry applies to the people of this part of the country, with the exception *that while all others have suffered, the zemindars have not.* There being no chittas and jummabundis, but only jumma-wasil-bakis, the ryots must pay the high rents for the mulberry and rice lands, or let go the whole *jumma* and be turned out of their paternal holdings.

9. As may be readily imagined from the above, the general condition of the ryots of this part of the country, especially of those villages in which the mulberry was in former years grown extensively, is not at all good. In the course of my enquiry, I have come to know that in two out of the three villages, the rice of which was experimented upon, the ryots were largely in arrears. In *Kandi Gopinathpore* and *Raiabati* the zemindar has obtained many rent decrees against the ryots, some of whose holdings have also been sold. But as there were none to bid for them, the holdings have reverted to the zemindar, who has not yet found ryots to whom he could again let them out. Seeing the course of such sales the zemindar has very prudently taken from some of the judgment-debtors bonds for the amounts of the rent decrees, and as regards the others he has kept the decrees pending unexecuted waiting for better seasons. But though after a good rice harvest the zemindar may succeed in realizing his rents, the permanent decline of the silk industry will prevent there being any material improvement in the condition of the ryots.

General condition of the ryots in the tract under enquiry.

In paragraph 16 of my report No. 36, dated the 8th ultimo, has been given the average rents per beegah as Rs. 2-8 for one of the villages, Kandi Gopinathpore. The averages for the other two villages experimented upon are Re. 1-13-6 for Raiabati and Re. 1-9-6 for Thira. The average values of the gross produce for the above three villages being Rs. 7-7-11 for Gopinathpore, Rs. 5-2 for Raiabati, and Rs. 7-4-8 for Thira (*vide* paragraph 13 of report No. 36, dated the 8th January 1883), the ratio of rent to gross produce is found as follows:—

	Rs.	A.	P.
Gopinathpore—			
Average rate	2	8	0
Average money value of average gross produce	7	7	11
Ratio of rent to gross produce, one-third	...		
Raiabati—			
Average rate	1	13	6
Average money value of average gross produce	5	2	0
Ratio of rent to gross produce, nearly three-eighths	...		
Thira—			
Average rate	1	9	6
Average money value of average gross produce	7	4	6
Ratio of rent to gross produce, nearly one-fifth	...		

It will appear from the above that the ryots of Raiabati suffer most from the pressure of high rents, and that this is the fact is proved by more holdings having been sold for rent decrees in this village than in any other. As might be expected, the ryots of Thira are comparatively better off. They are also in better accounts with the zemindar.

But it is not only the ryots of Gopinathpore and Raiabati that suffer from rack-renting: the ryots of most of the villages in the neighbourhood would seem also to suffer from the same cause. During the past two years, for which figures have been obtained from the Kandi sub-divisional office, while there were 286 and 226 notices of relinquishment, there were only six and one notices respectively of enhancement. The tract of country round Kandi Gopinathpore brought under the present enquiry is one of the most westerly parts of the Moorshedabad district. Speaking of the difference between the east and the west, the Collector, in

his administration report for 1872-73, extracted as page 265 of Mr. MacDonnell's Famine Report, says:—

"I have before remarked on the difference between the east and the west as regards surface, soil, crops, and inhabitants. I would here add that I believe the generality of the inhabitants of the east are in better circumstances than those of the west. The cause is not difficult to find. Singularly situated as the soil of the west—generally clay with small nodules of limestone—is for the cultivation of paddy, its cultivators are exposed to this disadvantage, that should there be a failure of their corps from absence of seaonable rain, or any other cause, they cannot expect to make up for their losses to any appreciable extent by means of some other crop. The *amun* rice is in fact their mainstay; though of course good crops of mulberry and sugarcane also add to their prosperity. In the east of the district, on the other hand, the cultivators do not depend on a single crop. If there be a failure of the *aus* rice, they can still hope much from their cold-weather crops; and it seldom happens that there are failures of crops at both seasons of the year."

As a natural consequence of the above, this part of the country has suffered more or less during famines. Though the intensity of the famine of 1873-74 was not very severe, that of 1865-66 was decidedly so.

It will be seen from the extract from the Collector's administration report quoted above that "the *amun* rice is in fact the mainstay of the people, though, of course, good crops of mulberry and sugarcane also add to their prosperity." I have in a foregoing paragraph described the present declining state of the mulberry crop. As regards the sugarcane, its cultivation here is of a very unimportant nature, and I have been told by the sub-divisional officer of Kandi that no sugar or *goor* is manufactured here for exportation, the *goor* manufactured being consumed locally. This is also what I have come to learn after enquiry. It appears from the analysis of the chitta of the typical village, Gopinathpore, that the area of sugarcane fields in this village is only 16 beegahs, while that of mulberry is 206 beegahs. The sugarcane cultivation has therefore no perceptible effect on the condition of the ryots of the selected tract.

Mulberry played an important part in the adjustment of present rents.

10. That mulberry played an important part in the adjustment of the present rents is evident from the fact that in Kandi Gopinathpore, which may be accepted as a typical upland village, 206 beegahs out of a total area of 2,000 beegahs has been entered under mulberry at the late measurements. Besides the above, 80 beegahs, now measured as *denga rubbi khanda*, seem to have been in former times also cultivated with mulberry, for the canoongoe papers shew no rate for *denga rubbi khanda* in this village. These lands seem lately to have been cultivated with rubbi crops in consequence of the decline of the silk industry. Now the canoongoe paper shows that the rates for mulberry were Rs. 8, Rs. 7, Rs. 6, and Rs. 5 per beegah, which gives an average rate of Rs. 6-8 a beegah. The rental on 286 beegahs of mulberry at Rs. 6-8 beegah, would therefore be Rs. 1,857. The total rental of the village according to the jumma-wasil-bakis filed by the zemindar is Rs. 3,128, so that the rents for mulberry form three-fifths of the entire rental of the village. Even if the 80 beegahs now measured as *denga rubbee* were excluded from the mulberry area, the rental of the remaining 206 beegahs would exceed Rs. 1,200. Such being the case, the present depressed state of the silk industry must affect the condition of the ryot very materially, and measures should be taken to grant him some relief in consequence of decrease in the value of mulberry.

The rule of proportion based on increase or decrease in productive powers, or value of produce, requires modification, and the benefit of 20 years' presumption allowed to ryots requires to be withdrawn.

11. The question ultimately becomes, how can a revision in the rents be made on the ground of increase or decrease in productive powers or value of produce when there are no means of comparing the present state of things with any preceding state, and when, again, the 20 years' presumption gives the ryot a right to hold on the present rents as fair and equitable? But, if the rent question is to be at all approached with a view to a satisfactory solution, the present law, which lays down an unworkable rule of proportion, based on increase or decrease in productive powers or value of produce, should be modified, and the benefit of the 20 years' presumption now allowed to the ryot should also be withdrawn. The present settlement, and not the permanent settlement, of which no information is available, should be made the basis of future adjustments. It is true that this settlement will be of a somewhat arbitrary character; but if it is judiciously conducted after thorough enquiries and measurements, there is no reason to fear that it will prove disadvantageous to either the landlord or the tenant. It will appear from paragraph 7 of this report that while in some upland villages the zemindar may be a loser by the proposed adjustment, in the low land villages he will be a gainer, and on the whole there will not be any material decrease in rents, but the only effect will be to distribute the burden more fairly and equitably among the ryots of the different villages belonging to an estate.

The preparation of ryotwaree jummabundis after cadastral surveys the only possible solution of the rent question for the tract under enquiry.

12. From all that has been stated above, it will be evident that the only true solution of the rent question for this part of the country is the preparation of ryotwaree jummabundis after cadastral surveys. But how, it may be asked, is this ryotwaree jummabundi to be prepared, seeing that there is no means of determining the rates of rents on which the present rentals were fixed? I admit that from want of former measurement papers there will be some difficulty in first making the

classification, and then adjusting rents to classes. But the few jummabundis noticed in paragraph 3 of this report will be so many guide books. More such jummabundis will be forthcoming if the tract to be operated upon be larger than the present one. The village patwaris and mondals will be of service in comparing these jummabundis on the spot. The broad principle that underlies the system of classification followed in these places is the highness or lowness of a field, and the facility it enjoys for purposes of irrigation. Those rice lands which first receive the rain-water drained from the village or which are irrigated by natural flow from a tank on an outlet being made, are always classed high, lands irrigated from water artificially raised are classed lower, while those lands which are not within reach of any irrigating tank or other reservoir of water, and have to depend entirely on the rains, are classed lowest. Though rice is the main staple produce of this part of the country, still as a large proportion of the rents is derived from mulberry, the mulberry lands ought also to be separately classed. When the lands of a village have been measured and classified, the rents at present paid should be distributed among the different classes according to their productive powers. In this manner the present rates for different classes of land will be obtained. The next question will be to determine whether these rates deserve to be enhanced or reduced. In the determination of what should be fair and equitable rates for mulberry, the accounts and other papers of silk manufacturers and of English silk factories will be useful. But no hard-and-fast rules of proportion will answer. Keeping the maximum in view, the rents will be increased or decreased according as circumstances may require; but no violent changes will be made on any account.

Costs of cultivation greater than what are ordinarily supposed to be. Zemindars should be allowed a share of net profits.

13. It has been said on behalf of zemindars that the proposal to fix the maximum at one-fourth the gross value of produce is not fair to them, but that they are entitled to a larger share. It at first sight looks that a much larger share of profit is reserved for the ryot when only a fourth part of the gross produce is declared as the zemindar's share. My recent experience of the costs of rice cutting and husking, not to speak of the other costs of cultivation, leads me to believe that there is no reason to fear that a very large share of net profit will fall to the lot of the ryot under the present proposal. The expenses of cultivation are much greater than what are ordinarily supposed to be, and it is the net profit from which, in my opinion, the zemindar's share should be determined.

Transfer of occupancy rights; prevailing custom in the selected tract.

14. Another circumstance brought to light in the course of the present enquiry also deserves mention in this report. It is often alleged on behalf of the zemindar that the proposal to make occupancy rights transferable is an innovation. But without going to discuss what the custom in other places is, I beg to state that the custom of buying and selling *jotes* is here very general, and that the zemindars themselves also put such *jotes* for sale at execution of rent decrees. Baboo Bepin Behary Mookerjea, Moonsiff of Kandi, to whose kind assistance I am greatly indebted for several things in connection with the present enquiry, tells me that it is seldom that the zemindars object in court to the transfer of jotes by ryots. I have in paragraph 6 of this report spoken of ryots having more than one *jote* in their possession. The jumma-wasil papers of Gopinathpore shew that this custom of buying and selling *jotes* has been very general in the pergunnah. But though custom is thus in favour of the ryot, a legal enactment declaring its validity will, no doubt, be productive of very great advantage, as it will prevent the litigation that occasionally crops up at present. The fear that is generally entertained, that the effect of making the right of occupancy transferable will be that all such jotes would gradually pass into the hands of the money-lenders, is, so far at least as this part of the country is concerned, quite unfounded. On the other hand, I find as a fact that all old jotes which have changed hands are still in the possession of cultivating ryots.

Tracing of the map of Kandi Gopinathpore submitted for inspection.

15. In order to enable the Board to form an idea of how the different descriptions of lands are situated in the villages of the selected tract, I have made a trace from the map of the typical village of Gopinathpore, prepared under the Nizamut Deputy Collector, which I beg to submit herewith. It will appear from this map that there are numerous tanks in the village. This seems from maps received from the Surveyor-General's office, which are also herewith submitted, to be the peculiarity of the villages of this part of the country. The tanks are mostly used for the purpose of irrigating the mulberry fields. They seem to belong to the ryots, though from the long lapse of time since they were excavated it is not possible to say to whom they belong. The area covered by tanks in this village is 194 beegahs, which is about one-tenth of the total area.

It will appear from the map that while the different descriptions of lands around the village sites are intermixed and are not well adapted for measurement in blocks according to character of soil, there are considerable blocks of rice fields of the same class, which could conveniently be measured according to the system proposed by me for the classification of land. But on the whole I am inclined to believe that my scheme is better adapted to the Eastern Bengal districts than to this part of the country.

Orders regarding further employment solicited.

16. In conclusion I beg to request that, as I have no more enquires to make, orders regarding my further employment may be issued without delay.

Endorsement by Officiating Under-Secretary to Government, Bengal,—(No. $\frac{151}{251}$ *L.R., dated 3rd March, 1883).*

Copy, with copies of the enclosures, submitted to the Government of India, in the Department of Revenue and Agriculture, for information, with reference to my endorsement No. $\frac{3804}{1068}$ L.R., dated the 11th December, 1882.

C. S. BAYLEY.

No. 79A., dated 1st February, 1883.

From—Secretary to Board of Revenue, Lower Provinces,

To—Secretary to Government, Bengal.

No. 36, dated 8th January, 1883, from Babu Parbati Churn Roy.
„ 59, dated 21st January, 1883, from H. M. Tobin, Esq.
„ 61, dated 20th-22nd January, 1883, from D. J. Macpherson, Esq.
Extract, paragraphs 6 and 7, from Babu Parbati Churn Roy's letter No. 86, dated 24th January 1883.

In reply to your demi-official letter of 30th January 1883, intimating that the Lieutenant-Governor is desirous of being informed of the progress made by the Rate officers in Murshidabad, Hooghly and Jeypur, and in continuation of the Board's letter No. 23A., dated 8th January 1883, I am directed to submit herewith copies of the reports noted in the margin, showing the progress made by Babu Parbati Churn Roy and Messrs. Tobin and Macpherson in the tracts assigned to them.

2. The reports from Hooghly are still of a desultory character, but it is probable that the report for the present fortnight may furnish a fuller summary of what has been done by Mr. Carstairs.

H. J. S. COTTON.

No. 36, dated Camp Kandi viâ Berhampore, the 8th January 1883.

From—Babu Parbati Churn Roy, on Special Duty,

To—The Secretary to the Board of Revenue, Lower Provinces.

I have the honor to submit the following progress report of the work done by me during the fortnight ending with Saturday, the 30th December 1882.

2. *Pergunnah Gopinathpore does not form one compact block.*—It will appear from the one-inch maps (sheets Nos. 8 and 10 of Moorshedabad, and No. 5 of Beerbhoom), submitted herewith, that the lands of pergunnah Gopinathpore do not form one compact block, but are scattered over different parts of the district. I have been able to make experiments only in blocks Nos. I and II in sheet No. 10. The Board are aware that when I commenced the experiments, I had no maps to guide me in the selection of the area; but I now find that the tract of country in which I have conducted experiments forms the most important and the largest compact part of pergunnah Gopinathpore. In this area experiments have been made in two villages, namely, Kandi Gopinathpore including Raiabati and Thira (in the map written Kheera). The former represents the condition of a village close to the river with ordinarily high and low lands, and the latter that of one somewhat remote from the river, in which the low lands are of a beely character. Detailed accounts of the experiment made in these villages will be found in paragraphs 6 and 7 of this report. An experiment was also made on the rice of a field in a fourth village called Dengapara; but as I could not remain present at this experiment from its beginning to end, and as there was no time for making further experiments in this village (the rice having since been all cut), I have omitted to take this experiment into account.

3. *No jummabundis exist of Pergunnah Gopinathpore.*—In my last report, as well as in previous letters, I informed the Board that I had not received any jummabundis, and I have to state the same thing also in the present report. It will appear from the accompanying copy of a letter No. 152, dated the 19th December 1882, from the Nabab of Moorshedabad, that he has "not got the jummabundi papers of pergunnah Gopinathpore, as no jummabundi has ever been made of that mehal by the Nizamat." On my further application the Nabab has sent the jumma-waseel-baki or collection papers. A specimen copy of a page of one of these papers is submitted herewith for the inspection of the Board. It will be seen from this specimen that the jumma-waseel shews only the rent payable by each ryot, without any specification of the quantity of land held by him.

4. *No information available regarding rates or classification.*—Under paragraph 5 of the instructions, the first process for the rate officer is declared to be "to obtain the jummabundis of each village or estate for the purpose of ascertaining rent rates payable by occupancy and non-occupancy ryots for each separate class of soil now recognized in each village or estate comprised in the selected area." The principal reason why the estates of private zemindars were not selected for the purpose of the present enquiry, was stated to be that "there would be delay in the production of jummabundis, and further delay in testing their accuracy." The advantage of selecting the Nizamat lands appeared to the Board to be "that though the necessary information as to existing rents could readily be procured, the lands had been under ordinary zemindary management." Now, whatever might be the case as regards the other Nizamat lands, no information regarding existing rents which could help the present enquiry is, as has been stated above, available in pergunnah Gopinathpore, which is mentioned

in the "memorandum on the preparation of a Table of Rates," as especially fitted for the present enquiry as the most compact portion of the Nizamat lands.

5. *Proposal to make experiments in several villages simultaneously abandoned.*—I need hardly state that the want of jummabundis has surrounded the enquiry with difficulties from its commencement. "Having procured the existing jummabundis, the rate officer is to proceed to classify the lands. He is then to take the best land in the tract under enquiry, and ascertain its actual gross produce." He is to go through the same process regarding the lands of other classes. The rate officer is in fact to be guided in his selection of the classes and qualities of lands to be experimented upon by the jummabundis. But not having the jummabundis, I was not able, previous to beginning the experiments, to find out the manner in which the lands of Gopinathpore pergunnah had been classified. I therefore selected for experiments fields situated in different parts of the village Kandi Gopinathpore, at which I first commenced to work. These fields were all classed as Anal in the chitta of the late measurements, though, according to the villagers, they belonged to different classes. As regards the other villages, it seemed to me that the best plan to form a correct idea of the productive powers of the different classes of lands in the different parts of pergunnah Gopinathpore was to conduct experiments in several villages. But as, in consequence of the short time within which it was possible to make experiments, I could not personally conduct all of them, I thought that, as I had not under me any officer of the grade of sub-deputy or canoongoe, the only way in which I could carry on simultaneously experiments at more places than one was by making a greater use of my clerks and mohurirs than was contemplated in the instructions. But as this plan did not recommend itself to the Board, it was abandoned, and no additional establishment kept for the purpose of making experiments, which were, with the exception of a few that had been made at the commencement, all conducted in my presence.

6. *Experiments in villages Gopinathpore and Raiabati.—Plan I.*—The village in which the experiments have been of an exhaustive character is Kandi Gopinathpore. I beg to submit herewith a plan (No. 1) showing the fields, on the rice of which experiments were made in Gopinathpore and the adjoining village called Raiabati. While the crops of fields Nos. 1, 2, 6, 7, and 10 were experimented upon, I could not, for want of a tent to live in, remain present at each experiment from its beginning to end, though I personally supervised the work several hours every day. But during the experiments on the rice of fields Nos. 3, 4, 5, 8, 9, 11, 12, 13, 14, 15, 16, 17, and 18, I lived where I worked, having procured at this time two tents, in one of which I lived and in the other held office. The field marked (W) is the piece of ground on which the rice was stacked, threshed, winnowed, and weighed. On the adjoining fields 1 and 2, the rice of which had been previously cut, stood my tents. The threshing, winnowing, and weighing were done under my own eyes, while the cutting was done within my cognizance, *i.e.*, within easy distance of my tents and under my constant supervision. I always visited the fields while the rice was being cut, and a trustworthy amlah remained guard from beginning to end. All the rice after being cut was tied together in separate bundles, and these bundles were once counted on the field and again on the threshing ground. Thus every possible precaution was taken to prevent fraud. When all the rice of a field was threshed out and the chaff winnowed away, the paddy was weighed (not measured) with seers weighing 80 tolahs each.

7. *Experiments in Village Thira.—Plan II.*—On the completion of the experiments in Gopinathpore, I removed my tents to Thira (written Kheera in the survey map). When I arrived at this village, I found that the rice in the uplands had been cut and that those that remained uncut were in the low *beely* lands which formed the greater part of the area of the village. All the care and vigilence exercised at Gopinathpore were also exercised at Thira, where all the operations took place under my very eyes. Here too I lived where I worked, as will appear from Plan II, herewith enclosed, shewing the fields, on the rice of which experiments were made. On the plot of ground marked W, the rice was threshed and weighed, and here also stood my tents.

8. *Measurements of fields experimented upon how conducted.*—The fields shewn in Plans I and II were measured and plotted either by me or in my presence, and under my supervision, by a clerk who knows surveying. In order to secure more correct areas than could be obtained by adopting the scale (16"=1 mile) ordinarily used in settlements, measurements have been plotted on double that scale, *i.e.*, on the scale 32"=1 mile.

9. *Actual average outturn per bigha of fields experimented upon.*—The actual outturn of rice, together with the area of each field, will be found in the statement given on the margin of each plan where the outturn per bigha has also been given. It is not easy to strike an actual average outturn per bigha regarding the fields (Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, and 18) experimented upon in village Gopinathpore. All these fields, according to the chitta of the last measurement, belong to the first class; but this is denied by the ryots. As regards the character of the soil, I have not perceived much difference between one plot and another. But proximity to, or remoteness from, a tank is a material thing that decides in these places the quality of the land. My experience of the eastern districts of Bengal did not lead me to imagine that rice fields were irrigated. But here ryots do not, as a rule, fail to take advantage of the proximity of a tank in irrigating their fields, especially in years of deficient rainfall. But in arriving at an accurate idea regarding the productive powers of the soil, the accidental advantage derived from proximity to tanks should not be taken into account. Following the above principle, I shall not bring under calculation the outturn of rice of

fields Nos. 1, 2, 4, 5, 17, and 18, which were to a more or less extent irrigated with tank water. Fields Nos. 3, 6, 7, 8, 9, 10, 15, and 16 are the proper representatives of the class, the difference of their outturns being due to the different times of sowing and the different degrees of care and labour subsequently devoted to their cultivation. Field No. 16 is the instance of how a *bataidar* is apt to neglect the field he cultivates of another person on the condition of paying him by way of rent half the produce. The ryot to whom this field belongs is a Brahmin, and the actual cultivator (the bataidar called in these places bhagidar) did not think of cultivating it until he had finished his own fields, by which time the sowing season was over.

The actual average outturn per bigha of the fields experimented upon in Gopinathpore is therefore found in the following manner:—

Number of field in the plan.	Annual outturn per bigha. Mds.	Srs.
3	4	25¾
6	5	23¾
7	5	15
8	5	18½
9	3	37½
10	4	11
15	1	13½
16	5	25
Total outturn for eight bighas in eight fields	36	10
Average outturn per bigha in the village	4	21

Fields Nos. 11, 12, 13, and 14, in Plan I, belong to the adjoining village Raiabati. The average actual outturn for these fields is found in the same manner to be 3 maunds 4½ seers per bigha.

The fields of Thira (Plan II) belong all to the same class, and the average actual outturn for them is found to be 7 maunds 21 seers.

10. *No statistics of any previous enquiry available for estimating average outturn per bigha.*—The actual average outturn per bigha for the fields experimented upon in the three villages being found in the above manner, the next point for enquiry is the *estimated* average quantity of produce and of the price obtained for it by the ryot for a number of years. This is to be "ascertained by enquiry, and tested by such statistics as are available of the result of similar experiments, and by the conclusion arrived at by similar enquiries." For the purpose of section 23 (*b*) of the Bill the Board have ordered that "five years would be a reasonable period on which the average might be calculated." I have, accordingly, tried to estimate the average quantity of produce and the value thereof for the last five years. But, though I have obtained very accurate information regarding the price of rice for the last five years, I have not been able to get any information regarding the average quantity of produce for any previous year. No enquiries regarding produce were made at this place at any previous time, and so no data are available which might help the present enquiry. I have therefore been obliged to accept the guesses of the ryots as correct. These guesses may, on the whole, be not very far from the truth.

11. *Average outturn per bigha estimated from the statements of ryots, checked by rainfall register of Kandi Charitable Dispensary.*—I have been able to a certain extent to test the accuracy of the statements of the ryots regarding the yield of previous years with the aid of the rainfall register, for which I am indebted to the kindness of Babu Chundra Kumar Gupta, Assistant Surgeon of the Charitable Dispensary at Kandi. The following statement shews the monthly rainfall at Kandi during eight years, counting backwards from 1882:—

Statement shewing the monthly rainfall at Kandi Gopinathpore in the years 1875 to 1882.

Year.	January.	February.	March.	April.	May.	June.	July.	August	September.	October.	November.	December.	Total.
1882	...	...	0·01	0·35	5·50	11 55	5·12	7·37	9·24	7·41	...	...	46·55
1881	...	..	1·38	...	6·69	7·00	11·17	10·87	6 21	4·17	...	...	47·49
1880	...	5·64	0·89	2·14	5·22	7·43	6·02	11·62	10·49	4·81	...	...	54·26
1879	...	1·71		...	1·94	14·18	22·01	9·57	12 88	4·69	...	...	66·98
1878	0·37	0·50	0·17	4·78	5 97	5·79	6 88	16·34	18·37	1·21	3·83	...	63 71
1877	2·06	1·35	0 67	2·54	2·64	7 66	15·99	15 67	7·06	4·70		...	60·36
1876	...	...	0·52	1·30	2·92	6·88	17·76	13 03	6 47	3·35	...	..	52·28
1875	...	...	...	...	5 83	17·50	8 19	11·06	9·65	0·77	..	...	53·00*

* The register for the first four months of this year not forthcoming.

It will appear from the above statement that only 46·55 inches of rain fell in Kandi from 1st January to 31st October 1882. The normal quantity of rainfall for the district of Moorshedabad is 53 inches (*vide* page 266 of Mr. MacDonnell's report on the famine of 1873-74). There was thus a deficiency of 6·45 inches in the rainfall of the past year to make up the total normal quantity. The rains were also not seasonably distributed, the falls during the months of July and August, when the cultivators wanted them most for transplanting the young plants, were very small, being 5·12 and 7·37 inches respectively. In consequence of the above circumstance, the outturn of rice in the up-lands of this part of the district has been less than the average quantity (about eight annas less), while that in the low lands has been somewhat

more than the average. The ryots of Gopinathpore state that this was also the state of things in the two preceding years, 1881 and 1880. But the ryots of the more favourably circumstanced village, Thira, deny that the crops in 1881 and 1880 were so good as in 1882, though they admit that, on the whole, those were not bad years. Now, here again the rainfall register is of much use. This register shews that the total fall in 1881 was almost the same as in 1882. It was only 47·49 inches. But as the quantities for May, July, and August exceeded in 1881 the quantities for the corresponding months of 1882, the outturn for 1881 seems to have been as good as, if not better, than that which has been found from experiment in 1882. The rainfall for 1880 was 54·26, just the quantity considered normal for Moorshedabad; though the falls in each of the months of May, June, and July in 1878 hardly exceeded five inches. Under the circumstances of the case it may not be very far from the truth if the outturns for high lands be put down for 1878 and 1879 as having been $1\frac{1}{2}$ times those for 1880, 1881, and 1882.

But if the difficulties in estimating the average outturn per bigha of ordinarily high land for 1878 and 1879 are great, those for estimating the outturn of low *beely* lands are still greater. The cultivation of low lands is attended with more risks than that of high lands. The floods, when too high or too long prolonged, do greater damage to the crops of low lands than the droughts of an equally excessive character do to high lands. Though all the lands of Thira are not low, and the low lands do not exactly form the bed of a *beel*, they are low enough to be damaged to a great extent by any excessive rise of water. It is admitted that the outturn in 1881 in the *beely* lands of Thira was as good as it was in 1882; but it is said that in 1880 the outturn was somewhat less, and that in 1879 and 1878 it was still less, not even half of what it is in ordinary years. Taking the above circumstances into consideration, the average outturn for Thira for these years may safely be estimated for 1880 at $\frac{3}{4}$, and for 1879 and 1878 at $\frac{6}{16}$ths of what it has been in 1882.

Now, calculating the average outturn for the past five years for the three villages, the crops of which have been experimented upon, the following results are obtained:—

Gopinathpore, called also Kandi Gopinathpore—

	Mds.	Srs.
Actual yield per bigha in 1882, found from experiments	4	21
Estimated yield per bigha for 1881, same as in 1882	4	21
Ditto for 1880, same as in 1882	4	21
Ditto for 1879, $1\frac{1}{2}$ times the yield for 1882	6	31
Ditto for 1878, ditto ditto	6	31
Total estimated outturn of five years for one bigha	=27	5

The estimated average annual outturn per bigha for the last five years is therefore $\frac{27 \text{ Mds. } 5 \text{ Srs.}}{5}$ = 5 maunds 17 seers.

In the same manner the average annual outturn per bigha in Raiabati is also found:—

	Mds.	Srs.
Actual yeild in 1882	3	$4\frac{1}{2}$
Estimated yield in 1881	3	$4\frac{1}{2}$
Ditto in 1880	3	$4\frac{1}{2}$
Ditto in 1879, $1\frac{1}{2}$ of 1882	4	26
Ditto in 1878, $1\frac{1}{2}$ of 1882	4	26
Total estimated outturn of five years for one bigha	=18	25

Estimated average annual outturn for one bigha = $\frac{18 \text{ Mds. } 25 \text{ Srs.}}{5}$ = 3 maunds 29 seers.

Thira.

	Mds.	Srs.
Actual outturn per bigha in 1882	7	21
Estimated ditto in 1881	7	21
Ditto ditto in 1880, $\frac{3}{4}$ of 1882	7	26
Ditto ditto in 1879, $\frac{6}{16}$ of 1882	2	33
Ditto ditto in 1878	2	33
Total estimated outturn of five years for one bigha	26	14

Estimated average outturn per bigha for the last five years = $\frac{26 \text{ Mds. } 14 \text{ Srs.}}{5}$ = 5 maunds 10 seers.

12. *Average price of a maund of rice in the bazar of Kandi Gopinathpore for the last five years.*—The average annual gross produce per bigha being determined as above, the average money value of that produce has to be now determined. I am glad that in prosecuting this part of the enquiry, I have been fortunate enough to get very correct information from the khatas or account books of certain grain-dealers of Kandi Gopinathpore bazar. As the ryots of Gopinathpore, Raiabati, and Thira, in which experiments have been made, sell their rice at this bazar, which, as will appear from sheet No. 10, is close to their homes, the buying prices entered in the accounts of the shop-keepers may be taken as those at which the ryots sold

their rice in the months of December, January, February, and March, for which enquiries have been made. The analysis of the accounts of the shop-keepers gives the following results:—

			R. a. p.
Average price of a maund of common rice in the months of Poush, Magh, Falgoon, and half of Choitra of 1285 (B S.) corresponding to December of 1877, and January, February and March of 1878			2 6 6
Ditto	ditto	of 1878-79	1 9 3
Ditto	ditto	of 1879-80	1 3 0
Ditto	ditto	of 1880-81	1 3 8
Ditto	ditto	of 1881-82	1 6 2
		Total of five years	7 12 7

Average price of a maund of rice during the past five years = Rs. $\frac{7\text{-}12\text{-}7}{5}$ = Re. 1-8-11.

13. *Average money value of gross produce per bigha.*—With the aid of the estimated average yield per bigha given in the preceding paragraph 11, and the average price of rice per maund, for the past five years, given in paragraph 12, the average money value of gross produce can be found if the proportion of husked rice obtained from a maund of unhusked rice or paddy as known. I have not yet been able to make any experiments at husking; but for the purpose of the present calculation, it may be sufficient if the ratio (28½ seers of rice to a maund of paddy), given at page 290 of the Statistical Reporter, be taken as also applying to the rice lately experimented upon.

This gives the following results for the three villages:—

Gopinathpore—
Estimated average outturn per bigha . . . . . . =5 maunds 17 seers of paddy=3 maunds 34 seers of rice.

Raiabati—
Estimated average outturn per bigha . . . . . . =3 maunds 29 seers of paddy=2 maunds 26 seers of rice.

Thira—
Estimated average outturn per bigha . . . . . . =5 maunds 10 seers of paddy=3 maunds 29 seers of rice.

The average price of a maund of rice being Re. 1-8-11, the money value of the average gross produce in the three villages will be as follows:—

		R a. p.
Gopinathpore—	Rice 3 maunds 34 seers, at Re. 1-8-11 per maund	5 15 11
	Straw	1 8 0
	Total money value	7 7 11
Raiabati—	Rice 2 maunds 26 seers, at Re. 1-8-11 per maund	4 2 0
	Straw	1 0 0
	Total money value	5 2 0
Thira—	Rice 3 maunds 29 seers, at Re. 1-8-11 per maund	5 12 8
	Straw	1 8 0
	Total money value	7 4 8

14. *Enquiries made regarding existing and previous rates.*—In paragraph 5 of your letter No. 1119A., dated the 15th December 1882, I am directed to proceed under paragraph 8 of the instructions in determining the average incidence on the bigha. This paragraph runs as follow:—

"Where the jummabundis or other papers of the estate do not specify the rates paid for each class of land, the rate officer will ascertain by local enquiry whether any such classification is recognised in the rent arrangements between the zemindar and his ryots, and if so, will record them. Otherwise he will only record such facts as that rents are settled without reference to such classification, the average incidence on the bigha being at such a rate."

I have agreeably to the above, previous to recording that the rents were settled without reference to classification, made local enquiries as to whether "any classification is recognised in the rent arrangements between the zemindar and his ryots." But the zemindar, the Nabab, has no information to give regarding rates, having made no jummabundis of the mehal. Gopinathpore was, I am informed, purchased by a relative of the Nabab Nazim, at a sale for arrears of revenue, about 40 years ago. During these 40 years there has admittedly been no change in the rents, which continue as they were previous to the purchase. No information as to how the present rents were fixed can be obtained from the zemindar. Some of the ryots, however, seem to *know from tradition* the rates of the different classes of lands held by them. But few will tell what those rates are, and as the statement of one does not agree with that of another, and there is no means of testing the accuracy of such statements, it is altogether hopeless to get at any correct information regarding the rates of rents on which the present rents were fixed.

Having come to know that there were in the Moorshedabad Collectorate certain rate papers of Gopinathpore and other adjoining estates, prepared by canoongoes under the old system, I applied to the Collector of the district for copies of those papers regarding pergunnah Gopinathpore, and the Collector has been kind enough to furnish me with them. It appears from these papers that there once existed in ancient time rates for different classes of land for all the villages of pergunnah Gopinathpore. It does not appear from the copies when the originals were prepared, or under what circumstances they were prepared; but there can be no doubt that as they were prepared under the old canoongoe system, they must be upwards of 50 years old. The rates given by the canoongoes were, as will be seen from below, too many, and in some cases rather too exorbitant, even considering that the productive powers of some of the lands were, 50 years or 100 years ago, much greater than what they are now.

The following are the rates given by the canoongoe papers of the villages operated upon:—

Kandi Gopinathpore.

	First class.	Second class.	Third class.	Fourth class.
	R a. p.	*R a. p.*	*R a. p.*	*R a. p.*
Shali haimuntie dhan	4 0 0	3 0 0	2 0 0	1 8 0
Mustard, &c.	1 8 0	1 0 0	......	......
Sugarcane	4 0 0	3 0 0	2 0 0	1 8 0
Mulberry	8 0 0	7 0 0	6 0 0	5 0 0
Bastoo	10 0 0	8 0 0	6 0 0	5 0 0
Udbastoo (garden)	5 0 0	3 0 0	2 8 0	......

Raiabati.

	First class.	Second class.	Third class.	Fourth class.
Dhan	2 0 0	1 8 0	......	......
Sugarcane	2 0 0	...	......	......
Mulberry	3 0 0	2 8 0	......	......
Bastoo	5 0 0	...	......	......
Udbastoo	2 8 0	.....	......	......

Thira.

	First class.	Second class.	Third class.	Fourth class.
Dhan	1 4 0	1 0 0	0 12 0	0 8 0
Sugarcane	2 0 0	1 8 0	......	......
Mulberry	3 8 0	2 8 0	......	......
Bastoo	4 0 0	3 8 0	......	......
Udbastoo	2 0 0	1 8 0	1 0 0	......

In the face of the above classifications of rates, on the basis of which the present rents may have been fixed at a time which cannot now be traced, but which nevertheless is very ancient, it will not be fair to proceed on the system of average rates, which at best must work unequally on ryots holding lands of different classes in different proportions, though it is impossible now to determine the classes of lands for which the rates were fixed.

15. *The principle of averages followed by Mr. Reily in the settlement of the Chanchal estate does not apply in the present case.*—As far as I am able to understand, the case of Gopinathpore is similar to that of the Chanchal estate in Maldah. But the method adopted by Mr. Reily in the settlement of that estate will not apply in the present case. In Chanchal, Mr. Reily first made "a rough calculation of the average rate per bigha hitherto paid for lands in a village" from the area under cultivation by each tenant. In doing this, he did not find much difficulty; but, "the real difficulty arose," he says, "in portioning off the different plots under the three respective classes, the ryots naturally objecting to have any of their lands included in the higher classes." Mr. Reily met this difficulty in each individual case when objections were raised, by instituting a sort of informal punchayet, &c." (*vide* paragraph 11 of Mr. Reily's report No. 268, dated the 15th October 1882). Now, it will be seen that the real merit of Mr. Reily's settlements lay not in adjusting *rates of rents* to *classes* of lands, but in arranging in each individual case, the classes of lands which a holding should comprise, in order to suit the rates of rents fixed by him. It is not that the lands were first classified according to their productive powers and the rates then fixed for each class, but the rates were first fixed and the classes arranged so as to suit the case of each individual ryot. Moreover, while Mr. Reily had not to accurately determine the rates previously paid in making what was in fact a new settlement, concluded in a somewhat arbitrary manner, the accurate determination of prevailing rates is indispensable in starting with the enquiry as to how far an increase or decrease in the present rates would be fair and equitable.

16. *Average rate per bigha determined from total rent and area.*—Following the instructions of the Board, I have tried to find in one of the villages, Gopinathpore, the average incidence on the bigha from rents and areas of holding; and I beg to give below the results

obtained according to this method in the case of a few of the ryots of Gopinathpore, whose rents, as entered in the jumma-waseel, have been verified after personal enquiry:—

Name of ryot.	Area of holding.			Total rent of holding.			Rent per bigha.		
	R	a.	p.	R	a.	p.	R	a.	p
A	18	12¼	0	37	1	0	2	0	0
B	1	15¾	0	5	8	0	2	14	0
C	16	18	0	44	0	0	2	9	0
D	18	7	0	42	14	0	2	5	0
E	38	11	0	65	7	0	1	11	0
F	15	5	0	34	12	0	2	4	6
G	14	4	0	26	3	0	1	13	6
H	6	18	0	36	9	0	5	3	0
I	1	11½	0	2	12	0	1	11	6
J	4	10	0	10	8	0	2	5	4
Total of ten holdings							24	12	10

The average rate obtained from the above is Rs. 2-8 a bigha, which may be accepted as representing the state of things in village Gopinathpore. But as there is often very great difference between the average rate of one ryot and of another, it may not be fair to accept Rs. 2-8 as the basis.

17. *Jummabundis of adjoining estates not yet referred to.*—I have not yet been able to refer to the jummabundis of the adjoining pergunnahs Futtehsing, Mahlundi, and Radhabullabpore. Some of the putwaries of Mahlundi, on whom I called for the jummabundi papers of the villages, the rents of which were collected by them, said that they had no jummabundis; that all the papers were with the zemindars themselves. If the Board should think that the jummabundis of the above-mentioned pergunnahs should be referred to in the course of the present enquiry, I beg to request that I may be authorized, under section 31 of Regulation XII of 1817, to call for those papers from the zemindars.

18. *Instruction solicited.*—In conclusion, I beg to state that, as under the circumstances described above, it is not possible to determine the rates on which the present rents were fixed, nor also the time when they were fixed, I do not know how to proceed further in the preparation of the table of fair and equitable rates which is the ultimate object of the present enquiry. Should the Board order me to proceed upon the principle of average incidence per bigha, I would request them to be good enough to instruct me as to the period to be embraced in the enquiry regarding increase or decrease in productive powers and value of produce, seeing that it cannot be traced when the present rents were fixed.

No. 59, dated Dumri, the 21st January 1883, *Viâ* Doomraon.

From—H. M. Tobin, Esq., c.s., on Special Duty, Shahabad,

To—The Secretary to the Board of Revenue, Lower Provinces.

In submitting my third fortnightly report I regret the delay that has arisen in despatching it; as I have already informed you demi-officially, this was owing to illness.

2. Since the submission of my last report, I have had the opportunity of consulting Mr. Nolan, the Collector of Shahabad, on the whole subject, and I beg to enclose a copy of a letter that I have subsequently received from him.

3. My last report referred to the southern portion of the tract assigned to me; and with reference thereto I drew the following conclusions:—

(*a*) That it is impossible to frame fair and equitable tables of rents, according to the rules framed and issued by the Board for any considerable portion of the tract.

(*b*) That in those villages where the existing rates are numerous, they are in many instances not in proportion to the real value of the land.

(*c*) That in those villages where there is uniformity of rates, the same rate has been applied to different soils indiscriminately without regard to their relative value; and consequently existing rates form no sound basis for the formation of a fair and equitable scale, as proposed by the rules.

(*d*) I point out that where the rates were uniform, there would be no difficulty in applying the laws of enhancement proposed in the Bill to the existing rents, and so constructing a table of rates of rent which could be demanded for the great portion of the village lands by the zemindars; but that such a table would not be the table of fair and equitable rates contemplated by the rules.

4. I now have to report on the difficulties in the way of forming fair and equitable tables of rates in the northern tract.

Before doing so I will ask your permission to correct a misconception which has arisen somewhat naturally from my last report, and which finds utterance in the 7th paragraph of your letter No. 23A to the Government of Bengal. I did not overlook the circumstance that the legal presumption arising by occupation at unchanged rates for more than 20 years has had the effect of turning each holding into one held at rates which are no longer liable to alteration. But I regret that I did not then bring more prominently to notice the circumstance of the large proportion of lands which the ryots are entitled to hold at fixed rates.

I have pointed out in my letter No. 45 that the occupancy ryots and those with the right to hold at fixed rates hold at one and the same rate. New ryots have been admitted to lands at the old prevailing rate, and though the rate has not been changed for more than 20 years, many of the existing ryots are new comers. Such ryots therefore could not be treated as holding at fixed rates.

It is at the same time much to be regretted that a tract was selected in which such a large proportion of the ryots (probably over 50 per cent.) are entitled to hold at fixed rates.

5. The northern tract is simpler to deal with than the southern, inasmuch as the rents in each village are less numerous, and every village has one or more prevailing rates of rent.

6. In almost all the northern villages the rates have not been altered for forty years. In fact there has been still less change here than in the southern tract.

7. In most of the villages the same difficulty, as is referred to in clause *c* of paragraph 3 of this letter, is met with, *viz.*, that the same rate prevails for several or all classes and qualities of land, and therefore existing rates form no sound basis on which to construct rate tables which are to be fair and equitable under the rules.

8. The lands in several of the villages have been affected by recent river action, and lands which were properly assessed at different rates years ago, as being of different qualities and classes, have now greatly altered in character.

I annex a list of the villages in the northern tract with the rates prevailing in each. In drawing up this table I have omitted any very small quantities of land held at rates other than the prevailing ones with the exception of dakmils; in no cases do such lands form more than a small proportion of the whole cultivated area, and in almost all cases it will be found that they are held under special circumstances, or that they could in a detailed settlement of the jamabandi fall under one of the prevailing rates.

9. To show how unreliable existing rates are in most cases for the purpose of forming a fair and equitable rate table even in a single village, I will give a few examples.

In Dohlia the men of one "tola" cultivate at Rs. 7-8 and Rs. 7-12 per bigha the same land that the men of another "tola" till at Rs. 3-12 and Rs. 5 per bigha. In Sirkhigdi Rajeh, forming part of Nag Singhanpura, the "deara" and "upermar" lands are both held at Re. 1-13. The former yields about 15 maunds per acre; the latter about 7½ maunds per acre. In Rani Singunpoora, tal land, yielding about 14 maunds per acre, and "buldhus" (high) land, yielding about 11 maunds per acre, both pay at the rate of Rs. 3-6-3 per bigha.

In Chakandi, forming part of Rampur Ukhori, in tal (low) lands the prevailing rates are Rs. 2-8 and Rs. 4; in some cases the lands held at these different rates give the same outturn, and in some cases the land at Rs. 2-8 gives a greater outturn than the other.

It is needless to multiply illustrations. The same state of things exists with regard to the majority of the lands in each village.

10. The rates, as the Collector has pointed out, are the ancient custom of the village, and now depend on custom and nothing else; though it is clear that in some villages (*e.g.*, Dea Man, Rampore Ukhari, Dumri, Khara tane, Nagurpura) some attempt was originally made to adjust the rents to the value of the soils.

In some of the uplands, where river action has not been so much felt, the variations of rates thus adopted according to the value of the soil still hold good, but the lands in which this is the case form a very small proportion of the whole.

11. I am satisfied, then, that it is impossible to form in this tract even for single villages fair and equitable tables as contemplated by the rules: still more impossible would it be to form them for larger areas. A glance at the map which I send herewith, on which the prevailing rates for both low lands (tal and deara) and high lands ("upermar") are given, or the perusal of table A annexed, will demonstrate this clearly.

There is no variation in the outturn from tal and deara lands corresponding to the variations in the rent, and the same remark holds good for the greater part of the "upermar" lands also.

12. I have therefore come to the conclusion that a table of fair and equitable rates, such as is contemplated by the rules, is an impossibility in the northern as well as in the southern tract.

Unless, therefore, I receive orders to the contrary, I shall not continue to attempt to prepare such a table.

13. While being of the above opinion I still think that the idea of the table of rates as originally intended by the Rent Commissioners (if I understand it rightly) might with some modification be applied with advantage to many villages in a tract like this, where there are uniform rates.

Existing rates were taken by the Commissioners as a basis, and the rules of enhancement and abatement proposed by their Bill were supposed to be applied thereto. Such a procedure could readily, and in conformity with existing law, be applied to most of the villages here.

14. The advantage of such a procedure is obvious: the rates for nearly the whole of a village (excepting these lands not now held at the prevailing rates) would be settled together, and the rate would be authoritative and hold good for ten years.

The Collector in his letter referred to above has stated (paragraph 6) that for such villages he would declare existing rates increased in proportion to the rise in the value of staple crops to be fair and equitable.

This is almost the same as I now propose to do, except where there is clear evidence of increase or decrease in the productive powers of the soil.

15. Where rates have been settled more recently, the new rates would be fixed on the same principles, but in the case of lands in which the existing rate has been settled during the last ten years, I would, following the principles of the Commissioner's draft Bill, leave the existing rate alone.

One point that would be unsatisfactory in this procedure is that the lands falling under each new rate could generally only be designated as "those hitherto paying such and such rates."

16. I await the orders of the Board as to whether they wish such a table to be drawn up for each village where it is possible.

17. In conclusion, I would refer to one or two other points of interest. The crops most grown in the northern tract of my area is peas, and it would be a staple. I have had some difficulty in obtaining accurate figures as to the prices of peas in past years. The price is not given in the weekly price current submitted to Government. In the case of other grains I have found the Gazette figures the safest to adopt for prices, as I find them on the whole far more accurate than those price currents which I have been able to compile from other sources.

18. With reference to Mr. Nolan's remarks about the good qualities of the Bhojpore ryots, I agree with him in what he says of their manliness, independence, and prosperity. I must, however, demur to what he says as to their industry and good cultivation. They have in past years held more land than they could cultivate properly; they generally select the crop that requires least cultivation, *viz.*, peas, although it commands a very low price and does not yield a greater outturn than other crops. In those lands where Brahmin, Rajputs, and Bhunhaes have been superseded by more industrious castes, I notice a marked difference in the care with which the land is cultivated. I will, however, refer to this matter when submitting my final report.

19. I shall now proceed to complete my enquiries for four villages which I have taken up in addition to those in my original list as approved by the Board, in your No. 1079A, dated 5th December 1882. I am also proceeding to complete and despatch the reports required on the subject of staple crops and special crops, and to complete my enquiries into the increase of prices during the last forty years which has necessitated careful search.

20. Meanwhile I await orders on the points raised in the earlier portion of this report.

21. The return of the maps is requested.

TABLE A.

Name of Village.	Total of land settled according to Jamabandi	Prevailing Rates for Uperwar.		Prevailing Rates for Tal or "Deara."		Grand Total.	Remarks.
		Rate.	Quantity.	Rate.	Quantity		
		R a. p.	Bighas.	R a. p.	Bighas.		
1. Dakaich, including— a.—Bagkerit Singh b.—Rampoor	1,955	3 4 0	51	...			
		3 1 0	25	.	...		
		2 14 0	507	..	...		
		1 8 0	206	...	..		
		1 0 0	132	...	...		
		2 0 0	509	..	...		
Total	...	..	1,430	...	...	1,430	.
2. Daman Jakra	200	...	...	3 4 0	101		
		...	...	2 8 0	49		
		...	...	1 4 0	49		
Total	..	...	...	...	199	199	
3 Hathebpoor	...	3 0 0	47	...	...		
		2 14 0	12	..			
		2 4 0	8		...		
		2 0 0	138	..	.		
		1 8 0	44	...	...		
		1 4 0	14	...	.		
		0 8 0	13	...	...		
Total	...	.	276	..	...	276	

Name of Village.	Total of land settled according to Jamabandi.	Prevailing Rates for Upraha. Rate. R a. p.	Prevailing Rates for Upraha. Quantity. Bighas.	Prevailing Rates for Tal or "Dhaba." Rate. R a. p.	Prevailing Rates for Tal or "Dhaba." Quantity. Bighas.	Grand Total.	Remarks.
4. Deaman	911	3 0 6 2 0 0	542 70	3 8 0 1 0 0	221 40		
Total	...	...	612	...	261	873	
5. Dea Permesser, including Monchepa	1,010	2 6 0	464	4 0 6 4 0 0 2 6 0	63 16 334		
Total	...	...	464	...	413	877	
6. Dumri, including Birarlumpoor	1,673	4 1 0 3 5 0 2 1 0	50 815 25	5 8 0 4 1 0 4 0 0 3 1 0 3 0 0 1 1 0	8 331 31 100 110 24		
Total	...	...	890	..	604	1,494	
Durasum	437	3 4 0	413	...	...		
Total	...	...	413	...	...	413	
Rampoor Ukori, including— a.—Chakandi b.—Ramdhunpoor c.—Misroulia d.—Salempoor e.—Pitamberpoor	1,146	3 10 0 3 8 0 3 4 0 3 0 0 2 12 0 2 8 0	19 247 289 190 74 25	4 0 0 5 0 0 2 8 0	55 10 80		
Total	...	...	844	...	145	985	
7. Khoba	...	...	...	4 0 0	48	...	This village has much bhaoli land, and except for the land entered the other rates vary from year to year.
8. Rani Singhanpoora, including— a.—Kusarha	537	3 6 3 3 0 0	200 97	3 6 3 ...	220 ...		
Total	...	...	297	...	220	517	
9. Kashi Singanpoora	173	2 6 0 2 4 0 1 11 0 1 1 9 1 0 0	... ...	2 6 0 2 4 0 1 11 0 1 1 9 1 0 0	... ...	122 11 17 8 13	
Total	...	...	...	...	...	171	
10. Nag Singhunpoora, including— Dhanejpoor Sirkhundi Bisa Sirkhundi Rajeh Ganowli Nag Emerta Narampoor Hurpoor	1,590	2 4 0 1 13 0	... ...	2 4 0 1 13 0	... ...	1,088 479	
Total	...	...	...	...	...	1,567	
11. Nagurpoora	215	2 4 0 2 2 0 2 0 0	102 85 9	2 4 0 2 2 0 2 0 0	10 7 2		
Total	...	...	196	...	19	215	

Name of Village.	Total of land settled according to jamabandi.	Prevailing Rates for Upkeman.		Prevailing Rates for Tal or "Dhaba."		Grand Total.	Remarks.
		Rate.	Quantity.	Rate.	Quantity.		
		R a. p.	Bighas.	R a. p.	Bighas.		
12. Bharkura	*188	3 2 0	152	...	...		
Total	...	...	152	...	...	152	
13. Nag Inurta Khoord	...	...	...	4 0 0	80		
		..	...	3 0 0	272		
Total	...	...	...	...	352	352	
14. Kharataru	1,137	2 12 0	62	6 8 0	15		
		2 4 0	5	6 0 0	201		
		1 8 0	69	5 8 0			
		2 0 0	25	4 8 0	29		
		...	...	4 2 0	704		
		...	...	3 12 0	24		
Total	...	...	161	...	973	1,134	
15. Dhobha	377	...	...	8 0 0	2		
		..	...	7 12 0	91		
		...	..	7 8 0	146		
		...	...	6 12 0	12		
		...	..	4 0 0	58		
		...	...	3 12 0	34		
Total	...	...	...	...	343	343	
16. Ganguli	302	...	..	5 0 0	238		
		...		3 12 0	63		
Total	...	...	.	...	301	301	
17. Chatanpoora	40	...	.	5 0 0	21		
		...	...	4 0 0	19		
Total	...	...	...	...	40	40	
18. Lemua	108	2 8 0	36	4 2 0	17		
		2 0 0	4	3 12 0	16		
		1 8 0	34	...	.		
Total	...	...	74	...	33	107	
19. Nag Amarta Khoord	125	...	...	3 9 0	125	125	

H. M. TOBIN.

No. 17 CWT, dated Camp Betoute, the 15th-17th January 1883.

From—B. Nolan, Esq., Officiating Collector of Shahabad,

To—H. M. Tobin, Esq., on Special Duty, Bhojpore.

I do myself the honour to offer some observations on the subject of your enquiry as to the preparation of tables of rent rates in the selected tract of Bhojpore pergunnah, as to which we have had much communications while in camp together.

2. I agree with you in considering that there is not in this area as a whole, or in any group of villages within it, any thing which can be called a "prevailing rate" of rent within the meaning of Act X of 1859. The rent rates have been fixed by villages, not by larger areas, apparently at different times, and without reference to any common standard. The inequalities originally existing have been increased by time, which has altered the circumstances, while the rent has, for the most part, remained the same in the important matter of moisture in particular, according to their power of retaining, and their position for receiving which in clean soils are often classified. There has been a complete change, the Ganges and Kao rivers having shifted their courses, and the canal embankments having altered the whole drainage of the country, and raised the level of the sub-soil water. Moreover, the industry of the ryots has created farm, buildings, wells, gardens, and orchards, with other improvements, raising in various

degrees the value of the land. Such connection as at first existed between the rent rate and the intrinsic value of the soil has thus been altogether destroyed. The sole standard of the existing assessment is the custom of the village.

3. Such being the case, I believe that there can be no justification for any attempt to enhance the existing rents to the standard of any prevailing rate other than that of the village. There *is* no prevailing rate for any larger area. It would of course be possible to take the average of existing rates, and to enhance the more favoured holdings up to that. This would create a new average rate, up to which, after a period, the lower rents could be again raised, and this process repeated until all the land was subjected to the highest rate now paid anywhere. But I can see nothing fair or equitable in such a process. It would be an encroachment on the rights of property, subjecting the ryots to liability to enhancement on grounds which are not now valid, and were not valid when they purchased or acquired their holdings. And few would consider the augmenting of the Rajah's income a sufficiently pressing object to justify such an interference with the vested interests of almost all the other inhabitants of this area.

4. On the other hand, it appears that occupancy ryots are liable to enhancement in proportion to the rise in prices since their rent rate was last fixed or ascertained. You have not completed your enquiry as to the extent of this increase in prices, or that as to the length of time during which existing rates have prevailed. But it would appear from the papers collected by you, as far as they have been examined, that the existing rates have not in most villages been changed for some 37 years. When this is the case, the landlord, under the rule of proportion, seems entitled to an enhancement in the rates of the rise in average prices during that period. Thus if the price of stable crops has risen 30 per cent., the fair and equitable rent would be, under the proposed as under the existing law, 30 per cent., above the existing rent.

5. This differs from the rate suggested in paragraph 20 of your letter No. 4, dated 1st January, to the address of the Board. You say that if prices have risen 30 per cent. and 10 per cent. has been added to the productive power of the soil by irrigation, making an aggregate increase of 40 per cent., then the enhancement of rent should be half that, or 20 per cent. I believe that the landlord is entitled, under the rule of proportion, to an enhancement on the ground of the increase of prices proportionate to that increase, and not merely to half of such proportion as assumed by you. Such is the present law, which is in this respect re-enacted in the Bill. The rule laid down in the Bill that the ryot shall receive half the benefit of such unearned increment is not thereby violated, as in fact he receives more. If he paid Rs. 10 for a holding 37 years ago, which then produced wheat valued at Rs. 100, and prices having since increased 30 per cent., he is now called on to pay Rs. 13, the crop fetching Rs. 130; he will retain Rs. 117* of the unearned increment, the landlord receiving only Rs. 3. As to the addition of 10 per cent. on account of canal irrigation, I think it should not be allowed. The rent of an occupancy ryot cannot be raised on account of any improvement effected at his expense, and irrigation is such an improvement, as he alone pays the water rates, which are levied to cover the cost of the canals. This is the rule approved by the Board of Revenue for the Government estates of Nasigunge in this district.

*Year.	Value of crops.	Rent.	Value of ryot's share of crops.
	Rs.	Rs.	Rs.
1850	100	10	90
	130	13	117

6. There are some villages in which, I believe, the rates have already been raised, in porportion to the increase in prices, or somewhat more. In these I would declare existing rates fair and equitable; for the others the existing rate, increased in proportion to the rise in the value of staple crops.

7. With regard to the definition of staple crops, the only difficulty in the selected area, where there is little sugarcane, regards the high lands near villages, on which potatoes, opium, and other valuable crops are grown. On other lands, rice, wheat, barley, and peas, with some other crops in particular villages, are clearly staples. The question is whether a special rate should be fixed for the land generally called *deh*, where the best crops are cultivated. I think that this should not be done, and that opium and potatoes should not be considered as staples. The land on which they grow is no better than other land, and the great outturn is simply the reward of great labours, including incessant irrigation from wells on opium lands, and the use of manure for potatoes. The ryot sinks the wells indispensable for opium, and keeps the cattle, &c., which yield the manure for potatoes, while the labour is all his. He is therefore entitled to the increase in the value of the land caused by its vicinity to the wells and cattle sheds.

8. In paragraph 19 of your letter referred to, I notice the observation that "probably owing to former mismanagement in the Raj, the rate of rent paid by occupancy ryots in the tract is very low." I am satisfied that the occupancy ryots sublet their lands at from twice to ten times the "guzashta rate." I have to observe that the term "*guzashta*," which literally means only *old*, is here used in all civil and revenue courts to denote a permanent and transferable tenure at a quit-rent, which can never be raised. It is no wonder that such a tenure can be sublet at a great profit.

9. The peculiarity of the selected tract is that it is cultivated by ryots, of whom a considerable proportion have these *guzashta* rights, while nearly all have occupancy rights, and that the same leniency of the landlord which permitted such privileges to grow up and continue has prevented him from generally enhancing rents on other lands. It is not, therefore,

a good example of the general condition of the district, and I objected to its selection for these enquiries, on the ground that it was not typical, and that there was no prevailing rate. But if in these respects it affords less information than could be wished, its condition is worthy of the attention of the framers of the Bill on other grounds. It is the object of some of the framers of the present Bill to secure for the ryots of Bengal as a body rights of occupancy at moderate rents, which, they contend, would insure surperior cultivation through the improvements to be expected from those who enjoy security of title, a certain prosperity in ordinary times, with the credit necessary to enable cultivators to tide over periods of famine without becoming a burden on the taxes, and which would also, it is urged, tend to give to the tenants the independence and manliness of character generally found among peasant proprietors. On the other hand, there are many who believe that low rents and security end in sloth, the sale of the land to speculators, and in the end to sub-letting at a rack rent. It would be most important to ascertain whether in the selected tract the conditions which it is proposed to create elsewhere have led to the results anticipated by the one school or the other.

10. I think that there can be no doubt to such a question. Sub-letting is not unknown in Bhojpore, and some of the cultivators are in debt; but these are exceptional cases. The general rule is that the ryots cultivate their own lands with their own small capital, and where they sell their holdings it is to others of their own class. Their industry is marked, and has resulted in the clearing of the jungle with which much of the land was covered 50 years ago, and the creation of a cultivated area as well planted with fruit-trees, as well irrigated from wells, and as well fenced as any I have seen in India. No one can encamp for a day in the tract without being struck with its exceptional prosperity, which contrasts strongly with the backward state of three parts of the district in which rents are high and occupancy rights unknown. The credit of the cultivators is so good that, as you informed me, they generally borrow at the rate of 12 per cent., that is, on as good terms as their landlord. There would, therefore, be no anxiety whatever as to their surviving without assistance a period of ordinary famine. As to their character, the objection I generally hear to it is that it is *too* manly and independent. The Bhojpore wrestlers have a name throughout the country, and every man carries the large Bhojpore *latti*, which he can use with great skill. They are equally ready to defend themselves in law courts with which the complication of rights inseparable from any system where the majority possess interest in land has rendered them familiar. I have always found them open, communicative, ready to deal or to serve, and their honesty is proved by the low rate of interest demanded from them; but they have another side of their character for any one who attempts to oppress them.

11. I think that these facts should be brought to the notice of Government as having a certain bearing on the general policy of the Bill. In the area to which your enquiries are confined, it would, I submit, appear that rights of occupancy at easy rents have been followed by comparative industry and prosperity, and with their usual effects in the moral character of those who enjoy them.

12. With regard to your remark that the low rents may be due to mismanagement, I may say that it has been the misfortune of the Indian ryots that so many have considered the raising of rents a proof of business ability. In this instance the ryots have not, as in most estates, been transferred from one purchaser at an auction sale to another, until they fell into the hands of some speculator in land who could enhance the old rents to excess. They remain under the Doomraon family, who have owned the land for centuries. That such a family, wealthy even with existing rents, should have allowed them to remain at a rate consistent with the happiness and prosperity of the dependents, I consider a proof of excellent management, and presume it was under such an impression that Government conferred titles on the late Maharajah and the present manager. I think the Rajah must be better off surrounded by contented and loyal peasantry than he would be if his family increased their income at the expense of alienating the feelings of their tenantry, as others have done. I do not say this as imputing an opposite view to you, but because I think it of real importance that in any public correspondence conduct which contributes to the happiness of the country should be recognised as such. The opinion of the older families as to whether they should respect their own good traditions in this respect, may be represented as wavering under the influence of the example of the new auction purchasers, and an impression that Government regarded their leniency as weakness and mismanagement would have a bad effect.

No. 61, Jaypur, Punchabibi, the 20th—22nd of January 1883.

From—D. J. MACPHERSON, ESQ., C. S., Assistant Collector, on Special Duty,

To—The Secretary to the Board of Revenue, Lower Provinces.

I have the honour to submit, for the consideration and orders of the Board of Revenue, a report on the practicability of framing tables of uniform rates of rent in the Jaypur Government estates in the manner contemplated by Government. My remarks are based on such facts as I have ascertained up to the time of writing; but all the information I have been able to gather leads me to the conclusion that it is not at present practicable to frame for this tract of country tables of rates based upon recognised distinctions in the quality of soils.

General Principles applicable to this Tract of Country.

2. The object aimed at is "to adjust rent rates to classes of soils," and the summary nature of the enquiry contemplated by Government, precluding, as it does, "actual investigation and experiment on the fields themselves," necessitates our taking existing rates of rent as the basis for operation, these being "usually governed by two great principles—(1) quality of soil, and (2) production of special crops." In the Jaypur Government estates, however, we have not this basis to serve as a starting-point. There are here no rates of rent at all; and I think I shall be able to show that, even if fair and equitable rates based on soil classifications were framed, it would be impossible, in the peculiar circumstances of this tract of country, to apply them in practice. Rents are here determined by the operation of the principle of competition, in which the cultivators and not the proprietors of the land are masters of the position. And so long as this relation subsists between these two classes, the determination of the rents to be paid can hardly come within the purview of the Rent Bill. The provisions of that Bill relating to rates of rent were, I take it, framed with a view to meeting an entirely different state of things. "As to competition," the Commissioners remark in paragraph 45 of their report, "while population is sparse and land is plenty, when the supply of cultivators is limited and the demand for them is active, the ryots have the best of the position, and can secure favourable terms. As population increases, the tables are gradually turned, and where cultivation of the soil is the only means of subsistence, the ultimate effect of unrestricted competition must be that the landlords can dictate their own terms to the ryots who must either accept them or starve." And the conclusion the Commissioners therefore come to is that "Government could not consistently, with the proper discharge of its functions, leave the settlement of what we shall now call the rents payable by the ryots to the uncontrolled influence of competition." It will not be difficult to determine when the time has come for applying the principles of the Rent Law to the determination of fair and equitable rates of rent in this tract of country. That time can hardly have come so long as the ryots show that they can practically dictate their own terms.

Recognised Classification of soils.

3. In the Jaypur estates and the neighbourhood there is a recognised classification of soils, excluding *bastu* or homestead land into two main classes, upland and lowland, the latter being also called rice-land; and each of these are sub-divided into three or at most four qualities. These sub-divisions into qualities are, however, understood only by the headmen and principal ryots—the mass of the peasantry sub-divide each of the two main classes simply into good (*bhala*), middling (*madhyam*), and bad (*manda*) soil. Sandy soil is always *manda*; but what they call middling soil one year, they may designate good soil the next, if it has been well ploughed and manured. So far as it is possible to discover traces of rates of rent based upon soil classification, no distinction has been made between the productive capacity of upland and of lowland. The outturn on the former varies with the degree to which it has been ploughed and manured; and it may therefore be said that there has been no attempt here to fix rates of rent (where such may be discovered) with reference to any other crop than rice. This is the preponderating crop in the tract. *Aman dhan* alone is ordinarily grown upon lowland, that is, on about 45 per cent. of the cultivated area, while *aus dhan* is grown upon 14 per cent. With reference to rice land, it may be observed that in villages liable to inundation the best land occupies a middle level and position between two sorts of land, each sort being sub-divided into second, third, and fourth qualities, the higher sorts are not liable to inundation, and their degrees of fertility vary with the readiness with which water collects upon them at the time most suitable for the rice crop. The lower sorts, on the other hand, are distinguished by their liability to such inundation as is sufficient to destroy the crop which is so liable to destruction that the ryots do not consider it worth their while to plough the land well; the water, moreover, usually rises so suddenly that the land is suited only for *dhan* sown broadcast. On the higher sorts the *dhan* is always transplanted. On the lower sorts the crop comes to maturity only in years in which the deficiency of rain is so great as to give but a poor outturn on the higher land, and in such years they produce better crops than the very best land, and that too in inverse proportion to the quality of the soil. On an average of years, however, the outturn of the lower sorts is equivalent to that of the higher sorts; and for practical purposes, therefore, only four qualities of rice land are recognised. It should be observed that land of a particular quality in one village is not necessarily identical in productive capacity with land described as being of the corresponding quality in another. In such village the best land after *bastu* is spoken of as being of the first quality, and forms the standard by which the remaining qualities that may be found in the village are determined.

Rates of Rent.

4. I come now to the consideration of the question of rates of rent. In 1865, Mr. Payter, the farmer of the Government estates, fixed rates of rent in each village, presumably based upon soil classification. This, however, he is understood to have done only in the case of holdings which were cultivated by ryots who had for some time been settled upon them. These rates may fairly enough have indicated the difference between the various qualities of soil found in a particular village; but there was no correspondence between them and those fixed in a neighbouring village in which the soil may have been substantially the same. In each village the

rates were really determined by what the ryots were willing to agree to, and generally it would appear that they varied according to the quality of culturable waste land in each village. Mr. Payter appears to have induced the settled ryots to agree to rates on the understanding that he would remit, as an act of grace on his part, about 10 per cent. on the rental. The sum so remitted was called '*hazat*,' and it was understood, I believe, that it might be collected in unusually good years; but, as a matter of fact, I am informed that Mr. Payter never actually collected anything on this account. It may be observed that other zemindars hereabouts have adopted the same arrangement, but generally with a view to ensure punctuality in the payment of rents through the risk the ryots would run of being sued for arrears at the full rates to which they had agreed, on the understanding that the *hazat* was not to be levied. Mr. Payter then was able to come to an agreement with the older ryots in 1865 as to the rates at which they should pay rent for the different sorts of land in their holding. In the cases, however, of holdings taken up shortly before that date, and of land subsequently taken into cultivation, it was impossible to apply these rates. In such cases a separate bargain was come to with each person who took up land, an average rate per bigha being generally agreed upon for the whole, irrespectively of the various qualities of soil which it might comprise. The whole holding taken up in this way at one time would be described in the *jamabandi* as belonging to that class of soil which, in the case of older holdings, paid a rate corresponding to the average agreed upon. Between 1865 and 1878 the cultivated area in these estates was found to have increased by 37 per cent., so that it may be taken for granted that over a very large portion the rates of rent paid in the latter year were no criterion whatever of the quality of the soil. During this period the rates of rent paid in the older holdings also must have lost almost entirely whatever connection they may have once had with soil classification. Owing to the abundance of fallow and waste land in this part of the country, which the ryots always bargain to get on favourable terms, they seldom occupy the same holding for more than 6 or 7 years in succession. I shall afterwards give figures showing the extent to which these relinquishments have taken place since the last settlement of 1878. Meanwhile, it will suffice to remark that, owing to this custom, rights of occupancy are almost entirely unknown in this particular tract of country, and that relinquished land can hardly ever be re-let at the same rates as the former occupants paid. Any evidence, therefore, which rates of rent may have afforded of the quality of the soil in 1865 must have been lost trace of before proceedings were adopted to effect the settlement of 1878, which was contemporaneous with the assumption by Government of the direct management of these estates. The same remarks are understood to be applicable to the estates of neighbouring zemindars. In them, as in the Government estates, there could really be said to be no *rates* of rent at all. And when the zemindars were called upon by the Settlement Deputy Collector to furnish him with the rates in adjacent villages, I am informed that they merely stated what, according to the existing rental, would fairly represent rates.

Effect of the settlement of 1878 on Rates of Rent.

5. At the settlement of the Jaypur estates in 1878, rates of rent themselves entirely vanished. Each ryot settled separately for a lump sum for his whole holding, stipulating at the same time that there was to be no subsequent re-measurement during the period of settlement, which was fixed for 15 years, and does not therefore expire until March 1893. The Deputy Collector commenced proceedings in 1874, and measured and classified all the plots in each holding. In classifying individual plots, he relied mainly on the farmer's records; but in many cases, as can readily be understood from what has been said above, he found that land was entered as being of a lower quality than it really seemed to him to be. This he corrected to the best of his judgment, without taking any steps to ascertain the productive capabilities of the lands whose classification he changed. Adopting the rates fixed in 1865, he found that these alterations produced an increase on the rental collected by the farmer of Rs. 3,624, or 10·5 per cent. He also found that the area under cultivation was 37 per cent. greater than it was when the farmer made his last settlement in 1865. This increase was represented by an addition of Rs. 9,787, or 28·5 per cent. to the rental. The farmer's rental was Rs. 34,253-9-6, of which he left unlevied on account of *hazat* Rs. 3,108-1-9, and the rental ultimately fixed by the Deputy Collector at the farmer's rates amounted to Rs. 47,665. Although the ryots found that the rates fixed so far back as in 1865 were not to be changed, they nevertheless objected to the proposed settlement. They declined to agree to any rates whatever, and disputed the correctness of the Deputy Collector's classification. They admitted, however, that their cultivation had increased perhaps to the extent disclosed by the measurements, and in view of this they were willing to pay some increase on their former rental. Each agreed to pay a lump sum for his whole holding on condition that no re-measurement or revision should take place for 15 years; and on this basis, and this alone, the settlement was finally concluded by Mr. Veasey, the then Covenanted Deputy Collector of Bogra, and by the manager of the khas mehals, and sanctioned by the Board and by Government. The rent ultimately agreed to was Rs. 39,199, but this included Rs. 100 for *hât* dues, and Rs. 251 for fisheries, so that the rental for cultivated land was really Rs. 38,848,—an increase of about 25 per cent. on the rental (excluding *hazat*) the farmer used actually to collect. Under the circumstances which led to a settlement, in which the ryots practically dictated their own terms, this increase in rental may be considered as entirely due to the increase of 37 per cent. in the area under

cultivation. Naturally the addition to the rental would not be proportional to the increase in the cultivation, as the latter area would yield a lower average rate of rent than the previous area under crops.

Reasons for abandoning any attempt to apply rates of rent at the Settlement of 1878.

6. Although the rental at which the settlement was concluded was 17 per cent. below that fixed by the Deputy Collector at the rates of 1865, it is doubtful whether, under the circumstances, any better result could have been obtained than was effected by the compromise which was agreed to. The position was summed up by the Commissioner in his letter No. 212Rct. of the 10th March 1879, to the Board of Revenue, and I cannot do better than quote a portion of his remarks, as they are in entire accordance with all the information I have been able to ascertain. In that letter the Commissioner invited special attention to the fact "that, owing to there being more land than ryots in the part of the district in which the Jaypur estates are situated, and to zemindars competing to a certain extent for ryots, the latter are almost masters of the situation; and if we do not come to an agreement with them as to enhancement, it is probable that we may not only get none at all, but in the course of a year or two, by attempting to enhance the rents in a perfectly legal manner, and to a most reasonable extent, cause desertion of the ryots for neighbouring estates, the owners of which are more willing to meet the ryots half way, and thus actually reduce our rent-roll, which would be a very unsatisfactory result, at the expenditure of a considerable sum of money in measurement operations. There is another point, too, to which special attention is necessary, namely, that owing to this strong position of the ryots they do not now really pay rent at any *rates* at all. The estates have been, until lately, let in farm, and it has been the custom to make a deduction of about 10 per cent. from the amount nominally payable by the ryots on account of what was called *hazal*, which was only paid in extraordinarily good seasons, and very rarely in full even then. Again, the ryots have held, with the farmer's full knowledge, more land than they paid rent for. Not only will the rates, if it is attempted to apply any, be found different in neighbouring villages in the estates, but in adjoining holdings in the same village, and in fact for some years past, it would appear that within certain limits the amounts paid have really varied in a great measure according to the strength of the ryot's character and influence ever others."

History of the Jaypur Government estates.

7. Whether owing to their general unhealthiness, as is usually supposed, or to some other reason, the population of these mehals, and with it the area under cultivation, appear to have always been comparatively small and to have been subject to considerable fluctuations. The estates became the property of Government a little less than half a century ago, simply because their proprietors were unable to meet their engagements. They are seven in number, and were purchased by Government at sales for arrears of revenue on the following dates:—

1. Lot Chhawalpara . . . . March 1836.
2. Kishamat Saguna . . . . November 1835.
3. Hudda Puranapail . . . . February 1835.
4. Hudda Baguri . . . . December 1831.
5 Hudda Balighata . . . . August 1828.
6 Devkhanda . . . . 19th April 1837.
7. Dharanji . . . . 5th April 1837.

In 1837 and 1838 these estates were let in farm to Mr. Payter, with the exception of Dharanji, for which another farmer agreed in 1839 to pay a *jama* of Rs. 609-9 with a yearly increase of Rs. 10. As he failed, however, to meet his engagements, the farm of that estate was taken from him in 1841 and given to Mr. Payter at a reduced *jama* of Rs. 431-11-2½. It is instructive to note how the *jama* of these estates fluctuated with different farming leases. I have been unable to obtain this information with respect to Kishamat Saguna and Devkhanda; but the following table will shew the farming *jama* for the rest at different periods, of which I have obtained a record:—

NAME OF ESTATE.	Former Government revenue.	1838.	1841.	1847.	1854.	1863.	1869.	1873.	1874.	1878. Settlement Deputy Collector's *rental*.	1878. Ultimate (present) *rental*
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs
Chhawalpara . .	10,245	7,800	7,800	9,031	......	......	......	9,122	15,284	31,507	25,609
Kishamat Saguna .	......	......	......	......	......	..	......	1,948	......	7,517	5,239
Puranapail . .	......	2,200	2,200	2,300	2,200	2,222	2,222	2,222	2,419	3,485	3,529
Baguri . . .	......	1,000	1,000	1,000	1,000	1,010	1,010	1,010	1,268	2,141	1,681
Balighata . . .	......	1,800	1,800	1,800	1,800	1,018	1,018	1,018	1,018	1,654	1,187
Dharanji . . .	680	609	431	431	561	561	583	567	583	1,130	871
Devkhanda . . .	......	......	......	......	......	......	......	605	......	1,653	803

The fluctuations in the jamas of lot Chhawalpara, Balighata, and Dharanji are particularly instructive in indicating what changes in the area under cultivation must have taken place. Mr. Payter did much for the improvement of the estates by introducing Bunas and others from Chutia Nagpur. The indigenous population are averse to hard labour of every kind, but these Bunas are said to be capital hands at clearing jungle lands, which they got

from Mr. Payter on specially favourable terms, often with the addition of advances by way of supplying them with some capital. Still as much as 37 per cent. of the total area of the mehals is at present uncultivated, and of this only one-fourth is unculturable. The following table shews the cultivated and uncultivated area in each estate:—

NAME OF ESTATE.	Cultivated area in acres.	Uncultivated area in acres.	Total area in acres.	Present Government rental.
				Rs.
Lot Chhawalpara	12,285	6,011	18,296	25,909
Kishamat Saguna	4,838	2,935	7,773	5,229
Hudda Puranapail	1,580	588	2,168	3,529
Hudda Baguri	643	705	1,348	1,681
Hudda Balighata	498	735	1,233	1,187
Dharanji	431	151	582	871
Lot Devkhanda	557	888	1,445	898
TOTAL	20,838	12,013	32,845 [=51 sq. miles.]	39,199

In Kishamat Saguna, Government only possesses a joint share with other proprietors and this varies in different villages. In the total rental is included Rs. 100 for *hâts*, and Rs. 251 for fisheries. At the last census the population of the mehals was returned as 19,694, or the average of 386 to the square mile. I do not know whether the necessary adjustments were made in the draft schedules from which these figures have been taken: judging from the state of the country, I should hardly have thought that the population was as much as nearly 400 to the square mile. Taking five as the ordinary size of a family, we get as the average size of each holding 5¼ acres or 11 local bighas. The number of tenants on the estates is, however, 5,115, which reduces the average size of a holding to a little over 4 acres or 8¾ local bighas. A local bigha is equivalent to $\frac{1}{1}\frac{8}{8}$, or a little over half of an acre.

Reasons why no adjustment between Rent rates and Soil classification can be preserved in this tract of Country.

8. In view of the figures given above, it is not to be wondered at that there is competition rather on the part of zemindars for ryots than on the part of ryots for land, and that the latter frequently relinquish their holdings in the hope of securing better terms elsewhere. For the useful Bunas specially there is considerable competition on the part of neighbouring zemindars, and the promise of being allowed to hold any land they clear rent-free for, say, ten years, is generally sufficient to induce them to take up new land. I am informed that the promise on which they are induced to clear land in other zemindaries is occasionally broken, and in that case they readily migrate elsewhere, leaving the land they have cleared to be occupied by ryots who are willing to pay the zemindar a fair rent for it. But the indigenous population are quite as migratory in their habits, and they have but little affection for their homesteads, for it is the general custom to relinquish the whole holding at a time. They almost invariably succeed in obtaining good land on more favourable terms than their old holding. I observe from Mr. H. R. Reily's report No. 268 of the 15th October last, a copy of which has been forwarded to me by the Board, that in the Chanchal estates in Maldah also "land was too plentiful and the zemindars were only to anxious to entice away the tenants of their neighbours, to permit the screw being applied too severely;" but their tendency to relinquish their *jotes* and become *paikasht* tenants on neighbouring estates was restrained somewhat by the advantage their landlord was able to take of their affection for their homestead lands to raise arbitrarily the rates for these. In the western portion of the Bogra district the ryots do not appear to have any such affection for their homesteads as the Chanchal ryots have, and they frequently move from one village or estate to another. The following figures will shew what changes of this nature have occurred in the Jaypur estates during the three years that have elapsed since the last settlement was concluded:—

YEAR.	LAND RELINQUISHED OR ABANDONED.		RELINQUISHED LAND RE-LET TO				CLEARED AND UNCLEARED WASTE LAND TAKEN UP BY			
			Resident ryots.		Paikasht ryots.		Resident ryots.		Paikasht ryots.	
	Number of ryots.	Area in local bighas.	Number of ryots.	Area.	Number of ryots.	Area.	Number of ryots.	Area.	Number of ryots.	Area.
1879-80	170	1,353	95	452	44	328	175	477	74	306
1880-81	129	835	73	422	6	45	176	401	30	59
1881-82	190	1,301	120	663	21	69	160	450	46	242
TOTAL	489	3,489	288	1,537	71	442	511	1,328	150	607

These figures are very instructive. They show that nearly 10 per cent. of the holdings have been vacated during these three years, and that no less than 1,320 local bigahs, or 622 acres of land, which was cultivated three years ago, have gone out of cultivation. The excess 615 bigahs of new land taken up over and above the quantity of land which has gone out of cultivation has, however, prevented the total rental from being reduced in the interval by more than Rs. 48; but the results vary considerably in different villages and from year to year. Under such circumstances, it is pretty clear why the ryots are "masters of the situation," and can practically dictate their own terms.

Diversity of rates in the Jaypur Estates.

9. That rents have hitherto been determined in this part of the country by competition, may be gathered from the great diversity observable in the rates of rent for different villages which were ascertained by the Settlement Deputy Collector. As has been already explained in paragraph 4 of this report, there were really no rates of rent at all based on soil classification; but the Deputy Collector ascertained what were understood to represent rates of rent in each village in the Government estates and in the vicinity, although the full rates were seldom actually levied. These rates disclose far greater diversity between village and village than could possibly be due to difference in soil and situation, and can only be explained on the understanding that they have been determined solely by competition. I subjoin a list of the rates found by the Settlement Deputy Collector in the Government villages, and those adjacent to them in two tracts of country—one the northern, and the other the south-eastern portion of the mehals. I have selected these tracts because in them villages belonging to other proprietors are found adjacent to the Government villages. The south-eastern portion is the best populated and cultivated tract in the mehals, and pays the highest rates of rent. The villages belonging to Government are underlined in the two tables, and the rates for them are those fixed by the farmer in 1865, and were considered by the Deputy Collector to be fair and equitable, although he gives no information from which his reasons for coming to this conclusion can be gathered:—

TABLE I.

Northern portion of Mehals.

NAMES OF VILLAGES.	Bastu.	First Quality.	Second Quality.	Third Quality.	Fourth Quality.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Kalyanpur	2 0 0	1 4 0	1 0 0	0 12 0	...
Chak Prayag	0 15 7	0 15 7	0 15 7	0 15 7	0 15 7
Ramkristapur	2 0 0	1 12 0	1 4 0	0 14 0	0 10 0
Durgapur	2 4 0	1 8 0	1 0 0	...	...
Kariya	2 0 0	1 4 0	0 12 0	0 8 0	0 4 0
Alinagar	1 0 0	0 9 0	0 6 0	...	0 4 0
Baliyatoir, I	2 0 0	1 4 0	0 12 0	0 8 0	0 6 0
Baliyatoir, II	2 0 0	1 8 0	1 0 0	1 0 0	1 0 0
Rabunapur	2 0 0	1 4 0	1 0 0	0 12 0	0 6 0
Bara Dhawagir	2 0 0	1 8 0	1 0 0	1 0 0	1 0 0
Jaydubpore	2 0 0	1 4 0	1 0 0	0 12 0	0 8 0
Phutan	2 0 0	1 8 0	1 0 0	1 0 0	1 0 0
Asharya	4 0 0	3 0 0	2 8 0	2 0 0	1 8 0
Srimukh	2 0 0	1 4 0	1 0 0	...	...
Ramnagar	2 0 0	1 8 0	1 0 0	1 0 0	...
Darpoil	2 0 0	1 8 0	1 4 0	1 0 0	0 12 0
Anantapur	4 0 0	3 0 0	2 8 0	2 0 0	1 8 0
Damudarpur, I	...	1 8 0	1 4 0	1 0 0	0 12 0
Damudarpur, II	3 0 0	3 0 0	2 8 0	2 0 0	0 12 0
Kristapur	2 0 0	1 12 0	1 8 0	...	...

Names of Villages.	Bastu.	First Quality.	Second Quality.	Third Quality.	Fourth Quality.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Madakur	3 0 0	3 0 0	2 8 0	2 0 0	...
Chota Manika, I	2 0 0	1 8 0	1 4 0	0 12 0	...
Chota Manika, II	3 0 0	3 0 0	2 8 0	2 0 0	1 12 0
Damdama	3 0 0	3 0 0	2 8 0	2 0 0	1 12 0
Malancha	5 0 0	2 0 0	1 0 0	0 12 0	0 4 0
Kesubpur	2 0 0	1 8 0	1 4 0	1 0 0	0 8 0
Tigbahar	3 0 0	3 0 0	2 8 0	2 0 0	1 12 0
Taralpur	2 0 0	1 8 0	1 4 0	...	...
Dhawagir	2 0 0	1 8 0	1 0 0	1 0 0	1 0 0
Paruil	2 0 0	1 8 0	1 0 0	0 12 0	0 8 0
Shamshabad	2 0 0	1 8 0	1 4 0	1 0 0	0 10 0

TABLE II.

South-eastern portion of Mehals.

Names of Villages.	Bastu.	First Quality.	Second Quality.	Third Quality.	Fourth Quality.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Gabarpur	2 0 0	1 8 0	1 4 0	1 0 0	0 12 0
Kaunpore	5 0 0	2 8 0	2 0 0	1 8 0	1 0 0
Parbari	2 0 0	1 12 0	1 8 0	...	1 0 0
Chah Gobinda	5 0 0	4 0 0	2 8 0	2 0 0	...
Munail	...	1 10 0	1 4 0	0 10 0	...
Srirampur	...	1 12 0	1 6 0	1 0 0	0 12 0
Gandharbapur	3 0 0	2 0 0	1 8 0	1 0 0	...
Syampur	2 0 0	2 0 0	2 0 0	2 0 0	2 0 0
Chak Nizam	2 0 0	1 8 0	1 4 0	1 2 0	...
Shalbon	2 0 0	1 12 0	1 8 0	1 4 0	...
Ranahar	1 8 0	1 8 0	1 8 0	1 8 0	...
Nunuj	2 0 0	0 12 0	1 4 0	0 12 0	0 8 0
Kalachit	2 0 0	1 12 0	1 8 0	1 4 0	1 0 0
Chapadal	2 0 0	1 8 0	1 4 0	...	...
Matapur	2 0 0	1 8 0	1 4 0	0 12 0	0 8 0
Gangaprasad, I	2 0 0	1 8 0	1 4 0	0 12 0	...
Gangaprasad, II	3 0 0	2 0 0	1 8 0	1 0 0	...
Rukundipur	2 0 0	1 10 0	1 6 0	1 0 0	0 13 0
Jamalpur	4 0 0	2 0 0	1 8 0	1 0 0	0 12 0
Chak Jagutsing	2 0 0	1 12 0	1 4 0	0 12 0	0 8 0
Bazrug	1 7 0	1 7 0	1 7 0	1 7 0	1 7 0
Dadra	1 0 0	1 0 0	1 0 0	1 0 0	1 0 0
Ainullah	5 0 0	3 0 0	2 0 0	2 0 0	2 0 0
Chanda	2 4 0	2 0 0	1 10 0	1 8 0	1 4 0

The rates are the same for low land as for upland. In the case of some of the villages of private proprietors in the second tracts, the rates appear very high compared with those in the Government villages. These, however, the ryots pay willingly enough, as they have generally extended their holdings considerably beyond the quantity of land for which they pay rent: and if the rates pressed upon them in the least, I am informed that they would have no hesitation in relinquishing their holdings.

Calculation of what may be assumed to represent existing Rates of Rent.

10. The diversity disclosed by these rates is due to the varying demand for land in each village, and the comparative strength of the ryot's position. The effect of the last settlement in 1878, on the basis of terms dictated by the ryots, was to intensify this diversity. Although at that settlement rates were entirely swept away in Government villages, I have been able to calculate for each village on the basis of the farmers' rates fixed in 1865 and accepted by the Deputy Collector what we may assume to represent the rates now actually paid. The settlement records show the quantity and quality of cultivated land in each holding, and its gross rental as the rates accepted by the Deputy Collector. We may take for granted that the ratio between these rates was admitted by the ryots to be fair; and although they disputed the correctness of his classification of their lands, we may assume that what he gives as the quantity of the land of each quality in the village is a pretty near approximation to the truth—at any rate, it is as near an approximation as we can get. On these assumptions, I have been able to calculate for each village in the mehals what effect the difference between the gross rental ultimately agreed to by the ryots and that fixed by the Deputy Collector has made upon the rates accepted by him. This has been a laborious process, and my establishment has found great difficulty in obtaining the necessary *data* in the case of the 53 villages in estate Kishamat Saguna, as, besides holding a varying *izmali* share in each of these villages, the Government is full proprietor of numerous specific and ill-defined areas of land in them. But for these difficulties, I should have been able to submit this report on a much earlier date. In view, however, of the basis from which the present enquiries have to start, I deemed it necessary to make this attempt to get at existing rates of rent. I subjoin a table showing the *maxima* and *minima* rates of rent ascertained in this way, excluding, however, the abnormal case of the large village of Pahunanda, in which there is so much waste land that the cultivated area pays a uniform rate of only 1 anna 1 pie per standard bigha:—

Description of Land.	Rates per local bigah.		Rates per standard bigha.		Rates per acre.	
	Minima.	Maxima.	Minima	Maxima.	Minima.	Maxima.
	Rs. A. P.	Rs. A. P	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Bastu	0 11 0	2 11 8	0 7 1⅛	2 1 7	1 7 1	6 5 7
First quality	0 5 1½	2 6 2½	0 3 0	1 13 4	0 10 9½	5 8 9
Second ditto	0 4 0	2 0 9	0 2 5⅛	1 9 2	0 8 5	4 12 1
Third ditto	0 3 2⅜	1 13 0	0 2 2½	1 4 3	0 6 9⅕	3 13 3⅓
Fourth ditto	0 2 1¾	1 8 2	0 1 5⅜	1 0 11	5 4 5¼	3 2 7⅓

The highest rates are found in the village of Srirampur and Chanda, in the south-eastern and best populated portion of the mehals, the uncultivated culturable land in the former amounting to only 4·3 per cent. of the area, and the latter to only 3·7 per cent. That even these, the maxima rates, do not press upon the cultivators, is shown by the circumstance that the gross rental which they voluntarily agreed to pay is in Srirampur 36 per cent. and in Chanda 19 per cent. above what the Deputy Collector fixed it at. The average rates fixed by him for the Government villages enumerated in the second table given in last paragraph are only Rs. 2-0-7, Re. 1-10-7, Re. 1-5-7, Re. 1-0-0, and Re. 0-12-7 per local bigah for the different qualities of soil; and the rents *ultimately* agreed to for the same villages give an average of only Re. 1-12-1, Re. 1-9-1, Re. 1-4-5, Re. 0-15-7, and Re. 0-11-1 per local bigah. These latter rates may be taken, therefore, as the prevailing rates in the most highly assessed portion of the mehals; they are equivalent to Re. 1-5-7¾, Re. 1-3-3¾, Re. 0-15-8¾ Re. 0-12-0, and Re. 0-8-6¾ per standard bigah respectively, or Rs. 4-1-4, Rs. 3-10-7, Rs. 2-15-7, Rs. 2-4-4, and Re. 1-9-11 per acre. Taking in a similar manner 21 Government villages in the north central portion of the mehals, in which the rates appear on the whole to be the lowest, I find that the average rates ultimately agreed to were:—

	Per local bigah.	Per standard bigah.	Per acre.
	Rs. A. P.	Rs. A P.	Rs. A. P.
Bastu	1 4 10	0 12 3	2 5 1
First quality	0 13 3	0 8 2	1 8 8½
Second ditto	0 10 8	0 6 6⅓	1 3 9
Third ditto	0 8 10	0 5 5	1 0 4½
Fourth ditto	0 6 3	0 3 10	0 11 7

The mean of these two averages for the areas of highest and lowest assessment gives the fairest average for the whole mehals, although the rates for the two lowest qualities strike me as being rather higher than the real average. An arithmetical mean between the maxima and minima rates would be entirely misleading, as the great majority have rates tending rather towards the minima than towards the maxima. The mean rates for the whole estates are thus found to be :—

Description of Land.	Rates per local bigah.	Rates per standard bigah.	Rates per acre.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Bastu	1 8 5½	1 0 11⅓	3 3 2⅓
First quality	1 3 2	0 13 9	2 9 7¾
Second ditto	0 15 6⅓	0 11 1⅓	2 1 8
Third ditto	0 12 2⅓	0 8 8⅓	1 10 4¼
Fourth ditto	0 8 8	0 6 2⅓	1 2 9

This gives an average rate per local bigah of one rupee, which is just about the result which the total rental of the estates gives after deducting *lakhiraj* and *istimurare jotes*.

Average value of the gross produce.

11. I now proceed to calculate what proportion these rates bear to the gross value of the produce. As has been already remarked, rice is the preponderating crop in these estates, *aman dhan* being grown on 45 and *aus dhan* on 14 per cent. of the cultivated area, and as no distinction appears to be made in this part of the country between upland and lowland for the purposes of assessment, we may fairly refer rates of rent, such as they are, to the productive capability of rice land alone. Unfortunately, owing to a failure of the rice crop this year in the western portion of the Bogra district, I have been unable to test, by experimental enquiries, the average outturn of rice on each quality of soil. It is estimated that, owing to want of rain, *aman dhan* has this year been grown only on about 25 per cent. of the area usually grown with that crop; and where it has been possible to produce a crop, the outturn must be very much less than it would be in ordinary years on the same land, except on lands where the crop is usually destroyed by inundation. How much less it probably is, it is extremely difficult to estimate; there is no criterion by which we can arrive at a conclusion, and it will be less in some villages than in others. On the other hand, where there is what has been described in paragraph 3, as the lower sort of rice land on which the crop is usually destroyed by inundations, the outturn has been better than on the very best land, and that too in inverse proportion to the quality of the soil. In most of the villages in the mehals there is some land of this kind, and in the southern portion there is hardly a village in which rice has this year been grown except on this lower sort of land. In all but one or two villages in the whole estates it was impossible to find a crop on more than two qualities of soil, and in two out of the four villages where I found rice on three qualities, I had for the purposes of experiment to cut two out of three specimens of the third quality out of one and the same plot. The result of the few experiments I was able to make was that in villages with *khiyar* (clayey) soil, the outturn of clean rice averaged 4 maunds 11 seers and 12 chittacks, and on *pali* (alluvia) soils of the higher sort 9 maunds and 35 seers per acre. These results show a very poor harvest, even although the experiments were made in villages with the best crop, for the best information I can obtain leads me to conclude that the average outturn of clean rice in ordinarily good years is at least 15 maunds. Judging as best as I can, I should say that the outturn this year on lower third quality land is somewhat less than that on first quality land in an ordinarily good year; that on lower second quality land somewhere between this and on higher second quality land; and that on first quality and higher second quality land about half and three-eighths of an ordinarily good outturn. But there is no certainty about this, and the estimate would not be the same for all villages. The year is an exceptional one, and the general impression seems to be that it is not much better than the famine year 1874. Even if the Rent Bill were already law, I do not think it would be possible to frame rates of rent in a year like this, or at any rate to test what proportion existing rents in each village bore to the average value of the gross produce. After having been over all the *dhan* villages in the mehals, I have been obliged to give up the attempt to ascertain, by actual experiment, the outturn of rice on the various qualities of soil, and to obtain some idea of the average produce. I have been compelled to rely on what information I have been able to gather from the most intelligent residents on the Government estates and in the neighbourhood. It is, however, very difficult to get reliable information on these points hereabouts, as almost all the *aman dhan* is usually required for local consumption, and few people have any occasion therefore to be acquainted with the bigah produce of their fields. Taking the estimate, however, in which

most of those who were able to give me any agreed, I find the average produce of *aman dhan* in ordinarily good years to be :—

QUALITY OF LAND.	OUTTURN OF PADDY.			OUTTURN OF CLEAN RICE.		
	Per local bigah.	Per standard bigah.	Per acre.	Per local bigah.	Per standard bigah.	Per acre.
	Mds. S. C.	Mds. S. C.	Mds. S. C.	Mds. S. C.	Mds. S. C.	Mds. S. C.
First quality	15 0 0	10 19 6	31 28 10	10 20 0	7 13 9	22 8 2
Second ditto	11 10 0	7 34 8½	23 31 9	7 35 0	5 20 3	16 26 2
Third ditto	7 20 0	5 9 11	15 34 6	5 10 0	3 26 12	11 4 1
Fourth ditto	6 0 0	4 7 12	12 27 8	4 8 0	2 37 7	8 35 4
Average .	9 37 6	6 37 13	21 0 8	6 38 4	4 34 8	14 28 6¼

The average outturn of 14¾ maunds of clean rice per acre is probably somewhat under the mark, as in ordinarily good years more rice land of the first and second qualities taken together is cultivated than of the third and fourth. I have taken the outturn of clean rice as $\frac{7}{10}$ths that of paddy, as this appears to be the proportion established for *amun dhan* by the experiments reported in the *Statistical Reporter*, volume I, page 290. The general result is about the same as that taken by Mr. MacDonnell as a fair average outturn from an acre of single-crop rice land in an ordinarily good year in the adjoining district of Rungpore, namely, 15 maunds (*vide* "Report on the food-grain supply of Bengal and Behar," page 233). This we may take as the average outturn. I find that the price of rice varies considerably at the different local hâts. The average price for the last five years during the months in which the ryots ordinarily sell their rice is Re. 1-9 per standard maund, and this, I understand, is a fair average general price. For three years following the famine the price was unusually high; but last year and the year before the price was very low, only Re. 1-1-6 and Re 0-15-3 per maund respectively. Notwithstanding the facilities for export afforded by the railway, prices have declined during the last five years. That they have not been increasing is not wonderful, considering how little of the *aman dhan* grown in these mehals is available for export. Taking the daily consumption at ¾ths of a seer per head of the population as a rather liberal allowance, I estimate the quantity of rice required for local consumption at 1,34,700 maunds per annum. The area in *aman dhan* is about 9,400 acres, so that the annual outturn will be about 1,41,000 maunds, of which about 9,400 would be required for seed and will not have been husked. What is required for seed and for local consumption would absorb the outturn of *aman dhan*, but a portion of the local consumption of rice is supplied by *aus dhan*, and no doubt some *aman dhan* is exported.

Percentage which the supposed existing rates of rent bear to the value of the gross produce.

12. On the whole, we may take Rs. 1-9 as fair average price of rice, and at this price the following table shows what preceentage of the gross value of the produce are :—(1) the maxima rates discoverable anywhere in the mehals; (2) the average rates in the tract most highly assessed ; (3) the average rates in the tract where the assessment is lightest, and (4) the maxima rates. These rates have already been given in paragraph 10 :—

DESCRIPTION OF LAND.	Average outturn of clean rice per local beegah.	Value of produce.	PERCENTAGE OF GROSS VALUE OF PRODUCE OF—			
			Maxima rates.	Average higher rates.	Average lower rates.	Minima rates.
	Md. s. c.	Rs. a. p.				
First quality	10 20 0	16 6 6	14 5	10 3	5 1	1 9
Second "	7 35 0	12 5 0	16 6	10 9	5 4	2 0
Third "	5 10 0	8 3 3	22 1	12 2	6 5	2 3
Fourth "	4 8 0	6 9 0	23 0	12 0	5 9	2 0
Average .	6 38 4	10 14 0	19 0	11 3	5 7	2 0

At the unusually low price of 15 annas 3 pies per maund, the percentage of rates to the gross value of the produce was for the various qualities of soil in the area of highest assessment 15·7, 17, 19·4 and 17·3 and in that of lowest assessment 8·3, 8·9, 11, and 9·7. The rates, therefore, are moderate, and it must be borne in mind that virtually it is the ryots themselves who fixed them.

Material condition of the peasantry.

13. As might be expected, the ryots in this part of the Bogra district, and particularly in the Government estates, are substantially well off. They appear to be a contented lot, and

they can afford to be very independent. A comparison of the average income and expenditure of an ordinary cultivator will furnish another test of the moderateness of the assessment for this purpose. I shall take the usual case of a family consisting of the cultivator, his wife and three children, the latter all under the age at which they would be able to assist their father in the labour of the fields, and so enable him to extend his cultivation in proportion to the subsistance required for his family. On a very liberal estimate the daily consumption of rice of such a family would be—

	Seers.
For the two adults	1¾
For the three children	1¾
Extra	½
TOTAL	4

The annual consumption of rice would therefere be 36½ maunds. The cultivator would be able, unassisted, to till 11 local beeghas of land, on which he would probably grow *aman* and of 1½ *annas dhan* The outturn in clean rice would be about 35 maunds of *aman* and 10 of *aus*. About three maunds would be set aside for seed and for provision for wastage, so that there would be surplus of about 5½ maunds after providing for subsistence, and it must be remembered that a liberal allowance has been made for that on one beegha of his holding the cultivator would grow *kesari* and *masuri*, but only sufficient for his own consumption. Half a beegha he would devote to the cultivation of chillis, potatoes, &c., with the sale-proceeds of which, after providing what he needs for his own consumption, he would be able to pay for all the salt, oil, fish, and other articles of food he might require. The whole of the produce of the rest of his land he can therefore afford to sell. This will usually be two beeghas of mustard (sharisha), half a beegha of jute, and half a beegha of sugarcane. The net value of the produce of these crops, after deducting all expenses for their cultivation and bringing them to market, would be—

	R	a.	p.
Mustard	10	0	0
Jute	6	0	0
Gur	12	8	0
TOTAL	28	8	0

Adding to this Rs. 7-10 as the value of the 5½ maunds of rice he has over for sale, he will have over Rs. 36 with which to meet all his other expenses. His rent at the average rate in these mehals will be Rs. 11 and his chowkidari tax Rs. 1. He own and his wife's clothing may cost him Rs. 6 and his children's Rs. 2. All his other necessary expenses, such as the cost of purchasing agricultural implements and domestic utensils, and of getting his house repaired, will not amount to more than Rs. 6. Most ryots have two or three cows, from which they breed their own plough-cattle. There is no expense involved in maintaining any number of cattle the ryot may care to keep; good pasturage is abundant, and the *dhan* stubble is also used as food. What labour is required, except for the preparation of *gur* (and this has been already taken into account), has not to be paid for, as the villagers help each other in turns. At the outside, therefore, the cultivator's annual expenses cannot exceed Rs. 26, and to meet this he has an income of at least Rs. 36, leaving him with a surplus of Rs. 10. The estimate of expenditure is purposely a liberal one, and as most ryots have some one in their family who can keep them to cultivate a considerably larger holding than that which I have assumed, we may conclude that a ryot is generally a good deal better off than this estimate would make him out to be.

Impracticability of applying Rates of Rent in the present condition of the Country.

14. In every view of the circumstances, therefore, it seems to me that competition cannot yet have forced up rents in the Jaypur estates to the point at which it would be possible to apply the principles of the Rent Bill in order to secure their being fair to the ryots. To revise them in favour of the landlord, so as to make them fair and equitable to both parties, may be abstractly possible in accordance with the principles of the Rent Bill, but the application of the rates in practice would be difficult, and any adjustment which it may have been possible to effect between rent rates and soil classification would soon be disturbed by the interest zemindars would have in endeavouring to meet their ryots half way. Uniformity in rates would soon disappear according to the quantity of uncultivated land available, and the strength of the ryots' position. Even if the present settlement were about to expire, I do not think that since rents were last fixed in 1878, there has been any increase in the productive powers of the soil or in the value of its produce which would justify any general enhancement of rates. As to the first ground of enhancement specified in section 22 of the Bill, I can only remark that no such thing as a prevailing rate is discoverable, and the second ground of enhancement does not properly affect *rates* at all.

Further enquiries.

15. The remarks which I have made apply to the whole area of the Jaypur Government estates. I have been directed, however, in the Board's letter No. 47A, dated the

11th instant, to limit my enquiry, so far as these estates are concerned, to the northern portion, and with the permission of the proprietors to extend my enquiries to a number of villages belonging to some neighbouring estates in this part of the district. So far as I am aware, these other villages are in precisely the same condition as the Jaypur estates, and in view of the remarks I have made, the Board may perhaps think it unnecessary for me to analyse their jamabandis in the somewhat elaborate manner in which I have had those of the khas mehals analysed. What are called the rates may perhaps be easily enough ascertained. Those for contiguous villages are contained in the proceedings of the Settlement Deputy Collector, and I have already remarked that, where these rates may appear somewhat high in comparison with our rates, the ryots are willing enough to pay them, because, by consenting to do so, they are probably able to extend their cultivation as they please without being subjected to frequent re-measurements The Board may perhaps be disposed to deem it unnecessary for me to subject the jamabandis to more than a somewhat cursory examination, unless I may happen to discover a state of things substantially different from that prevailing in the Government estates. Should the Board be of opinion that I might profitably proceed to ascertain by experiments on the different crops as they become ripe for gathering, what is the average outturn on the various classes of soil in each village, I should be obliged by being favoured with instructions for prosecuting such enquiries. Without instructions for my guidance, of a more or less precise nature, I must be apt to be myself in that "maze of isolated facts" which the Government of Bengal anticipates as the probable results of desultory enquiries conducted in the absence of some such definite basis as existing rates of rent to serve as evidence of soil classification. The instructions issued for the conduct of settlement operations in the North-West Provinces, which I have not seen, might perhaps be useful to me in such enquiries. I presume, however, that the only object which would be furthered by making these investigations would be to discover what practical difficulties might be in the way of ascertaining how far uniform rates of rent might be framed for a considerable area *in the absence of existing rates based on soil classification.* Such enquiries would possess only an experimental character, even if they were to lead to the framing of uniform rates of rent. The time has not, in any opinion, come at which it would be practicable to apply these rates in this undeveloped tract of country. With reference to Baboo Parbutty Charan Roy's scheme for determining rent rates, I may here observe that I do not think it could be practicably applied in this part of the country. Its character is too diversified to enable us to predicate any such uniformity in the quality of the soil of a particular area, as appears to be indispensable to the successful application of his system.

Summary.

16. I may close this report, which has extended to a greater length than I had hoped it would, by summing up the results of my enquiries so far as they have already gone.

I.

There is in the Jaypur Government estates and in the neighbourhood, recognised classification of the soil into two main classes—upland and lowland; and each of these is sub-divided into at most four qualities; but neither for assessment nor for any other purposes is any distinction drawn between the natural productive capabilities of the two main classes. This classification is not, however, understood by the mass of the peasantry, who speak of their lands simply as good, bad, and indifferent, and that too without distinguishing between their natural fertility and the increase in their productive powers conferred upon them through their own agency. Similarity of nomenclature does not import identity of quality in the soil of different villages, as the best land in each village after homestead land, whatever its real capabilities, is designated "first class," and the other qualities are referred to as a standard.

II.

In 1865 Mr. Payter, who farmed the Jaypur Government estates, drew up rates of rent for the different classes of soil in the holdings of such ryots as were already settled down in each village. These rates differed from village to village, not according to any real difference in the quality of the soil, but according to the abundance of waste land available for cultivation, and the strength of the position the ryots were able to take up. The custom, moreover, prevailed then and still prevails hereabouts, by which ryots relinquish their holdings generally every fourth or fifth year in the expectation, almost invariably realized, of being able to secure better terms elsewhere, and such lands could seldom be re-let at the old terms, and often went out of cultivation altogether. Besides this disturbing influence, a great quantity of new land has been taken into cultivation since that date, and let out at no rates whatever beyond an arithmetical average, which ignored the qualities each separate lot might comprise. Any connection, therefore, which may have once subsisted between rent-rates and soil classification has long ago disappeared in these mehals, and the same may probably be said of all surrounding estates. Any readjustments, moreover, of the rates to the classes of soil would, in the present undeveloped state of these estates, be again similarly overridden by the operation of what is really the principle of competition, as the law does not profess to interfere with any contract arrangements which may be prompted by a zamindar's desire to promote his own interests by accepting terms practically dictated by, and therefore necessarily fair to, his ryots.

III.

At the settlement of 1878, when the Government brought the Jaypur estates under direct management, rates of rent themselves vanished, and each ryot virtually dictated his own terms, and settled for a lump sum for his whole holding, which was not to be subject to revision for 15 years. On this basis, and this alone, the existing settlement was concluded.

IV.

Owing to the abundance of new land available for cultivation, and to there being competition rather on the part of zamindars for ryots than on that of ryots for land, the latter are still masters of the situation, and can for some time yet secure favourable terms from the proprietors of land. Under such circumstances, any attempt which might be made at present to stereotype rates of rent based on soil classification would probably fail. Rents may therefore be left in the meantime to be governed by the principle of competition, and when the proper time comes, there will not be wanting indications by which the executive officers of Government can ascertain whether it would be both desirable and practicable to bring them within the enhancement clauses of the Rent Law in the interest alike of the zamindar and of the ryot.

V.

Even if it were at present desirable in these and other estates in the western portion of the Bogra district to frame rates of rent based on soil classification which would be fair alike to the zamindar and to the ryot, the only satisfactory means of doing so, in the absence of existing rates, would be actual investigation and experiment on the fields themselves—a method precluded by the summary nature of the enquiry contemplated by Government.

Extract from a letter from BABOO PARBATI CHURN ROY, *on special duty, to the Secretary to the Board of Revenue, Lower Provinces, No. 86, dated the 24th January 1883.*

PARA 6.—The following tables, A and B, show the results of the experiments made at husking. In table A is given the result of the experiments made for obtaining the atap rice, and in table B that for obtaining the ushna from the paddy. Two experiments were made for obtaining the atap rice, and four for obtaining the ushna. All the experiments were made in my presence, and in a most careful manner. The husking was done before my very door, and the weighing and measuring were done invariably in my presence. The atap rice is obtained by husking the paddy simply dried in the sun, while the ushna is obtained from paddy that is first steeped in water and heated over a fireplace. It is then dried in the sun before being husked.

The atap is not the rice in ordinary use among the people. As a rule it is used only by the widows of the higher castes. It is considered to be much purer than the ushna, and is hence also used in the worship of the Hindu gods and goddesses. The cleansing of the paddy to obtain this sort of rice takes up more time than that to obtain the ushna. The proportion of atap rice obtained per maund is 27 seers 9 chittacks, which is about a seer less than that obtained, 28 seers 6 chittacks, of the ushna.

It will be seen that, while the quantity of husks or chaff obtained in either way is nearly the same, the quantity of fine dusts from the inner coating is greater in the case of atap than in that of ushna. The reason of it is that in undergoing the process of cleansing, the atap rice is beaten more than the ushna, and hence it gives out more dust from its inner coating than the ushna. These fine dusts, called *koorah*, are eaten by the cattle with relish.

Equal *weights* of atap and ushna are to one another in *bulk* as 39 is to 40.

A comparison of the results of the experiments made by me with those recorded at page 290 of the Statistical Reporter, show that, on the whole, the results of both the experiments are the same. The small difference of about ½ seer between the average of the two sets of experiments might be owing to the different sorts of rice experimented upon. The experiments made by me have been with the ordinary rice, which is rather coarse, while those made by Mr. Larymore seem to have been generally with the finer species. Mr. Larymore also does not state whether he obtained the atap or the ushna rice: very probably he obtained only the latter.

In bulk, it will be observed, the atap rice bears to the paddy a larger ratio than the ushna does. This is what was expected in consequence of the paddy being steeped in water and heated in making the ushna rice, which has the effect of increasing the bulk of the husk much more than that of the rice.

TABLE A.

Showing the result of two experiments made for obtaining Atap Rice, i.e., *rice obtained by husking paddy simply dried in the sun.*

Number of experiments.	Quantity of paddy.	Quantity of rice obtained.		Quantity of chaff.		Quantity of rice dust obtained.		Wastage.		Ratio of rice to paddy by weight.	Ratio of rice to paddy by bulk.
	Maunds.	Srs.	Chs	Srs.	Chs.	Srs.	Chs.	Srs.	Chs.		
1	1	27	14	9	9	2	7	0	11	·69	·54
2	1	27	4	9	9	2	8	0	11	·68	·53
Average per maund		27	9	9	4½	2	7½	0	11	·68	·54

TABLE B.

Showing the result of experiments made for obtaining Ushna Rice, i.e., *rice obtained first heating paddy steeped in water, and then drying it in the sun previous to husking.*

Number of experiments.	Quantity of paddy.	Quantity of rice obtained.		Quantity of chaff.		Quantity of rice dust obtained.		Wastage.		Ratio of rice to paddy by weight.	Ratio of rice to paddy by bulk.	REMARKS.
	Mds.	Srs.	Chs.	Srs.	Chs.	Srs.	Chs.	Srs.	Chs.			
1	1	28	1	9	12	1	9	0	10	·70	·49	The ratio of rice to paddy in bulk given in the last column, is obtained from paddy given to be husked after being steeped and dried. The ratio of rice to paddy before the latter is steeped is ·57
2	1	28	9	9	9	1	2	0	12	·71	·48	
3	1	28	6	9	13	1	0	0	13	·71	·48	
4	1	28	9	9	9	1	6	0	11	·71	·48	
Average per	maund	28	6	9	11	1	4	0	11	·71	·48	

PARA. 7.—I have called for jummabundis and other papers from the zamindars of the estates included in the selected area. As yet no papers have been filed. It is said that most of the zamindars' in this part of the country have no jummabundis, and that all that they have is the jummawasil of the kind filed by the Nabab regarding Gopinathpore. But I cannot pass any opinion on the nature of the papers they possess until I see them. The zamindars are not likely to produce papers easily, as they fear lest the fact of their not being in possession of jummabundis might go against them in future.

No. 1827-648 L. R., dated 13th July 1883.

From—C. W. BOLTON, Esq., Under-Secretary to Government, Bengal,

To—Secretary to Government of India, Legislative Department.

I AM directed to submit, for the information of His Excellency the Governor General in Council, the accompanying copies of the reports received up to date from some of the Judicial and Revenue officers in Bengal, containing expressions of their views on the provisions of the Bengal Tenancy Bill, and to state that a general report on the subject by this Government will follow in due course.

* 1. From the Commissioner of Bhagalpur, No. 1097R., dated the 20th June 1883, with enclosures.
2. From the Officiating Registrar of the High Court, Calcutta, No. 1835, dated the 27th idem, with enclosures.

No. 1097R, dated Bhagulpore, the 20th June 1883.

From—G. N. BARLOW, Esq., C.S.I., Commr. of the Bhagulpore Divn. and Sonthal Pergunnahs.

To—The Secretary to the Board of Revenue, Lower Provinces.

IN reply to your No. 351A, dated 29th March last, I have the honour to submit the report called for upon the Bengal Tenancy Bill. It is in the shape of minutes of the proceedings or a meeting of the Collectors of the Regulation Districts of this Division and myself, togethef with separate notes by the Collectors of Bhagulpore and Maldah.

Minutes of the Preceedings of a Meeting held at Bhagulpore on 11th " and 12th" June 1883, to consider the Bengal Tenancy Bill, 1883.

PRESENT :

G. N. BARLOW, Esq., C.S.I., *Commissioner of Bhagulpore, President.*
W. H. D'OYLY, Esq., *Collector of Bhagulpore.*
C. F. WORSLEY, Esq., *Collector of Monghyr.*
A. WEEKES, Esq., *Collector of Purneah.*
R. PORCH, Esq., *Collector of Maldah.*

CHAPTER I.

The definitions and rules contained in this chapter were carefully considered, and it was unanimously agreed that no alteration in them was required.

CHAPTER II.

Section 5.—It appeared that the effect of this section, as it stands at present, would be to convert into "khamar" all waste lands which, for twelve continuous years before the commencement of this Act, "might have been held by the proprietor in his own possession, and that such a result would be in direct opposition to the general principles and intention of the Bill. It was therefore unanimously agreed to recommend the substitution of the word 'cultivated' for the word 'held' in clause 1, and the addition of the words 'whether with his own stock, or by his servants, or by hired labour.'" The meeting was fully aware that the effect of this amendment, if adopted, would be to make all waste lands "ryoti," but was of

to deal with numerous applications, and that, whether applications be many or few, the officers, *i.e.*, common peons, deputed by the court to make distraint, cannot be trusted to act honestly.

CHAPTER XIV.

It was unanimously agreed that in suits for arrears of rent, which involve no questions of right or title, and in which the only point for determination is the payment or non-payment of the rent, the procedure of the civil court in regard to the recording of evidence, &c., ought to be made as summary as is the procedure of Magistrates in summary criminal trials.

The meeting having no further proposals to make, was dissolved on the evening of 12th instant.

1. (Sd.) G. N. BARLOW.
2. (Sd.) W. HASTING D'OYLY.
3. (Sd.) C. F. WORSLEY.
4. (Sd.) A. WEEKES.
5. (Sd.) R. PORCH.

The 13th June 1883.

Memorandum of a few points on which I dissented from the opinions of the majority of the Bhaugulpore Divisional Committee, which met to consider the provisions of the Bengal Tenancy Bill, on 11th and 12th June 1883.

CHAPTER I.

Section 3 (5).—According to the wording of this clause, a ryot would no longer be deemed to be a ryot, should he use or sublet his land for any purpose other than one of agriculture, horticulture, or pasture. If, therefore, a ryot should, with the zemindar's consent, use his land, or sublet it for the purpose of brick-making, for the manufacture of saltpetre, or pottery, for extraction of kunker, or for any other purpose than those named in the clause in question, would he cease to be deemed a ryot? Would the relations between him and the person under whom he held the land cease to be the relations between tenant and landlord? If he cease to be a ryot, he loses his right of occupancy. Section 230 certainly allows the recovery of anything payable or deliverable in respect of any rights of pasturage, forest rights, rights over fisheries, and the like, but would this cover the rent of land used for all purposes other than those of agriculture, horticulture, or pasture?

CHAPTER III.

Section 18.—While agreeing with the rest of the Committee that clause 1 (*b*) should be struck out, I think clause 1 (*a*) should be retained, with only this modification that the word "locality" should be substituted for the word "district."

CHAPTER V.

Section 46.—I think an exception should be made in favor of settled ryots whose holdings may be cut away by diluvion. In many parts of the country it is the custom to re-instate ryots whose holdings have been cut away by a river, so soon as re-formation *in situ* occur. The Committee seemed to be of opinion, when I raised this question, that as such ryots could retain their rights by continuing to pay rents till their lands should re-form, no further protection was necessary. In this view I differ. It is manifestly absurd to compare zemindars with ryots. A zemindar whose estate has been cut away by a river can generally afford to go on paying the Government revenue till a re-formation *in situ* occur; but how many ryots could afford to continue paying rents for lands not in existence?

CHAPTER VI.

Sections 76, 77, 78.—Some exception should, I think, be made in respect of recently reclaimed lands. For example, after the passing of this Bill into law, a zemindar A wishes to get from his ryot B a *fair* rent for his holding. B has held this land as a ryot for, say, four or five years, at first rent-free, latterly on payment of a nominal rent of two annas per bigah; a concession granted to compensate B for the cost of clearance, &c. Should this Bill pass into law, the zemindar A can enhance the rent; but under the terms of section 76 the enhanced rent cannot be more than at a rate of four annas a bigah, *i.e.*, double of the rent previously paid; and by the terms of section 78 this rate of four annas per bigah cannot be raised for ten years, when it can be raised to eight annas per bigah, and after another ten years it can be raised to one rupee per bigah, and so on. Thus, supposing the land in, say, 1884 A. D. is equal to lands for which three rupees per bigah is paid as rent, the landlord will have to wait for 50* years before he can legally recover a fair rent!!! These remarks apply also to the provisions of section 59 (2).

* Year.	Rent. Rs.	As.
1884	0	4
1894	0	8
1904	1	0
1914	2	0
1924	3	0

TABLE B.

Showing the result of experiments made for obtaining Ushna Rice, i.e., rice obtained first heating paddy steeped in water, and then drying it in the sun previous to husking.

Number of experiments.	Quantity of paddy.	Quantity of rice obtained.		Quantity of chaff.		Quantity of rice dust obtained.		Wastage.		Ratio of rice to paddy by weight.	Ratio of rice to paddy by bulk.	REMARKS.
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Average per	maund .	28	6	9	11	1	4	0	11	·71	·48	

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CHAPTER I.

The definitions and rules contained in this chapter were carefully considered, and it was unanimously agreed that no alteration in them was required.

CHAPTER II.

Section 5.—It appeared that the effect of this section, as it stands at present, would be to convert into "khamar" all waste lands which, for twelve continuous years before the commencement of this Act, "might have been held by the proprietor in his own possession, and that such a result would be in direct opposition to the general principles and intention of the Bill. It was therefore unanimously agreed to recommend the substitution of the word 'cultivated' for the word 'held' in clause 1, and the addition of the words 'whether with his own stock, or by his servants, or by hired labour.'" The meeting was fully aware that the effect of this amendment, if adopted, would be to make all waste lands "ryoti," but was of

to deal with numerous applications, and that, whether applications be many or few, the officers, *i.e.*, common peons, deputed by the court to make distraint, cannot be trusted to act honestly.

CHAPTER XIV.

It was unanimously agreed that in suits for arrears of rent, which involve no questions of right or title, and in which the only point for determination is the payment or non-payment of the rent, the procedure of the civil court in regard to the recording of evidence, &c., ought to be made as summary as is the procedure of Magistrates in summary criminal trials.

The meeting having no further proposals to make, was dissolved on the evening of 12th instant.

1. (Sd.) G. N. BARLOW.
2. (Sd.) W. HASTING D'OYLY.
3. (Sd.) C. F. WORSLEY.
4. (Sd.) A. WEEKES.
5. (Sd.) R. PORCH.

The 13th June 1883.

Memorandum of a few points on which I dissented from the opinions of the majority of the Bhaugulpore Divisional Committee, which met to consider the provisions of the Bengal Tenancy Bill, on 11th and 12th June 1883.

CHAPTER I.

Section 3 (5).—According to the wording of this clause, a ryot would no longer be deemed to be a ryot, should he use or sublet his land for any purpose other than one of agriculture, horticulture, or pasture. If, therefore, a ryot should, with the zemindar's consent, use his land, or sublet it for the purpose of brick-making, for the manufacture of saltpetre, or pottery, for extraction of kunker, or for any other purpose than those named in the clause in question, would he cease to be deemed a ryot? Would the relations between him and the person under whom he held the land cease to be the relations between tenant and landlord? If he cease to be a ryot, he loses his right of occupancy. Section 230 certainly allows the recovery of anything payable or deliverable in respect of any rights of pasturage, forest rights, rights over fisheries, and the like, but would this cover the rent of land used for all purposes other than those of agriculture, horticulture, or pasture?

CHAPTER III.

Section 18.—While agreeing with the rest of the Committee that clause 1 (*b*) should be struck out, I think clause 1 (*a*) should be retained, with only this modification that the word "locality" should be substituted for the word "district."

CHAPTER V.

Section 46.—I think an exception should be made in favor of settled ryots whose holdings may be cut away by diluvion. In many parts of the country it is the custom to re-instate ryots whose holdings have been cut away by a river, so soon as re-formation *in situ* occur. The Committee seemed to be of opinion, when I raised this question, that as such ryots could retain their rights by continuing to pay rents till their lands should re-form, no further protection was necessary. In this view I differ. It is manifestly absurd to compare zemindars with ryots. A zemindar whose estate has been cut away by a river can generally afford to go on paying the Government revenue till a re-formation *in situ* occur; but how many ryots could afford to continue paying rents for lands not in existence?

CHAPTER VI.

Sections 76, 77, 78.—Some exception should, I think, be made in respect of recently reclaimed lands. For example, after the passing of this Bill into law, a zemindar A wishes to get from his ryot B a *fair* rent for his holding. B has held this land as a ryot for, say, four or five years, at first rent-free, latterly on payment of a nominal rent of two annas per bigah; a concession granted to compensate B for the cost of clearance, &c. Should this Bill pass into law, the zemindar A can enhance the rent; but under the terms of section 76 the enhanced rent cannot be more than at a rate of four annas a bigah, *i.e.*, double of the rent previously paid; and by the terms of section 78 this rate of four annas per bigah cannot be raised for ten years, when it can be raised to eight annas per bigah, and after another ten years it can be raised to one rupee per bigah, and so on. Thus, supposing the land in, say, 1884 A. D. is equal to lands for which three rupees per bigah is paid as rent, the landlord will have to wait for 50* years before he can legally recover a fair rent!!! These remarks apply also to the provisions of section 59 (2).

* Year.	Rent. Rs.	As.
1884	0	4
1894	0	8
1904	1	0
1914	2	0
1924	3	0

CHAPTER VII.

Section 82.—I certainly think that the *zemindar* should *also* have the power to sue for the commutation of rents paid in kind into a money rent. When I was Collector of Shahabad, Mr. Walter Thompson of Beheea, who was justly considered to be a very fair and, indeed, a model landlord, told me that he had always found that "*bhowli*" lands were worse cultivated than those for which a money rent was payable. The cultivator of *bhowli* lands is not under the *necessity* of doing his best to secure an yield that would pay a money rent of, say, Rs. 3, Rs. 4, or Rs. 5, a bigah, and leave him something over. He is sure of half the produce, and will not be liable for any rent beyond the other half of the produce. It may be argued that every ryot will try and make as much out of his land as he can, but those who have really looked into the matter, who have made close enquiries, will find, as I have done, that very many of the ryots will not take the trouble to get all they can out of the land. There are good cultivators and bad cultivators, and the latter predominate, and among them generally are to be found those who pay rents in kind. I will give as an instance one out of *very many* cases of the kind which come under my observation in this district. I was making enquiries as to rates of rent, yield of produce, &c. I found very unequal yields even in lands of the same quality, the same soil, the same level, with equal advantages. In one particular field I found a very fine crop of rice, which in the next the crop was a *remarkably* poor one. Both fields belonged to one and the same ryot. The soil was the same in both, the facilities for irrigation were equal, and neither had an advantage which the other lacked. I questioned the ryot, and found that he had some 30 bigahs of land. Of these six or ten bigahs at the most were well cultivated, and were returning a good yield, the rest were comparatively poor. He told me that he could not bestow the same care and attention *on all*, so he did all he knew with as much of the land as he could, the produce would pay the rent of the whole 30 bigahs, and he could take what God gave him out of the remaining 20 bigahs; he simply sowed them broadcast and trusted to the rainfall. He had lands for which he paid a money rent, as well as lands for which he paid rent in kind, *the latter were not the best cultivated.* Why should the zemindar, I ask, be prohibited from getting a fair money rent if he wishes. Why should an idle ryot be allowed to hold lands on the payment-in-kind system, when he does not attempt to get the best return he can out of them. For my part, I should be very glad if large ryoti holdings could be reduced; if occupancy rights could be restricted to the actual cultivators.

CHAPTER VIII.

Section 85 (2).—I am very much afraid that it will be found in time that the effect of this section will be that *in some* villages all or a great portion of the bastu lands will belong to persons other than the cultivators. Then where is a zemindar to find house-lands for his ryots?

Section 95.—To this the remarks apply, which I have made under sections 76,77,78, Chapter VI.

CHAPTER IX.

Section 125 (2) —This is admirable so far as it goes, but it will not protect the zemindar's claim if the tenant's right be sold for less than the amount of rent owing, as might be the case, if the tenant owes three years' rents. I think the transferee should be made liable for any legally recoverable arrears not covered by the purchase-money, for he will have obtained the holding at less than three years' purchase, and it is a known fact that properties at public sale have fetched far below their proper value. The land should be the security for the rent, and when it is sold, it should be sold with the incumbrance of any rent due thereon. The right of pre-emption in such a case would not be sufficient; the zemindar would have to buy the right, and even granting that he might recover the price from a new tenant by way of salami or nuzzur, still he would have to give up the arrear rents as a bad debt. All that this proposal would effect would be the prevention of a sale of an occupancy right at less than three years' purchase.

CHAPTER XIII.

I think that the resolution of the Committee has not been quite correctly worded, as I understand we did not agree that it was *desirable* that this chapter should be eliminated, but that *in its present form* it would give no real advantages to landlords, and that, therefore, it would be *preferable* to eliminate it, *rather than keep it in its present form.* I myself think that the zemindars should have power to distrain *through the courts*, but I think that where a zemindar wishes to distrain the crops of *several ryots in one village*, he might be allowed to sue them collectively.

To have to put in many separate petitions, to examine the *same* witness in *each* case would make the procedure cumbrous and very expensive, both to the zemindar and also to the royts. It has been openly asserted that one of the objects of the present legislation is to afford facilities to the landlord for the settlement and recovery of his rent, whereas there can be but little doubt that the recovery of rent has been made more difficult than it previously was. I do not advocate the retention of the provisions of the present law of distraint, but I think that the provisions proposed in the Bill should be made more workable and less calculated to make recovery expensive both to landlord and tenant.

W. H. D'OYLY

BHAGULPORE,
The 17th June 1883.

Note on right of occupancy, Chapter V, section 50—Right of occupancy made transferable.

I approve of the principle of transferability of the occupancy right, and therefore have agreed to it in the report, but would like to see this incident gradually developed by extension under the order of the local Government, because in some parts of Bengal, when enacted, it will at once lean to a very general loss of these rights of occupancy holdings by the present generation of ryots, whose holdings will be at once bought up by the money-lending classes, and will pass into their lands, the ryots becoming rack-rented pauper-cottiers, or landless labourers. I would, therefore, like to see this extension of this incident of the right of occupancy holding made permissive, and depending on the discretion of the local Government to extend this to any village, estate, pergunnah, thana, or other division of the country to which it may be found proper, with regard to the solvency, independence, and enlightenment of the ryots, *viz.*, to extend these provisions by notice in the *Calcutta Gazette*, until which time the rights under section 50 (*f*), and the provisions regarding transferability and private sale and gift should remain in abeyance and inoperative, namely, 50 (*f*) and sections 51 and 54, and in lieu of the above, the following should be enacted as the extent of transferability to be at once recognised everywhere as operative until by notice in the *Calcutta Gazette*, the fuller provisions as to transferability, sections 50, 51, and 54, may be extended where found proper.

Section 50 (f).—"His interest in the land is transferable by sale on account of its own arrears, and not otherwise, except with the consent of the landlord. He shall have the option of forcing a sale of such interest if the landlord refuses to consent to a private sale falling into arrears, and thereby allowing the occupancy ryot, by the sale for arrears, to recover all money spent in improvements of the same, and the landlord to have a lien on the purchase-money for recovery of any arrears due on the same, or such sale not to take place until all arrears due on the occupancy holding are paid, or otherwise secured to the landlord. *It should also be enacted* that, when transferability of the occupancy holding by private sale is extended, the landlord should be, under severe penalties, prohibited from compelling the occupancy ryot to share the purchase-money with him. In Eastern Bengal I have known the landlord compel an outgoing occupancy ryot to pay him from half to two-thirds of the purchase-money paid for the occupancy holding. The transferability by the private sale, &c., might probably now, with safety as to the ryots' interest, be extended to the Chittagong and Dacca and Presidency Divisions, and to all Court of Wards' estates and properties under the direct management of Government, and afterwards to various parts of other divisions. At the next revision of the law the permissive section might be dispensed with.

Note on Chapter VI of the rent payable by occupancy ryots: (A) of money rents generally.

In order to prevent any interference with the custom of giving lands rent-free for a time, and with progressive rents to recoup outlay for bringing waste lands or newly formed lands into cultivation, or of creating other speculative holdings of new land or diyara land, I would add as follows to section 58:—

Exception.—Nothing in this Act shall release an occupancy ryot from liability to pay the enhancements under an engagement to pay a progressive rent for lands that are being newly brought under cultivation, provided that the rent for any year should not exceed the fixed legal maximum rent, *viz.*, one-fith of the estimated average annual value of the gross produce of the land in staple crops, calculated at the price at which ryots sell at the usual time of realizing their staple crops in money.

Regarding Chapter VI, Part B.

I am aware of the difficulties attending this scheme as to preparing a table of rates, and perceive that in case of suits for enhancement of rent, such tables of rates could not be relied on ordinarily, as conclusive of the fairness of the rate of enhancement claimed, and that careful local enquiry would still be necessary to enable a proper judicial decision to be arrived at in an enhancement case, still I should like to see a trial given to these provisions. Where there are large estates under the Court of Wards, and large khas mehals under Government and well managed private zemindars, very useful local table of rates of rents might be prepared for the information of the public, and for the general guidance of those concerned in regulating and fairly adjusting rates of rent, and in land management and for general agricultural purposes, which would be found to facilitate the objects and the working of this Act. For these reasons I would give them a trial, and would not now strike them out of the draft Bill.

Regarding Chapter X (b), Sections 133 to 138—Measurement.

I should like to see an addition to this effect—

Exception.—Nothing in this Act shall interfere (1) with the customary periodical measurements of hâl hâsila, utbandi and diyara and other lands, the settlement of the rents of which depends upon the measurement of the lands so cultivated, or (2) with the ryots' right to obtain measurement of his holding for reduction of rent whenever necessary from diminution of holding, from diluvion or otherwise.

MALDAH,
The 18th June 1883.

R. PORCH,
Collector.

No. 1835, dated Calcutta, the 27th June, 1883.

From—C. A. Wilkins, Esq., Offg. Regr. of the High Court of Judicature at Fort William in Bengal,

To—The Secretary to the Government of Bengal, Revenue Department.

I am directed to acknowledge the receipt of Mr. Bayley's letter No. 975—374L.R., dated the 19th of March last, forwarding, for an expression of the Court's opinion, as well as the views of the chief judicial officers under the control of the High Court, a copy of the Bengal Tenancy Bill, 1883, together with Statement of Objects and Reasons.

J. F. Stevens, Esq., District Judge, Saran.
W. F. Meres, Esq., District Judge, Midnapore.
J. F. Bradbury, Esq., District Judge, Backergunge.
A. C Brett, Esq., District Judge, Tirhoot.
C. B. Garrett, Esq., Officiating District Judge, 24-Pergunnahs.
R. Towers, Esq., District Judge, Tipperah.
Baboo Brojendro Coomar Seal, District Judge, Bankoora.
Baboo Mohendronath Bose, Small Cause Court Judge, Sealdah.
Baboo Amrita Lal Chatterjee, Subordinate Judge, Nuddea.
Baboo Mohendronath Mitter, Judge, Small Cause Court, Moorshedabad.
Baboo Bhugwan Chunder Chukerbutty, Subordinate Judge, Khulna.
Moulvi Syed Muzzum Hossen, Judge, Small Cause Court, Magoorah, Jhenidah, and Narail.
Baboo Nuffer Chunder Bhatta, First Subordinate Judge, 24-Pergunnahs.

2. In reply, I am to forward, for the information of His Honor the Lieutenant-Governor, the accompanying reports which have been received from some of the District Judges and Subordinate Judges who were asked for their views on the Bill. The reports still due will be forwarded when received.

3. I am to add that none of the Judges of the High Court have as yet sent their opinions on the Bill to the Government of India.

No. 209, dated Chapra, the 14th May, 1883.

From—J. F. Stevens, Esq., Officiating District Judge, Saran,

To—The Registrar of the High Court of Judicature at Fort William in Bengal.

In accordance with the directions of the Court in letter No. 1157B, dated the 23rd ultimo, I have the honor to submit the following report, after consulting Baboo Kally Prosono Mookerjee, First Subordinate Judge, Baboo Amrito Lal Pal, Second Subordinate Judge, and Baboo Krishna Chunder Das, Munsif in charge of rent suits.

2. I regret that the shortness of the time allowed me for my reply has rendered it impossible for me to devote to the subject the time and the amount of consideration which I could have wished.

3. It is obvious that in general the Bengal Tenancy Bill, 1883, has been framed with a view rather to the interest of the raiyats than to that of the landlords. It is doubtless true that to a considerable extent the interest of the rayats and that of the landlords are really in the long run not so completely separate as is frequently assumed; but while I recognise this principle, and I am not disposed to agree with my subordinates in condemning all limitation to the enormous arbitrary powers which the landlords at present can and do exercise, especially in certain parts of the province of Behar, I am inclined to think that in some particulars the Bill goes further in that direction than is either necessary or desirable.

4. I proceed to notice the provisions of the Bill in order.

CHAPTER I.

5. I think that an attempt should be made to define the terms "tenure" and "under-tenure." In Chapter III of the Bill, we find important provisions on the subject of tenures, but when we turn to the definition in order to ascertain what a tenure is, we only find that it "includes an under-tenure (which term is left altogether undefined), and the interest of every tenant of the class referred to in section 14." There is no definition of the term "under-tenure." The word "tenant" also does not appear to be satisfactorily defined.

CHAPTER II.

6. I strongly approve of the provisions for ascertaining and registering *khamar* land. I think that it is fair, in the peculiar circumstances with which we have to deal, to presume all land to be *raiyati* until the contrary is proved. I am decidedly in favour of limiting the power of the landlord to convert *raiyati* land into *khamar*; but I venture to think that the Bill goes too far in absolutely preventing the increase of the stock of *khamar* in future. I do not, for example, see why a landlord should be prevented from acquiring as *khamar* uncultivated land which he brings under cultivation by his servants or by hired labourers. It might be provided that no *raiyati* land now under cultivation should hereafter be converted to *khamar*; but that is the furthest that I would go. In any case of increase of *khamar*, I would provide that in any district, or part of a district, in which a survey and register of *khamar* land has been made, or ordered to be made, in accordance with the provisions of section 7, the landlord should be bound to register any land which might thereafter become *khamar*.

CHAPTER III.

7. All the provisions of this chapter seem to me just. I am not quite clear, however, as to the working of section 27 (3) and section 34, looking to the definition of the word "landlord" as "a person or *a number of persons*," &c. Is each individual, who goes to make up the

"landlord," in case the "landlord" consists of "a number of persons," to certify the copy under section 84 under his hand? It does not appear that the authority of a *naib* or *gumashta* under section 229 would extend to doing this.

CHAPTER IV.

8. Does not appear to call for special notice.

CHAPTER V.

9. *Sections 45 and 47.*—The provisions of these sections are undoubtedly very favourable to the raiyat. In as far as they are unfavourable to the landlord, he has principally himself to blame, for they have been necessitated by the devices which he has employed in order to make it as difficult as possible for the raiyat to acquire a right of occupancy, and to prove his right when he has got it.

10. *Section 46.*—Seems to me to be fair to both parties.

11. *Section 48.*—This is an entirely new provision of law. I should imagine that it will probably remain almost a dead letter; but there seems no harm in making it possible to create a right of occupancy by contract, if any proprietor or permanent tenure-holder chooses to do so.

12. *Section 49.*—Does not appear to me fair to the landlord. Its retention in the Bill would not improbably have the effect (which doubtless was not intended by the framers) of causing the landlords to take measures to render it practically inoperative by ejecting tenants from *khamar* land, or by at once entering into engagements with them for fixed periods in anticipation of the accrual of the rights of occupancy that would otherwise be acquired under its provisions.

13. *Sections 51 to 55 inclusive.*—Which relate to the landlord's right of pre-emption, appear to me to be equitable. The term "estimated value" in sections 51 and 54 is, however, not perfectly clear. By whom is the value to be estimated, and how far are the parties, or either of them, to be bound by the estimate?

14. *Section 56.*—Appears to me exceedingly hard upon the landlord. Its object is stated to be to prevent the landlord from buying up occupancy rights on a great scale, and locating ordinary raiyats on the land. I think that a less objectionable method of securing the same object would be to prohibit the purchase by the landlord of occupancy rights, except in the cases provided for by sections 51 to 55 It is scarcely likely that his purchases under those sections would be very considerable. At present, as the Second Subordinate Judge observes, as the Bill stands, all that a landlord is to get practically by his purchase is the power of keeping out a tenant to whom he objects, and this seems scarcely a fair and sufficient return for his outlay. If he is allowed to buy the occupancy right at all, he is fairly entitled to obtain, by his purchase, the full advantages that would be obtained by any other purchaser.

15. The provisions which render it impossible for a tenant to contract himself out of his occupancy right, as between the landlord and himself, are strongly objected to by Baboo Amrita Lal Pal; but they appear to me necessary, considering the relations which prevail generally in Bengal between landlord and tenant. The Subordinate Judge suggests that such contracts should be disallowed, only on proof of undue influence; but on the one hand, practically, a raiyat would seldom, if ever, be able to prove undue influence where it had really been exercised, while on the other hand he might frequently raise the plea in respect of perfectly fair transactions, if he afterwards repented of his bargain.

CHAPTER VI.

16. Has my general approval. It seems to me, however, that their should be some attempt to define the term "staple crops" which occurs in several places in the course of the chapter, as a good deal may turn on its precise meaning. If a general definition of the term is not practicable, there should be some means by which it should be authoritatively and publicly declared what are "staple crops," for the purposes of the Act, in different divisions or districts. The table of rates would be of great utility: it will be for the Revenue authorities to ascertain how far its preparation will be possible. The price-lists to be prepared by the Collector under the provisions ot section 83 will be very useful, if care is taken to secure accuracy, or very mischievous otherwise.

CHAPTER VII.

17. *Section 86.*—I doubt the justice of giving compensation in the case of the ejectment of a raiyat, through his own fault, from *bastu* land.

CHAPTER VIII.

18. I should like to see it definitely stated what are the rights of an ordinary raiyat as to the use of the land. As regards the occupancy raiyat, it is provided in section 50 that he may use the land in any manner which does not render it unfit for the purposes of the tenancy. Is it intended to be implied, from the absence of such an express provision in the case of the ordinary raiyat, that his right to the use of the land is more restricted? This is a question of considerable importance in the indigo districts of Behar. An attempt is being made to get rid, as far as possible, of the old *thikadari* system, and to encourage raiyats to

grow indigo independently entirely on their own account, as they would any other crop, in order to sell it to the factories. This system deprives the landlord of the advantage which he had over a factory, under the *thikadari* system, of being able to screw up the rent of the village leased to an amount far above what the rent-roll of the village would justify, because the factory would, if it lost the *thika*, have no means of growing or obtaining sufficient indigo plant for manufacture. It is accordingly naturally to be expected that certain landlords should not look very favourably upon it, and should endeavour to put difficulties in the way of its extension. I take it that the occupancy raiyat can undoubtedly, under the provisions of section 50, grow indigo if he pleases in spite of the landlord. Can the ordinary raiyat do so too?

19. *Section* 90.—It appears to me that the ordinary raiyat under the Bill acquires something very like a right of occupancy. Is a landlord never to let to an ordinary raiyat for a fixed term; and if he is to have that power, is not the raiyat to be liable to ejectment in execution of a decree for ejectment, passed on the ground that the term of the lease has expired? There is no provision apparently for such a case in section 90. Again, it seems to me only equitable that the landlord should have the power of ejecting an ordinary raiyat, after due notice, on paying compensation for improvements.

20. *Section 93.*—The idea of payment of compensation for disturbance is, so far as I am aware, altogether new to the country, and I do not think that the landlord should be burdened with such a condition.

CHAPTER IX.

21. I approve of the provisions of this chapter generally.

22. *Sections 100 to 102.*—The provisions contained in these sections should have a most beneficial effect. The difficulty and uncertainty now attending the trial of rent-suits in Behar, owing to the frequently utter worthlessness of the oral evidence and the prevalence of forgery on both sides, make the duty of deciding them most irksome and most painful to a conscientious judicial officer. The production of forged receipts is as common as that of false accounts, if not more so. I think, however, that it is very important that there should be some security provided against the substitution of forged receipts and counterparts. As long as either may be written on a scrap of loose paper, it will be open to the landlord to impugne the genuineness of the receipt, and to the tenant to impugne that of the counterpart. I think that the use of printed or lithographed cheque-books should be made compulsory, and that, in addition to the particulars specified in section 100, each receipt and counterpart should be required to be serially numbered. A similar provision would be useful in respect of the statement of account prescribed by section 101. It would be still better if it could be provided that only cheque-books supplied by Government should be used. Such books might be kept on sale at the district and sub-divisional revenue offices, as forms of application for copies are. At any rate, I am afraid that if receipts and accounts, and their counterparts, are to be written on loose scraps of common paper, we shall be very much where we are now.

23. *Sections 103 to 107.*—I suppose from section 106 that the "Officer" mentioned in section 103 is to be a Revenue Officer. If so, the word "Revenue" might with advantage be used in section 103. I am doubtful how far it is practicable or expedient for the officer receiving applications for deposit to exercise a discretion as to the receipt of the deposit. Where many such applications for deposit are made at a time, it seems to me that it would practically be impossible for him to come to a satisfactory decision on the matter at the time. I think that it would be better to receive all deposits tendered. Probably this is practically what it would come to in any case. I have no doubt that the present practice of requiring a declaration on solemn affirmation of previous tender is quite useless, and that the declaration has come to be a mere matter of form, if, indeed, it was ever anything else.

24. *Section 111* (2).—It has been held, in connection with the corresponding provision of Act X of 1859, that the period of grace may be extended at the discretion of either the Court of first instance or the Appellate Court. This question should be definitely settled.

25. *Section 118.*—It appears to me that the provisions of this section, if practically possible (which I doubt), are hard on the landlords, some of whom will have to send very long distances. If the papers are to be lodged in Government offices, I do not see why sub-divisional offices should not receive them as well as the office of the Collector of the district.

26. *Section 125* (2).—These provisions are very fair. The difficulty is, how the landlord is to know when the tenant's right, title and interest is brought to sale. Ought not a notice to be served upon him? There is the same difficulty as to section 52: I omitted to notice it in its place.

CHAPTER X.

27. I approve of all the provisions of this chapter.

CHAPTERS XI & XII.

28. Appear to me to be very useful.

CHAPTER XIII.

29. I could not recommend the retention of the provisions of the present law as to distraint. Those of the Bill do not appear to me open to the same objections. But I should think

it a question whether the landlords would not as soon see the right of distraint abolished altogether, as restricted to the extent proposed. As regards section 179 (1), the mention of the Board of Revenue appears to be a mistake. As the administration of the law relating to distraint is to be in the hands of the Civil Courts, the Board of Revenue does not seem to be the proper authority to make rules.

CHAPTER XIV.

30. *Section 188.*—Is considered by the Second Subordinate Judge and the Rent Suit Munsif as leaving it open to doubt whether a suit for rent, amounting to less than Rs, 1,000, due on account of land valued at more than Rs. 1,000, should not be instituted in the Court of a Subordinate Judge. I do not see the same difficulty myself, as in section 188 it is only a question of the *local limits* within which the cause of action shall be deemed to have arisen, and not of the court which is to have jurisdiction. I mention the point, however, in case it should be thought well to make any alteration to prevent misunderstanding.

31. *Sections 191 to 198.*—I think that the simplification of procedure in the simpler classes of suits is a great improvement. At the same time I do not think that it could be safely made more summary. I feel some doubt as to the expediency of the limit of Rs. 50 in section 198(*b*), and should be more inclined to adopt that of Rs. 10 originally proposed by the Rent Commission.

32. The provisions of the remaining sections of Chapter XIV appear to me to be equitable.

33. I have no particular remarks to make with respect to the remaining chapters of the Bill.

34. The First Subordinate Judge and the Rent Suit Munsif suggest that provision ought to be made for the case of suits where there are several co-sharers as the "landlord" and there is no common manager. I think that it would be well that this question should be dealt with, and that it should be settled under what conditions separate suits may be brought by the different co-sharers, if at all.

35. The First Subordinate Judge is of opinion that provision ought to be made for the forfeiture of tenancy by a tenant's disclaiming the landlord's title. I am of the same opinion. The tenant is amply protected by the Bill, and if he chooses to conspire with another person against his landlord's title, I think he ought to suffer for it. This remark should, perhaps, rather have come under the sections relating to ejectment, but the matter was overlooked by me at the time.

36 The Rent Suit Munsif calls attention to the hardship to which ignorant raiyats are subjected in consequence of *batwara* proceedings, the practical result of which is frequently to enhance their rents where their holdings come within the shares of more than one landlord. Though there is no professed enhancement, each sharer demands something more than his proper proportion of the rent previously paid, and as these demands are separately made, an ignorant raiyat is not in a position to contest them. It is only when he has paid them all that he finds that the aggregate exceeds the amount that he used to pay before the *batwara*. The Rent Suit Munsif suggests that the law should require the ameen employed on the *batwara* proceedings to prepare a list showing the *jamas* payable by the raiyats under the new arrangement. The evil is certainly a serious one, and the remedy suggested by the Munsif seems to me worthy of consideration.

Dated Midnapore, the 26th May, 1883.

From—W. F. MEERS, Esq , Judge of Midnapore,

To—The Registrar of the High Court, Calcutta.

I have the honour to submit the following notes upon the draft Bengal Tenancy Bill, 1883.

Section 3. "Raiyat."—It is to be regretted that the border line between a raiyat and a tenure-holder has not been drawn in the Bill. The definition as it stands in paragraph 5 would include the case of a person who takes a grant of waste land, and who, after clearing and embanking where necessary, sublets it to tenants. For instance, here in Midnapore there is along the coast a larg· tract of land formerly occupied by Government for the manufacture of salt. At that time the land was waste and mainly covered with jungle. On the abolition of the salt manufacture, the land was surrendered to the zamindars in whose estates it lay. It has since been let by the zamindars in large or small blocks to mere speculators, sometimes for a term, sometimes without any agreement as to fixity of rental or period of tenure. The lessee sometimes, but not always, clears a larger or smaller portion, or perhaps throws up an embankment, and induces cultivators to take up small blocks and bring them under cultivation.

These small cultivators are fairly entitled to acquire occupancy rights against the speculator, but they cannot do so if he is classed as a raiyat.

The same state of things occurs in the jungle mehals of the north-west of this district. There the land is poor in quality and largely covered with sâl timber or small brushwood. The zamindar has granted a putni of a large tract of this country to an European firm. The putnidars, with a view to get the land settled up, have given vaguely worded leases, nominally of the better lands of a village only, often only of a few bigahs, but not settling with more than one tenant in each village area, unless the area is unusually large. There seems to have been a tacit understanding that the tenant, if he could, might bring the whole village under cultivation. A general rise of prices with increased pressure of population on the land has made it easy for these tenants to find cultivators ready to undertake the labour and risk of clearing and bringing under cultivation most of the land in the lessee's village boundary; and the putnidars on

re-measurement have repeatedly found the lessee in occupation of ten times the area mentioned in the lease.

From what I know of the districts of Balasore and Backergunge, I believe similar instances could be found there. As far as I know, whenever cultivation is spreading and inferior soils are being brought under tilth, some such system as this prevails. It is of great importance that the courts should not be left to decide the relative status of the contractor and the cultivator in cases of this sort. Generally it is not difficult for the contractor to decide for himself whether he shall prove that he is a tenure-holder or a raiyat. The basis on which he may enhance, or on which he may be enhanced, depends upon his own status with reference to the putnidar on the one hand, and to the tenant on the other. A good opportunity now presents itself of assisting courts in this difficulty; and even though it may not be best to define a raiyat, the Legislature, rather than the courts, should undertake this duty. The definition should be drawn so as to include the case of a man who takes up land for cultivation by himself, or by his family or servants, and it should exclude the case of a man who takes land merely to sub-let as a speculation. A maximum limit of a raiyat's holding is, therefore, necessary, and I may say that after 18 years' service in the Lower Provinces, I have never met with an instance of a genuine cultivating tenant who held 50 bighahs of arable land.

Section 3, clause 19. "Signed."—The definition is reproduced from the C. C. P. What does the last paragraph mean? The words are—"It also includes stamped with the name of the person referred to"—"referred to" where? In the first clause of the definition, *i.e.*, the marksman, or to the person whose name is engraved on the seal?

Section 26.—Why should ejectment of a permanent tenure-holder be limited to the case of breach of a written contract only, carrying that penalty? There may be no written agreements that the ejectment should be the penalty of denial of the landlord's titles, but this is the fitting and well-recognised consequence of such an attitude in the tenant. The same remarks apply to section 50, clause *d*.

Section 27.—The provision that the landlord shall give the tenure-holder seeking registration a statement in writing of the reasons, for his refusal to register will, I fear, in practice be found inoperative.

Section 32.—If the court's order is to have the force of a decree, and the court on the pleadings finds it necessary to try the claimant's title to the tenure of which he desires registration, what will be the effect, as between the parties, of the court's decision on the petitioner's title? Is there any pecuniary limit as regards jurisdiction? The section seems to contemplate local jurisdiction merely, irrespective of the value of the property involved.

Section 34.—Provision should be made to allow of the delegation of duty of signing certified extracts of the zamindar's register. In practice it will be found difficult for a female zamindar to "certify under her hand" the extract. If the zamindar neglects or refuses to furnish the copy, or to accept a tendered fee, by whom is the fine awardable under sub-section 35, clause 2, to be inflicted? Would it not be well to provide that the claimant may serve his notice of application through the civil court or the Collector on depositing the proper fee? I think it likely that parties will find it difficult, if not impossible, to move the zamindar to compliance, without official assistance, in applying for the certified extract.

Section 35.—To the last words of this section should be added "and the taking of copies under section 34." Speaking generally of the provisions of chapter 3D, I think there will be practical difficulties in making use of them. Except in very small estates, the zamindar never comes in personal contract with his tenants. Parties desirous of registration will find themselves, as now, obliged to deal with local agents whose interest it is to make as much as possible out of every change of ownership. Under-tenures commonly undergo division by sale and inheritance without reference to the zamindar. As long as the proprietors can agree amongst themselves, the rent continues to be paid under the old recorded proprietor's name. It is doubtful if zamindars, who can look to the tenure if the rent falls into arrear, will trouble to search for the actual tenure-holders under section 33, where the main result of the action in this direction will be to put fees into their agent's pockets. I can call to mind but one case of a tenure-holder seeking to enforce registration under section 6, Regulation VIII of 1879.

I regret that it has not been found possible to declare a rebutable presumption in favour of all ryots, being settled ryots, in respect of the land actually in their occupation at the time of the passing of the Act. It is hardly questioned that the vast majority of the cultivators have acquired occupancy rights under the existing 12 years' rule: why should the weaker party be put to the trouble of proving that he possess rights, the existence of which is hardly doubted? Why must he prove that he has occupied land in a village or estate for 12 continuous years? If any time is insisted on, why twelve years? why not a lesser number, as five or three? In practice it is difficult for ignorant people to prove facts which occurred twelve years ago. Although the use of receipts for rent is more common than formerly, still in many places in the interior they are hardly known, or not insisted on. I believe that there are new ryots in possession of genuine receipts for twelve years, all claims of rent having nevertheless been fully discharged.

Section 50.—May an occupancy ryot at his discretion fell timber of over twelve years' age standing on his holding?

Section 51.—What is the meaning of "*estimated value*" at 10 per cent., below which a landlord may purchase, in the case of an occupancy ryot selling without having first given the landlord notice of sale?

I think it questionable whether this rule, requiring notice to the landlord before a sale of a jote, will be of much service to the landlord. As a rule, they are not given to the purchase of occupancy rights. They sometimes ask permission to bid at sales for these rights in execution of decrees for rent, but they do this mainly for the purpose of bidding against the defaulter's relations, so as to prevent them from buying in far below the real value. This and the remaining sections of this chapter will, I fear, give trouble and delay to the ryot vendor, and will hamper dealings in land, which by section 50, clause *f*, are declared free.

CHAPTER VIB.

At first sight the proposals of this chapter are attractive, but after much consideration I have arrived at the conclusion that they are dangerous, and that in them lies what is likely to more than counterbalance the benefits conferred on the peasantry of the lower provinces by the rest of the Bill. The consequences of an error by the officer who prepares the table, in over-estimating the normal produce of its average money value, or in fixing too high a minimum, will be nothing short of the ruin of the tenantry of the tract dealt with. As the draft stands, I doubt if the local Government, after directing at the time of publication the period for which a local area table is to remain in force, could cancel the table, if it desired to do so, on the ground that it was framed on erroneous data, or that it was otherwise inequitable. The difficulty of collecting really accurate data for the table of rates will be found to be very great. A notable instance in point has recently come under my own notice in this district. A very large property, known as the Majnamootha Estate, extending over several pergunnahs, has been lately re-settled by Government owing to the default of the proprietors. The settlement officer was specially selected as a man of considerable revenue experience; he was assisted by a special staff and was engaged for nearly three years on the work. While the settlement was in progress, it was found necessary to pass a local Act throwing the onus of disproving the settlement officer's rates on the tenants, who were dissatisfied with the assessment of the settlement officer.

If the table of rates has been published, and it is unfairly hard upon the tenants, the error will probably not appear until the mischief is done. The persistence with which ryots cling to their jotes is remarked by all who have had to deal with them. As a rule they hold on until both capital and credit are exhausted.

If this sub-chapter is to be retained, would it not be well to draw the settlement officer's attention prominently to the following, amongst other, considerations?

The incidence of the population on the soil, the rate at which this pressure is increasing—as to which see the last two census reports—the rate at which inferior soils are being brought under cultivation, therewith the consequential effects of diminishing the area of pasturage, first upon the cattle, draught and milch, upon which is sunk a large part of the agriculturist's capital, and secondly upon the population, and particularly upon the young, in diminishing supplies of milk and butter available to a people mainly subsisting upon a farinaceous dietary. Ought he not also to be reminded that the vast bulk of the land is capable of producing but one crop in the year; and that in a purely agricultural community the cultivator, as a condition of his existence, must have not only fair interest on his capital employed on his land, and fair wage for his own labour, but also enough to carry on from one harvest to the next?

CHAPTER IXC.

The provisions for giving receipts and accounts would be excellent if they applied only to large zamindaries of Government estates. But it seems to me hopeless to expect that the rules of this sub-chapter would be adhered to by petty tenure-holders or ryots who sublet, whatever the penalty might be for the breach of them. There are very few zamindaries which are not sublet in farm or in putni. These again are mostly sublet, and so on, until the person who actually gets in the ryot's rent is often little higher than a ryot or petty farmer himself. These are the persons to whom the rules would be applicable. I think it would be enough to provide that the receipt should shew date of payment, amount, payer, payee, the holding for which, and the year for which, the payment was made; and I would suggest that as an incentive to honest dealing, it should be at the discretion of the court to deduct double the amount of any payment which the tenant proved he had made, and for which credit had not been given in the plaint.

CHAPTER IXD.

The proposed rules for the deposit of rent are satisfactory improvements upon the existing ones.

CHAPTER IXE.

It would be well to state more plainly that the court is not bound to award 12 per cent. interest in all cases of arrears. The meaning of the words "liable to" seem plain enough, but I know that this is one of thr commonest errors made by young native officers, and with serious results to the unfortunate defendants.

CHAPTER IXF.

I fear the procedure laid down in this sub-chapter is too slow. What happens is that the landlord delays in attending at the division, perhaps from mere indolence, perhaps

in the hope that the man who raised the crop may consent to an unequal division, rather than run the risk of bad weather and the consequent loss of all. The Act requires the party aggrieved to come to the Collector, who appoints a Commissioner: the Commissioner proceeds to the spot, and, with the assistance of assessors, makes a valuation: the Commissioner then reports to the Collector, the Collector hears objections, and may order a fresh enquiry. At every stage there must be some, and may be considerable, delay. The costs will also be of necessity relatively heavy. I would suggest that on application to the Collector by either party who complains that he is hampered in getting his share, a notice should be served by registered letter on the opposite party, directing him to attend and assist in the division within a time to be mentioned in the notice, at the expiration of which the party at whose instance the notice was served should be at liberty to remove the crop, and that it should be presumed that the amount of crop and its value mentioned in the application for the notice was correct.

CHAPTER XIII.

The right of distraint might now well be abolished. The proceedure laid down is too elaborate to be honestly followed. My own experience is that landlords are getting shy of making use of this right, unless they happen to be very powerful people, and have some object in view, as well as the getting in of the rent. The right is open to very great abuses. Under the present arrangement for the accelerated trial of rent suits, plaintiffs have very little cause for complaint as to delay. Thus in my head-quarters court a man may get an *ex parte* decree for arrears in about a month from the filing of his plaint, and in about 47 days from filing the plaint if the defendant contests the claim unsuccessfully. The plaintiff may verbally apply for execution as soon as his claim is decreed. This seems reasonably expeditious. I doubt if he would get in his money any faster under the distraint procedure. However, whether the chapter remains or not is not of great moment, as section 167 is calculated to make landlords hesitate about the use of the right.

I regret that I have not found time to consider the drafting of the Bill. Pressure of business has prevented me from giving as much time as I wished to this interesting measure.

No. 251, dated Burisal, the 2nd June 1883.

From—J. F. BRADBURY, ESQ., Offg. District Judge of Backergunge,

To—The Registrar of the High Court of Judicature at Fort William in Bengal.

YOUR No. 1157D. of the 23rd April 1883.

I have the honour to subjoin my comments on the draft of the Bengal Tenancy Act, and to observe, *imprimis*, that the interpretation clauses are defective, in that they do not include a definition of a tenure. Clause 3 of section 3 defines it to include an under-tenure, and the interest of every tenant of the class referred to in section 14. The term "under-tenure" is misleading. Every tenure is holden of somebody, and under the person of whom it is holden. It may be rent or revenue-free, but in every case it is held of the original grantor or creator thereof, or his successors. The use of the term serves no object, and it may well be eschewed, and the word tenure exclusively employed in its stead. What, however, is a tenure? Does it denote an interest in land permanent, transferable and heritable, or is it intended to include all interest inferior to those of the proprietors of an estate? Apparently the former; for a distinction is made between a tenure-holder and a tenant.

2. The Statement of Objects and Reasons explains why a complete definition of a tenure (or under-tenure) has not been attempted, but the opportunity should be taken to remove certain doubts which have arisen under the present law. 7 W.R., 15, decides that the sub-letting of his land by a ryot does not alter the nature of a holding in its inception *ryoti*, nor necessitate its registration: and this principle it is proposed to enact by the explanation of clause 5 of section 3 of the Bill and section 50 (*c*).

The converse of this proposition has not, however, been enacted. Suppose the holder of a tenure, otherwise transferable, permanent and heritable, say one designated a *halawah*, to which in his district ordinarily, and in the absence of express stipulation to the contrary, are attached the incidents of permanence, heritability and transferability: suppose, I say, the holder of such a tenure cultivates the soil thereof himself, is he to be deemed a ryot or a tenure-holder? The revenue athorities in their proceedings under Act VIII (B.C.) of 1879 (sections 20 and 121 of the Bill) have, in this district treated such a tenant as a ryot, but from this interpretation of the law I dissent. The question can, and should be authoritatively settled now, and its decision not left to inferences from sub-section 6 of section 21. My opinion is that once a tenure-holder always a tenure-holder, and that, if the tenure be, from its nature, by custom, or by agreement with the original lessor permanent, transferable, and heritable, it is immaterial whether the holder thereof sublets or himself cultivates the whole or a part of the soil thereof.

3. The definition of an "arrear" is likewise defective, for frequently the rent is not payable in instalments, but in a lump at the end of the year.

4. In clause (*e*), section 4, the word "out" is superfluous.

5. *Section* 6—Is not happily worded. How and why is land which is admittedly not *khamar* but which is comprehended in a permanent, heritable, and transferable tenure within an estate, and cultivated by the holder of such tenure, to be deemed *ryoti* land of such estate?

The framers of the section seem to have ignored estates not consisting exclusively of *khamar* and *ryoti* land. Section 13 is obnoxious to the same criticism.

6. What is intended by "terminable" in section 19: "determinable by notice," or "for a term?"

7. Is the application of section 20 to be confined to districts in no part of which land has been permanently settled, or is it to govern settlements of all land not permanently settled in whatever district situate? The language of the section is susceptible of the latter interpretation only, but the marginal note favours the former.

What is the express recognition contemplated by section 20? Must such recognition be recorded? How can the non-recognition of a right affect such right? Suppose the revenue authorities have in all previous settlement proceedings recorded the existence of a tenure, and at no date enhanced the rent thereof, are they at liberty to enhance the rent thereof whenever so minded, and by what restriction is the enhancement to be limited?

Again, who is an authority empowered by the Government to make definitively settlements? The Commissioners and the Board of Revenue confirm settlements, but make none. The Collector and his subordinates make them, but not definitively, for their orders are not final, nor, I believe, of any effect till confirmed.

Another question which some appeals recently heard by me suggest is this: sections 20 and 121 are designed to replace Act VIII (B.C.) of 1879, which the Bill proposes to repeal, but no portion of the Bill empowers the revenue authorities to enhance the rents of a tenant of an estate which is private property, but which is periodically settled by them, and the rents and profits of which they realise by reason of the recusancy of the proprietors who refuse to accept the terms of settlement offered by the Revenue authorities, and are content with the allowance denominated *malikhana*.

Sections 20 *and* 121—Do not provide for such a case.

8. *Section* 21.—What is "beneficial" rent? The term is novel in Indian law, and requires explanation.

9. *Sections* 25, 27, 29, 30, 31, 209.—What is a "permanent" tenure? One that is transferable at will and heritable? And is every right of occupancy and every tenure to which section 14 applies to be deemed a permanent tenure?

10. The order under section 32, having the force of a decree, will, I presume, be appealable; but how is it to be enforced? Under section 260, C. P. C.? But if the landlord continues recusant, and will not register in spite of the attachment of his person, or his property, or both, what is to be the remedy of the transferor or transferee? The simplest course will be to enact that the order shall have the force of a decree in a suit, and shall operate as the registration of the transfer or transmission of the tenure.

11. What will be the effect of non-compliance with the rules framed under section 35? Will any informality vitiate the registration, and is the transferor or transferee or successor to suffer therefor? Is the fine with which a breach is punishable to be recovered by a prosecution before a Magistrate?

12. Schedules 2 and 3 should be incorporated in chapter IV, and not relegated to an appendix.

13. "Whether before or after the commencement of this Act," in sections 45 and 46, should be amplified so as to express whether wholly before or after, or partially before and partially after such commencement.

Is a person to be deemed, for the purposes of section 45, to have held as a ryot *ryoti* land held as a ryot by a person whose heir he is, though such land may have, by devise or otherwise, passed to another?

14. *Section* 50.—Will a raiyat with a right of occupancy be entitled to fell or grow timber in the absence of express stipulation to the contrary.

15. To what Civil Court must the application under sections 51, 54, and 55 be made? Will a Small Cause Court have jurisdiction to ascertain the price, and will the order under those sections be appealable or not?

16. How are the notices prescribed by the chapters III and V and other portions of the Bill to be served; and where an application or some other act is required to be made or done by the person on whom notice is served within a fixed period, what course is to be pursued if he seeks to make or do it after the expiry of such period, pleading that the notice was never received by him? Real cases of non-receipt of the notice are sure to occur in practice, and the plea of non-receipt of the notice will assuredly be falsely put forward in many other cases. Some procedure for dealing with them should be prescribed, otherwise the prescription of a notice may be dispensed with.

17. Again, in sections 51 and 54 the application must be made by the landlord within one month of the filing of the notice in the revenue office; but if the notice is not served within the month, through oversight, designedly, or from other cause, what then?

18. Again, if after the ascertainment of the price to be paid under sections 51, 54 and 55, the person in possession refuses to convey the occupancy right to the landlord, must the latter institute a regular suit for the conveyance, or will the court, upon ascertaining the price, have power to direct the execution of a conveyance forthwith, and give effect to such direction under section 260 or section 261?

The latter procedure will reduce litigation; and if orders under sections 51, 54, and 55 are appealable, will be unexceptionable in every respect.

19. *Section* 64.—" About the time at which those rates were fixed." These words are somewhat obscure. They mean, I suppose, " about the time at which were fixed the rates in force at the date of the preparation of the table."

20. *Section* 85.—If, as is often the case, the homestead is a part of a non-occupancy holding, will the tenant have different interests in diffeaent portions of such holding ?

21. *Section* 86.—I presume the tenant may be permitted to remove the materials of his buildings, and in such a case he will be entitled to recover as compensation only such amount as may recoup him for the trouble and expense of re-erecting the same on another site.

22. *Section* 87.—How is the enhancement allowed by the section to be effected—by suit after notice, or by suit following on a notice, or otherwise ?

23. The language of clause (*a*) of section 90 requires modification, for I presume that the mere falling into arrears will not justify ejectment at the will of the landlord, but he must sue therefor.

24 What civil court is intended by section 91 ?

25. Must section 92 be strictly construed: in other words, will a landlord be bound to sue for ejectment, or may he sue to recover arrears at the enhanced rate, as at present ?

26. *Section* 97.—Is such a thing as rent payable at the end of the year to cease ? In the absence of any agreement or custom, surely the most convenient rule is that the rent should be payable at the close of the year for which it is demandable, as now; and I suggest that the parties be left by section 98 to settle the number and dates of the instalments, with the restriction that in no case shall the former exceed four. The object—and a very desirable one it is—of protecting the ryot from frequent demands for fractions of his rent will be amply secured by the restriction without the interference of the Board of Revenue or any third party

27. *Section* 102.—I presume the fines exigible under the Act are designed to be recoverable in the criminal courts.

28. A revenue officer is clearly intended by sect'on 103 (*vide* section 106), and this should be expressed.

29. *Section* 104.—How is the revenue officer to satisfy himself that the applicant is entitled under section 103 to make the deposit judicially, that is, after taking evidence or otherwise? Will not the mere application be ordinarily sufficient to justify the receipt of the deposit, the tenant making it being responsible for any illegality or irregularity ?

30. *Section* 111.—What is a non-transferable holding? That of an ordinary ryot is, I believe meant, but suppose such a ryot holds under a lease susceptible of assignment, will section 111 apply ?

31. *Section* 122, *clause* 2.—How and where prescribed? What will be sufficient notice? How is it to be published, and how proved?

32. *Section* 125.—If the landlord holds no decree, and the amount in arrear is disputed, or there is collusion between the landlord and the tenant, will the court have authority to refer the landlord to a suit in lieu of enforcing the charge to the detriment of another creditor ?

33. *Section* 133.—Will one of several co-landlords be entitled to measure independently of the others, or against their wishes ?

34. *Section 135.*—Will the order under section 135 be appealable ?

35. *Section 140*—Is obnoxious to the same animadversion as section 111.

36. *Section 141, clause* (*b*).—How and by whom prescribed, and how is such publication to be proved ?

37. *Section 144.*—What will be effectual service, and will the order under section 144 be appealable or not ?

38. *Section 148.*—Will the order under section 148 be appealable ?

39. *Section 157.*—How and by whom prescribed, and how is much publication to be proved ?

40. *Section 166.*—" In addition to any other remedy to which he is entitled by law." May the landlord sue and distrain simultaneously for the same arrears ?

In any case I conceive one of a co-proprietary cannot distrain for rent due to the whole of the co-proprietors jointly, and that should be clearly expressed.

41. *Section 168.*—Will the order under section 168 (2) be appealable ?

42. *Section 191.*—Why are Courts, when disposing of suits of the nature described in section 191, to be debarred from ordering facts to be proved by affidavit? The provisions of sections 194 to 197 are now freely used, especially for the proof of service of process in suits heard *exparte*. Their application to such suits facilitates the rapid disposal of rent suits, and I fail to see what object is secured by enacting that affidavits are not to be used in the vast majority of suits under the Rent Law. Such enactment will merely prolong their duration.

43. *Section 195*—Is, I think, most objectionable. The law requires issues to be framed in every suit, but in practice issues are rarely recorded in rent suits, and when an appeal is preferred, it is only by reference to the written statement that the Appellate Court can usually ascertain what precise pleas the defendant took in the Court below. The judgment in the majority of rent suits does not state the issues, but disposes of the case summarily. The object of abolishing the right to present a written statement is to save time, but the presentation of a written statement occasions no loss of time whatever, and such a statement is frequently of the utmost value.

The present procedure in rent suits is as summary as it can be, while a record of evidence is indispensable, and section 196 is superfluous. Nothing more than a memorandum is now recorded, but even a memorandum takes time; and it is only by dispensing with a record of the evidence, and as a necessary corollary prohibiting appeals, that the trial of rent suits can be accelerated. Let the parties present what written statements they please. The mere reduction to writing of the pleas cannot delay. Why, therefore, prohibit it, except by leave of the Court?

44. *Section 199.*—If the defendant admits that a part only of the rent claimed is due, and that not to the plaintiff, but to a rival claimant, will section 199 apply? If not, section 199 will be a dead letter, as the defendant by pleading that the sum is one pice or one pie less than the plaintiff claims will be able to avoid the obligation of making the deposit.

45. *Section 203.*—"Before the date of his ejectment." Do these words denote the date of the actual ejectment in execution of a decree for ejectment, the date of the decree for ejectment, or the date of the institution of the suit for ejectment? Not the first, apparently, though that is the natural construction of the words, for it would conflict with the context of section 203 itself, and likewise with sections 204 and 206. Which of the others is the correct interpretation?

46. *Section 204.*—Will the rent payable under section 204 be assessable and recoverable in the course of the proceedings taken to execute the decree for ejectment, or will a separate suit be necessary? If the former, will the assessment and the order to pay the same be appealable? *N. B.*—Section 205.

47. *Section 208 (b).*—Will the tenure so recognized by the settlement authorities be inviolable and unavoidable merely during the term of the temporary settlement, or will it so continue always, even when the temporary is converted into a permanent settlement?

48. *Section 208 (c).*—What are permanent buildings? Masonry structures alone, or will a building with mat or wicker walls, and a thatched roof, solid, well constructed, and of large dimensions fall within the category. I know it is difficult to define permanence; but at least it may be expressed that the phrase permanent buildings is not to be confined to those of masonary alone.

49. *Section 212.*—The officer who holds sales is the nazir, and the nazir never issues or makes a sale notification, or proclamation. That is invariably the work of the Court ordering the sale. Does section 212 intend any change in this respect? I trow not; but its language is not happy.

50. *Section 214.*—What proof of service will suffice? Much will turn on the service of notice, as the purchaser will be bound to avoid within a year from the date of his obtaining knowledge of the incumbrance set up, and the incumbrance will be annulled from the date of service only. Service by post is least likely to be disputed, and most likely to be real.

51. *Section 216 (c).*—Is any, and if any what, notice to be given to the tenant of the claim under section 216 (c), and when must the claim be made? As soon as the sale is confirmed, I imagine; but within what interval of such confirmation?

52. *Section 217* (3).—On what grounds can a plaintiff demand to have a sale set aside?

53. *Section 224 and Schedule IV, Part* III.—Where the judgment-debtor has by fraud or force prevented the execution of the decree, what will the limitation be? The Bill is silent on the point, and Act XV of 1877 does not supply the defect.

54. It is apparently the intention of the framers of the Bill that, with the exceptions enacted, all suits, appeals, and other judicial proceedings under the Bengal Tenancy Act shall be governed by Act XIV of 1882, but this should be expressly enacted to obviate misunderstanding. Similarly, the application of the Indian Limitation Act XV of 1877 to such suits, appeals, and proceedings should, not be left open to argument. Section 225 expressly excludes the operations of section 7, 8, 9 in certain cases, and section 224 likewise supersedes Act XV of 1877 in certain particulars. Are we to infer from this that in all other cases and particulars Act XV of 1877 will apply? Hitherto, this doctrine has never been laid down so broadly, though various provisions of Act XV of 1877 have been applied to suits, &c., under Act VIII (B. C.) of 1869. I suggest therefore that the new Bill distinctly enact the extent of the application of Acts XV of 1877 and XIV of 1882 to suits, appeals, and other proceedings under it.

55. Does section 222 govern such orders as those contemplated by sections 97, 98, 99, &c.?

56. The Court will observe that I have abstained from discussing the policy of the Bill and the amendments proposed of the present law. The main provisions of the Bill have been settled, and I conceive that it now only remains to so frame the Bill as to leave as little room as possible for discussion of the intention of the Legislature. I must, of course, have overlooked many points open to argument, which will strike others; but I trust that some of my comments have revealed defects in the language of the Bill, the correction of which may hereafter prevent litigation, and will certainly facilitate the interpretation of the measure by those who have to administer it.

No. 352, dated Mozufferpore, the 14th May 1883.

From—A. C. BRETT, Esq., District Judge of Tirhoot, Mozufferpore.

To—The Registrar of the High Court of Judicature at Fort William in Bengal.

In reply to your No. 1157E, dated 23rd ultimo, I have the honour to submit the following remarks.

The basis of the longstanding controversy, of which we have the outcome in the Tenancy Bill now before the Viceregal Council, is, in my opinion, the loose employment of such words as "owner," "proprietor," "malik," and the like, and the importation into India of ideas from feudal England. No single class of men can claim the same absolute ownership or proprietorship in land that a man has in (say) a plate or a box of matches. A piece of land is a portion of the crust of the globe we inhabit, and it produces the unearned increment which is the support of life. Ownership in it is therefore necessarily liable to be subject to limitation to co-ownership in fact. To apply this principle practicably, it is necessary to take workable portions of the crust of the globe, *e. g.*, a village. This practical application I believe to have been at the bottom of the distinction between *khudkasht* and *paikasht* ryots. The former were co-owners.

Occupancy right.—The fundamental idea connected by the word *khudkasht* was permanence. The test in old days of permanence was residence. The framers of Act X of 1859 kept to the fundamental idea, and varied the test in conformity with the altered conditions of the time to a holding for 12 years. I am glad to see that the period of 12 years is to be retained, and that it is not intended to travel as far as those enthusiastic gentlemen who proposed to act on the assumption that the legislators of 1859 did not understand the perpetual settlement. I cordially approve of that provision which lays down that a ryot who has held any land for 12 years (not necessarily the same land) in a village or estate should have the right of occupancy. I see that some who admit this principle wish to limit it to definite quantities of land, but I think this is inconsistent with the larger principle of co-ownership. When once a ryot has acquired the status of permanence, he is a co-owner in the village, and has the right to occupy whatever he holds.

Ordinary ryots.—As regards the "ordinary ryot" I disagree with the Bill. It is quite true that under the present law, if an ordinary ryot has received notice of enhancement and elects to stay, he cannot be compelled to pay more than a reasonable rent. This is, however, nothing but the Judicial statement of an equitable principle. The reasonable rent which he can be compelled to pay is for the time he actually stays. But he can be ejected. To tell a zemindar that he cannot evict without paying ten times the increment of rent demanded, is to tell him he cannot evict at all. The ordinary ryot should be left to make his own terms. We are supposed to be interpreting the permanent settlement, not altering it, and as I read it, the *paikasht* ryot (whose successor is the ordinary ryot) was not protected in any way.

Transferability of occupancy rights.—I have always held that these should be transferable, but with restrictions. I think a zemindar has a right to be protected from the incoming of an objectionable tenant. The proposed law strives to protect him by giving him the right of pre-emption, but it saddles this with the provision that the next tenant, whether a settled ryot or not, shall have a right of occupancy immediately. Unless therefore the zemindar is in a position to cultivate the land by his own ploughs, through his own servants (which is not often the case), the only way he can secure himself from an objectionable tenant is to throw away his money; and the operation may be repeated *ad infinitum*. I would allow of transfer in only two cases—(1) Voluntary transfer by the ryot (2) Compulsory sale by the landlord in execution of a decree for rent. As a remedy against the introduction of an objectionable tenant, I would give the zemindar a right of *veto* as to the transferee, subject to a summary appeal to the Collector or the Judge, who should finally decide whether the objection was reasonable or not. Pre-emption might remain as an alternative. Foreclosure and compulsory sale, otherwise than by the landlord, I would prohibit. There is no doubt that at least in Bengal occupancy rights have been transferred, and there is an inevitable tendency to attach the power of transfer to any valuable right. But at the same time the Indian ryot is not yet a fit man to be allowed to walk alone. The present Bill recognizes this in the restrictions it places on his right to contract. There is always the fear least he should fall, bound hand and foot, into the power of the money-lender, a useful man in his way, and one always ready to help a ryot through difficulties as long as the ryot has a holding, but who would swallow him up bodily if he lost this. I would protect the ryot's holding as if it were a plough or any other agricultural implement. It is said that no harm has come where transfers have taken place, but we have not seen the effect of proclaiming the absolute legality and unrestricted power of transfer.

Procedure for recovery of rent.—I entirely agree that there is no royal road to the discovery of facts, but I think that an incentive should be held out to all zemindars to keep really trustworthy accounts, by telling them that any zemindar who can satisfy (say) the District Judge that his accounts prove themselves will be allowed a summary decree. Details might be easily settled. A zemindar should keep his accounts in solidly bound books, with pages numbered, bearing a certificate signed and sealed by (say) a Registrar, and his receipts should be in counterfoil form, &c. On the matter of receipts, I am glad to see the proposed provisions. No one who has seen the loose jummabundi papers, and scraps of receipts which come up to be "duly attested," can help wishing for a reform. The only way to effect one is to show zemindars that it would be worth their while to be more business-like.

Enhancement of rent.—I consider that the proposed provisions on this subject constitute the most hopeful feature of the Bill. The task of framing records of rights, tables of rates, &c., is no doubt a formidable one, but in the resolute facing of this difficulty lies the only chance of success for a Rent law in this country, however equitable may be its spirit, and however scientific may be its drafting.

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No. 486, dated Alipore, the 18th May 1883.

From—C. B. Garrett, Esq., Officiating District Judge, 24-Pergunnahs,

To—The Registrar of the High Court of Judicature at Fort William in Bengal.

In reply to your letter No. 1157F, dated 23rd ultimo, I have the honour to submit a report upon the Bengal Tenancy Bill, 1883.

I do not propose to enter into any general discussion as to the relations of landlord and tenants in this country, or to consider the necessity for introducing so drastic a measure as the present one. I simply propose to deal with the Bill as one that, with more or less modification, will certainly be passed next year, and to criticise the principal points in which the Bill seems to me advantageous or objectionable.

Section 21, sub-section 4.—This sub-section appears to press unfairly on the landlord. Surely in no conceivable case could it be fair that the whole net profits of a tenure, of which even the whole was unreclaimed when the tenure was created, should be perpetually enjoyed by the tenant. Surely the landlord, who owned the land before it was reclaimed, is entitled to something for the use of what I may call the raw material on which the tenant has operated his reclamation. For the words "whether it exceeds 30 per cent. thereof or not," I would substitute the words "not exceeding 70 per cent. thereof."

Sub-section 5.—The same objection, I think, applies to this sub-section. A tenure-holder who has made improvements is entitled, first, to the same amount of profit as if he had not made improvements, *i.e.*, not less than 10 per cent. and not more than 30 per cent. Then to a fair profit on his outlay by a fair profit on the outlay, I mean not merely the market rate of interest on the capital laid out only, but a profit which takes into consideration the increase of wealth won from the soil by the application of capital.

Thus, for instance, if by the application of £100 the produce of any quantity of land is raised from, say, £30 to £60, I consider a fair profit for that improvement to be not merely 5 per cent. or 10 per cent. on the £100, but a fair share of the increment, say roughly three-fourths. But the landlord is surely entitled to something for the "raw material" he supplies.

In this section, after the words "any share," I would therefore add "not exceeding 75 per cent. and not less than 10 per cent. of the balance mentioned in sub-section 3."

Section 24, cp. section 78.—I think this a most excellent rule; it deprives zemindars of the power of harassing their under-tenants by incessant litigation.

Section 49.—I think that this section is open to very serious objection. I am aware that it is founded on certain rulings which, although they may have correctly interpreted the law, have always appeared to me objectionable. The present section will affirm and consolidate these rulings. It will be a great disadvantage to the landlords, especially to small landlords in the Behar districts. I have known in these districts many small proprietors whose sole wealth was their *khamar*. I have always understood *khamar* land to be land which was admitted to be the peculium of the zemindar, and which he had every right to dispose of to the very best advantage that the state of the market allowed him to do. I do not think that we need be apprehensive that he will now-a-days be able to do more than this.

I quite accept it as a thing politically desirable (if economically unjust) that landlords should not be allowed further to increase their *khamar* lands, but I think that established *khamar* should not be interfered with, and that the tenants of *khamar* lands should not be permitted through the carelessness or ignorance of their landlords to acquire a right in this valuable peculium to the detriment of the landlord.

Section 50.—Does this mean simply that he may sublet a portion of his land, remaining liable to the landlord for the rent assessed on the whole, or he may at his option apportion his liability to his landlord? If the latter, I think it is a provision obviously unfair to the landlord

Section 56, Statement of Objects and Reasons, page 116.—After some fluctuation of opinion, I believe that this is a highly desirable provision. At first I was inclined to regard it as injurious to the ryot and likely to diminish the value of his occupancy right. I may say that, so far as the incoming tenants were isolated strangers, immigrants, or persons previously entirely unconnected with the land, I think that no great harm would accrue from their being assessed at the highest rate of rent which the landlord could obtain. Again, I do not believe it would be possible even for a very great zemindar to eject large bodies of his old ryots and supply their places with immigrants, or, what would amount to the same, to deport a whole body of cultivators from one village to another village within his estates. But I think it would be quite possible for him to take advantage of the needs or misfortunes of his tenants, and thus buy up their occupancy rights. Without some absolute restriction like the present, no legislative ingenuity would be sufficient to prevent his resettling the old tenants *swanami* or *benami* on the old lands at arbitrary rents. This is in fact often done now on small scale, and if done on large one would be a great political evil; therefore, I accept this as a salutary restriction.

Section 77.—I am inclined to think five years too long a period; it is rather an incentive to indolence and unthrift. Two years would be, I think, quite a sufficient time to allow. In the case of tenure-holders it is rather different. At tenure-holder finding his rent, say, doubled before he had time to increase the rents of his ryots, might be put to great inconvenience. A cultivating ryot, on the other hand, has only to work a little harder.

Section 85.—I accept entirely the principle of section 85, and the reasons given for it at page 121 of the Statement of Objects and Reasons, but I think such a right should be only co-extensive with the necessity. I would therefore so modify paragraph 2, so as to make it plain that although an agriculturist did not lose his right in his *bastu* land simply by ceasing to become a settled ryot, yet he did lose it by ceasing to be an agriculturist at all. A raiyat should not be able to sell all his *arable* lands and entirely abandon the occupation of husbandry, and still retain a permanent heritable and transferable right in his *bastu* in an agricultural village.

Section 93.—I think that this section is distinctly open to objection, as I believe it will make the exercise of the landlord's power to eject an ordinary ryot quite nugatory. I do not believe that, as a matter of fact, such a ryot would ever make any improvements for the cost of which he could not recoup himself within a year or two at the outside, but the existence of the section would enable him to raise all sorts of claims which must naturally be investigated, and which although, I believe, they would usually be unfounded, would still enable the ryot to harass the landlord and protract the litigation until the time for letting the holding would be passed, and the landlord would either be compelled to allow the old ryot to remain in possession, or would have the tenure thrown in his hands for a year without a tenant. I would make an exception in the case of the ryot having built ryot's ordinary dwelling-house, which any royot should, I think, be entitled to make, and for which, if ejected, he should be entitled to compensation. I think also that, although a tenant is fairly entitled to some small compensation for disturbance, ten times the increased rent would be excessive. I suggest three times the increased rent as a fairer rate.

Section 97.—I would go further than this section, and would make the rent payable in any local area on such dates and in such instalments as the Board of Revenue may appoint, saving only written contracts. It is a very common device for zemindars to harass their tenants to demand payment of rent in monthly kists, and in such cases I have always found it very difficult to ascertain what dates were customary, or in absence of any writing what dates had been agreed to by the parties.

Section 103, Clause c.—I feel very doubtful whether it is advisable to introduce a section like this into a Rent Act. I am inclined to think it will be very difficult to ascertain whether the ryot's doubts are *bonâ fide*, and as suitors in this country are always on the look-out for opportunities for tentative litigation, I fear that whenever there is disputes going on between different persons claiming lands as landlords that the ryots will be induced by one or other of the claimants to make deposits solely with the object of getting, if possible, a decision which will force the opposite side to go into Court as a plaintiff. If it were thought necessary to give the ryot this protection, I think it would be better to allow him to make such a deposit, simply stating the names of the claimants who should then be called on to interplead one another, and this deposit should have the effect of dismissing the ryot from the suit and protecting him against any further liability up to the amount of the sum deposited. In such a case zemindars could have little temptation to practice with ryots to make tentative deposits

Section 128, Clause 2—I do not think that an ordinary ryot should be allowed to make improvements against the wishes of the zemindar except to the extent of building a house. An ordinary ryot has, it appears to me, no right in the land except what the landlord chooses to grant, and in the case of the very small area in the settled districts of the Lower Provinces, wherein occupancy rights have not been acquired, I think the landlords ought to be able to select their tenants and limit their rights. Presumably such tenants will be strangers and not settled ryots of the zemindari (whose status is entitled to every respect), and I do not see they have any particular claim to consideration. If an ordinary ryot having a little capital is permitted to make improvements against the wishes of his zemindar, he might easily, as soon as he has entered on the land, make such improvements as would make it impossible for the landlord to eject him. At the same time I do not think landlords should be encouraged to refuse such sanction merely from caprice. If an ordinary ryot desired to make improvements against the will of the landlord, I think that he should be allowed to serve a notice on his landlord, and that, if the landlord refused him consent, it should operate at the option of the ryot as a permission to abandon the holding at once. In the case of this class of tenants only, I would save any written engagements by the tenant at the time of entry not to make improvements against the will of the landlord.

Section 141.—I should prefer to see the presumption reversed. It is seldom that it is to the interest of a landlord that a tenure should merge. I think the presumption should be that the tenure does not merge unless the contrary is shewn.

CHAPTER XIII.

I confess I should have been glad to see the power of distraint entirely abolished. I am convinced, however, it that would be unjust to the landlords to do so at present. My experience is that it is a power very greatly abused. At the same time I admit, when Collector and Manager of Wards' estates under Act XL of 1858, having had experience of villages, from which I could never realize my rents except by distraint. This was of course before Act VIII of 1869 (B. C.) came into force.

Section 202.—This section does not provide for cases in which the breach or damage cannot be compensated by a money payment. I would add after the words "breach" always provided it can be compensated by a payment in money.

The above are, I think, the only sections in the Act which strike me as objectionable or calculated to press unfairly on the landlord. The new Bill no doubt effects a considerable change in the relations of landlord and tenant, but in my opinion that change will be a beneficial one, and a change which, without unduly curtailing the rights of the landlord, will tend to raise and strengthen those whose interests it is the duty and the truest policy of our Government to cherish—the mass of the common people.

No. 571, dated Commillah, the 12th May 1883.

From—R. Towers, Esq., District Judge of Tipperah,

To—The Registrar of the High Court of Judicature at Fort William in Bengal.

In reply to your letter No. 1157J, dated 23rd ultimo, I have the honour to submit the following remarks on the new Rent Bill.

2. The measure is no doubt an extremely able one, and shews a thorough grasp of all the vexed questions arising between the conflicting parties whose interests will be affected by it. It is clear, however, that it is conceived more in the interest of the tenant than of the landlord, and while the latter gains very little from it, the tenant on the other hand acquires substantial advantages at the landlord's expense, which in many cases exceed the tenants' demands, which are entirely novel in their character, and which appear to be derived rather from a consideration of what has been found expedient in foreign countries than from Indian law or custom.

3. Amongst these I would class (1) the easy terms on which occupancy rights are conferred; (2) the confiscation of the landlord's rights to deal as he chooses with land that has once been *ryoti* when it reverts to his private possession; (3) the almost entire abolition of the right of private contract between parties; (4) compensation for disturbance; (5) the power given to ryots to make improvements against the landlord's wish. I do not wish to be understood as meaning that many of these innovations (within proper limits) may not be justified, but they are one-sided in their character, and the other side is not compensated by any corresponding advantages. I admit the difficulty of conceding to the zemindar his main demand, greater facility in realization of his dues, but I am not prepared to say that it could not be satisfied to a certain extent. There is, however, hardly any attempt made to do so in the Bill.

4. The next general observation which occurs to me is that litigation will be enormously fostered by the Bill. The parties are driven into Court or before the Revenue authorities at every step; even where a ryot agrees to the addition of a few annas to his *jumma*, he cannot register his contract unless with the approval of a public officer. Transfer of occupancy rights will be almost entirely effected through the Courts: so will registration of transferable tenures. Preparation of tables of rates and produce, and records of rights (extremely desirable objects, no doubt), will require a large and expensive staff of officers, and the decision of claims for compensation, for disturbance and improvements will add largely to the business of the Courts. These are not all the provisions of the Bill which will increase litigation, and Government will have to make up its mind to a large addition to the number of Munsiffs and Subordinate Judges to deal with the new work that will be thus thrown on these already overburdened officers.

5. Then not a few of the provisions of the Bill seem unsuited to practical working. Among these I would instance the procedure regulating the transfer of occupancy rights, sections 51-5; the rules for the preparation of tables of rates, sections 62 *et seq*; those directing apportionment of expenses, section 72; rules for enhancement, sections 73-6, which seem very intricate. Those requiring delivery of a statement of account, section 101, chapter XI, which renders nearly all the labour and expense of the proceedings before the Revenue Officer liable to go for nothing, if either party chooses to resort to the Civil Court.

6. That there are many admissible provisions in it, I do not for a moment mean to deny. I have not in my remarks in detail referred to these, but when I pass them over, I mean it to be generally understood that I approve or do not object to them. Among others I would particularly mention sections 98, 100, 122, 125, 142, 148, 150, chapter XIII generally, 199, 200, 203 (*a*), 204, 205-7.

7. I now come to the details of the Bill.

CHAPTER II.

I think the expression "private" land is too vague and will give rise to difficulty. There is a good deal of land even in the eastern districts, which the proprietors let out for yearly cultivation, sometimes to one tenant, sometimes to another, in which no right of occupancy is ever claimed by the cultivator. Will this be considered *khamar*? I think it will be a hardship on the landlord if it is held to be *ryoti* within the meaning of the Bill. The survey and register under section 7 will, I believe, be a work of enormous difficulty. Every plot will be disputed, and there will be in effect a civil suit contested in every stage before the Survey Officer, the Commissioner, the Board, and Government.

It seems to me to be more expedient to allow each case to be settled by the Courts on its own merits in case of dispute, than to cause widespread discord by sending a roving commission about the country to agitate questions on which the parties concerned are themselves

quiescent. I believe there is no injustice felt in this part of the country, at all events, on this subject (whatever may be the case in Behar).

CHAPTER V.

The two chief points open to criticism in this chapter seem to be (1) the definition of occupancy rights in sections 45 and 47; (2) the provision in section 56 that any ryot taking land from a landlord, of which the latter has himself acquired the occupancy right, shall have a right of occupancy in it.

With regard to the first of these, the extreme care has been put that under the Bill a ryot who has held two *cottahs* of land in village A for 12 years, may acquire rights of occupancy in 200 bigahs in villages B, C, and D, though he may have had possession of the same land for only three or four months. The necessity of the provision has been maintained, on the ground that otherwise the landlord, by shifting the ryot from one plot to another, might prevent the acquirement of the right in any one plot. There may be parts of the country where this is done, but I do not believe in the existence of the practice in Bengal. It may be difficult to give a difinition of occupancy rights which would satisfy everybody, but I think the proposed one must be modified. If the landlord could shew that it was at the ryot's own request that he allowed him to change his land, I think possession of the land subsequently acquired ought not to count in continuation of the former holding. If the holding is made up of lands taken at different periods, only in those held for 12 years should the right be deemedto accrue. The burden of shewing the different periods and the area taken up at reach might be placed on the landlord, as matters peculiarly within his knowledge. If he keeps proper *jumma-wasil-baki* papers, he should have no difficulty in proving the particulars. The payment of rent is not made a condition to the retention of occupancy rights, which is a material departure from section 6, Act VII of 1869 (B.C). It was held in Narayan Roy *versus* Upiul Misser, 11 C. L. R. 417, that payment of rent is not necessary to the *acquirement* of such rights, but the Bill goes further still. The provisions against contract in sections 45 and 47 may be justifiable in some parts of the country. As a rule, I believe the ryots in the eastern districts are well able to take care of themselves in this respect, and they have the great safeguard of the Registration Land Act (III of 1877) in their favour. There need be little fear of ryots being entrapped into signing *kabulyats*, so long as the registration of *kabulyats** is compulsory. Should there not be an addition to section 50(*d*), allowing a decree for ejectment on the ground of forfeiture, *i.e.*, when the ryot repudiates his landlord's title and sets up an adverse one? *Vide* Article 12, clause 8 of Mr. Field's Digest.

* I Know that *kabulyats* for one year are not compulsorily registerable, but they ought to be made so. The omission has been a fruitful cause of fraud.

I have received some strong representations as to the delay which will be caused to the landlord by his not being allowed to eject an occupancy ryot for arrears of rent, his remedy under the Bill being the sale of the holding. This is one of the points where the zemindars asking for bread (*i.e*, greater facility of realization) have been given a stone. But I think the arguments in favour of transferability are unanswerable, and it follows that sale of the holding and not ejectment is the proper remedy; even at present it has been held that if a ryot has a transferable interest in his *jote*, he cannot be ejected for non-payment of rent. *Vide* Kristendra Roy Chowdhry *versus* Aina Bewa, 10 C. L. R. 399.

Then with regard to section 56, except in cases of ejectment, section 50 (*d*), and lapse, section 50 (*g*), the only way in which the landlord can acquire the right is by purchase (the two exceptions will evidently be of very rare occurrence). But if he is compelled to treat any person to whom he subsequently lets the land as an occupancy ryot, what consideration has he had for his purchase money? It is said that he may keep the land in his own hands, and cultivate it by labourers or hired servants. But in many cases it might be extremely inconvenient for him to do so. It would require an amount of capital which he frequently would not possess, and even if he did, his tastes and habits might not lie in the direction of practical farming.

In my opinion there is an economic mistake, as well as a serious injustice, in the provisions of this section. I see no reason why land thus acquired should not be considered as the "private" land of the proprietor, the danger stated in the "Objects and Reasons," paragraph 42, seems only imaginary; the new ryots would come in with their eyes open, and even ordinary ryots are substantially protected by the Bill.

CHAPTER VI.

Sections 58-61.—Here again, I think, there is too much interference with private contract, and I think section 61, at all events, is not defensible. Why should a settled ryot, who wishes to take on more land than that in respect of which he has acquired his *status*, be allowed to hold any further land he may take from the zemindar on privileged terms? Of course the section is the natural outcome of the hard-and-fast distinction of all land into *ryoti* and *khamar*, but, as I have already said, it seems to me unjust that a landlord should not be permitted to turn *ryoti* into *khamar* if he has obtained the *ryoti* right to it by legitimate means. The preparation of a table of rates will be practically impossible in most places, the rates varying so much even in comparatively restricted areas.

Section 78.—The period of 10 years laid down in this seems too short. Any change ought, I think, to be absolutely prohibited for at least 20 years.

Section 79.—There ought to be a ground added to this section allowing the ryot to claim a reduction on the converse of the ground stated in section 74 (1), *viz.*, that the rent paid by him is above the prevailing rate payable by ryots of the same class for similar lands in the vicinity.

CHAPTER VII.

Under section 88 it is not clear but that an absconding ryot, *i. e.* one who has abandoned his cultivation in the village and gone elsewhere, may not still for an indefinite period retain his right to the hut which he has erected on his holding, and which has ceased to be of any use to himself or to any one else when he has abandoned it. Right to the *bastu* ought not to survive rights to the cultivable land when the latter is abandoned.

Section 90.—Ejectment for forfeiture should be allowed; *vide* note to section 50 (*d*).

CHAPTER VIII.

The provisions of this chapter are entirely novel, and most of them seem to me to furnish very reasonable ground of complaint to the landlord. The limit to the amount of rent demandable under section 89 (read with section 119) seems very low, and I question whether the law should fix any limit.

Section 90 (*b*)—Pre-supposes that there will be a written contract, which in most instances will not be the case; and compensation for disturbance imposes a penalty on the landlord for exercising an admitted right. With regard to compensation for improvements, there will, as a rule, be no improvements in Bengal, except the ryot's hut or homestead, which, though dignified with the name of an "improvement" in section 126, is a very questionable one from the landlord's point of view. It is not as if the ryot built a substantial farmhouse and out-houses as in Europe, which would be of use to an incoming tenant; it will consist only of a list of thatch and fencing and a *bhita* which the next comer will probably prefer not to take over at all, but to raise a new one for himself. Still the owner is entitled to something for it, and this provision is therefore, I think, equitable enough. If the principle of compensation for disturbance be retained, I think it should only be allowed where the Court considers the enhanced rent demanded to be grossly unreasonable.

Section 91.—It has been suggested, I think very reasonably, that it should be declared that failure to prove service of the notice should not cause the suit to be dismissed. The service or non-service might be taken into consideration in determining the question of costs, or the time from which the enhancement should commence.

CHAPTER IX.

Section 96.—Alteration of rent on account of excess or diminished area *ascertained by measurement* seems to be left out of the Bill. Sections 18 and 19, Act VIII of 1869, specified them as grounds of enhancement and abatement. I do not know whether their omission from the Bill is intentional. I find no explanation of this in the "Objects and Reasons."

I would omit section 101 as tending to unnecessary trouble and complication. If the ryot gets the receipt specified in section 100, he cannot want anything more. The particulars required by section 101 seem to correspond very much with those contained in the ordinary *jumma-wasil-baki* papers, which the zemindar will probably keep for his own convenience; but if the ryot gets the receipt to which he is entitled by the preceding section, he should not be allowed to harass his landlord by putting him to the expense of an extra establishment for furnishing "extracts of account," and subjecting him to prosecution for neglect to do so. This section will operate as a real hardship on zemindars, with no corresponding advantage to the ryot.

Section 102.—My experience in rent suits has led me to the conclusion that there is nothing more important to the interests of the ryot (and indeed of the landlord too, though he does not always think so) than a proper system of receipts. The form in section 100 seems an admirable one, and the retention of the amount of *jumma* (clause *f*) should be insisted* on. I am sure I am within the mark when I say that three-fourths of the cases I have had to deal with in this district, between landlord and tenant, arise from dispute as to the amount of *jumma* in each case payable. Pottahs and *kabulyats* being unfortunately as yet comparatively rare, there is nothing to decide the point, but unsatisfactory oral evidence and such confirmation thereof as may be found in the zemindar's papers. The introduction of clause *f* will be a great boon to the ryots, and, considering the importance of it, I would make the punishment of the landlord much more severe than that laid down in section 102, which seems to me entirely inadequate. In most cases it will not be worth a ryot's while to put himself to the trouble of prosecuting for such a petty sum as double the few annas for which a receipt has been withheld. We may be sure that the costs he would obtain in the suit, even if he won it, would not reimburse him. The force of these remarks will be more evident if we bear in mind the exceedingly small *jummas* of most of the ryots; six millions out of 10 paying less than 5 a year—*vide* Mr. Justice Cunningham's minute. I would make the withholding a receipt for

* NOTE.—*I* would modify this by adding "in the case of settled ryots." It has been pointed out to me that in some yearly lettings called *utkapara* in this part of the country, corresponding, I believe, with the *utlandi* in Nuddea, the rent depending on the area found on measurement to have been cultivated by the ryot, it is not usual for the landlord to prepare his jummabundi till late in the year. Payments will, however, have been made before that by the ryot, and in receipts given for such, it will not be practicable to enter the amount of the jumma.

any sum a high misdemeanor, punishable with fine extending to (say) Rs. 500, out of which the ryot should be reimbursed full costs of suit besides penalty.

Section 125.—There is no provision in the Bill corresponding to sections 57, 61, 64, and 65 of Act VIII of 1869. It ought to be distinctly laid down whether, in the case of arrears of tenure, the landlord's remedy is to be confined solely to the sale of the tenure, or whether he can also proceed against other property of his debtor, and if so, whether before or after sale of the tenure. In this connection, I would call attention to a recent important ruling of the High Court, I. L. R. VII, Calcutta, 748, which certainly interprets the law differently from the way in which it had been previously understood. The omission of all reference to the subject in the Bill may give cause to much difficulty, and there ought, I think, to be an authoritative exposition of the law on it.

CHAPTER X.

Sections 126-8.—I doubt whether either party will make much use of these sections. I must say that the provisions generally of the Bill hold out but little inducement to the landlord to make improvements (which others will reap all the benefit of), but the principle contained in these sections is undoubtedly novel. They may be beneficial, but they upset existing ideas. Permission to dig a well or excavate a tank has hitherto been held a high prerogative of the landlord. There will no doubt be loud complaints on this point. The principle is objectionable, chiefly, I think, because it confers a right on the ryots which they would never have thought of claiming themselves, and I think reforms in this direction should only be where the people themselves demand them.

Section 129.—I do not know whether the word "predecessor" in clause 1 is designedly in the singular number if it includes the plural, as it may, by section 2, Act I of 1868, I think. Some limit of time within which the improvement must have been made should be laid down.

Section 133, proviso.—In cases of increase or loss to his property by alluvion or deluvion, it might be a hardship to prohibit the landlord from measuring again within 10 years.

CHAPTER XI.

This chapter is intended to apply to *all* classes of ryots. I would, for reasons already given, exclude ordinary ryots from its operation. I think Government should not interfere with the zemindar's power of contracting with them on any such terms as may be mutually agreed on.

I confess I do not quite understand the distinction between rents subject to alteration by order of a Court and rents not subject to such alteration. Will the Revenue Officer have the power of deciding what tenants' rents fall within each class? His decisions in the latter class of cases will have little finality, their correctness being merely presumed until anybody shows the contrary in a civil suit. Litigation will therefore be hardly, if at all, prevented in this class of cases.

In the other class he should either not interfere at all, or his powers should be more extensive. It may be right that he should have a discretion to refer cases to the Civil Court under section 155, but I think the powers of revision given to the latter by section 160 are much too large. The matters referred to in clauses (*a*), (*b*) and (*c*) are surely ones in which the Revenue Officer, who it is to be presumed will visit the spot, measure the ground, &c., will be in a better position to decide than the Civil Court. The period of 10 years in section 160 should be extended to 20. It is of the utmost importance that people should not be harassed by liability to frequent change in these matters.

CHAPTER XIII.

I am not one of those who would recommend the abolition of distraint. It is in many cases, even in Bengal, absolutely necessary to the legimate security of the landlord, who ought to have a first charge on the produce of the land. I have observed in the printed reports of discussions in Council and elsewhere that very little objection has been taken on any side to the provisions of this chapter. Two of them seem absolutely necessary to be maintained.—(1) That the landlord must not himself be allowed to interfere in any way with the distraint (except in applying to the Court for it), wich must be entirely carried out by the Court's officers. (2) The penal provisions of sections 185-6 which are necessary to give effect to the former principle.

In section 167 (2), I think the court-fee should be eight annas only. That specified is too high a tax on the landlord. He has not yet the benefit of a full adjudication of his claim, as he may afterwards have to defend a suit under section 181 (4).

CHAPTER XIV.

The arguments against furnishing zemidars with any summary remedies for the recovery of arrears rent are certainly difficult to be answered. Chapter XIV simplifies the existing procedure a little, and section 199 is no doubt a wholesome provision; but still the fact remains that numbers of ryots withhold their rents with no excuse whatever, and Chapter XIV will not have much effect on them. They simply decline to pay until they are forced, and I have heard it explained how it pays them to do so. The first thing is that they gain time. They know there will be a good deal of delay before the landlord can get his

case ready for Court, and after the plaint is filed, they know there will be a good deal of further delay before they are called on to appear, and still more before the case is decided, especially as the Rent Munsif's files are so heavily blocked (I am of course now speaking of this district only). There then will be the time taken in appeal, and finally the chance of a successful claim by a friendly neighbour to the property attached in execution. The above proceedings may be easily spun out for a year, and frequently longer even in cases where there is absolutely no defence; and I am afraid that even under Chapter XIV the delay will not be much curtailed. The danger of allowing zemindars the summary powers exercised by the Collector in *khas mehals*, &c., under the certificate system, has of course been amply demonstrated. There is one suggestion, however, which I would make bold to offer, *viz.*, that in any suit where the zemindar produced a decree shewing that the *jumma* claimed by him had been awarded by the Court against the defendant within (say) three years of suit, with a declaration on oath that it had since been due and unpaid, and submitted his *jumma-wasil-baki* or similar papers to the Court's inspection as proof thereof, a decree for the amount should forthwith be passed, subject to the condition that execution be at once taken out, the defendant to be heard summarily on any objection made by him. Something like this would, I believe, work well in this district; the only defence would in nine cases out of ten be a plea of payment, which, under the now stringent rules as to accounts and receipts, ought to be settled at once without difficulty. There should be no appeal by the defendant unless he paid the amount decreed into Court.

Section 196.—Evidence should be taken down *verbatim* whether an appeal is allowed. If this section stands, Appellate Court will be placed in a very difficult position, somewhat as they are at present, in appeals in summary trials under the Criminal Procedure, where, on the meagre depositions on the record, it is often impossible to say whether the first Court was right or wrong. Abbreviation of the evidence will be no help, but the contrary, to the Appellate Court. If the section stands, I am sure there will be many remands on this score.

Section 198.—It is probably thought that the limitation of power to appeal is a provision which will operate chiefly in favour of the zemindars. My experience does not lead me to that conclusion. The Court of first instance (by which I, of course, mean the Munsif's principally), according to my experince, favour the ryots as a class more than the zemindars. Restrictions on the power to appeal would, I believe, be felt as a greater hardship, therefore, by the latter than by the former. The provisions in section 198 (*a*) seem unimpeachable. I almost think (*b*) would be better omitted. A Munsif so vested would be under great temptation to become either a "zemindar's man" or a "ryot's man," and the District Judges work would be enormously increased by the last proviso of the section, which would be sure to be worked so as to give him as much trouble as if there was an appeal in every case.

Section 200.—Nor would I allow a landlord to sell his right to the rents to any one but his successor in interest as landlord. Temporary tenure-holders, such as *ijaradars* and *dur-ijaradars* for short terms, often sell to speculators their rights to the rents from the ryots for one, two or three years. This should I think be prohibited. Chapter VIII of the Transfer of Property Act seems to sanction the practice, but does not give adequate protection to the ryot.

CHAPTER XVI.

I would draw attention to the note in Mr. Field's Digest, pp. 56-7. It may be, if *exclusio mims is expressio alterins*, that section 225 may be held to mean that, with the exception of sections 7, 8 and 9 of the Limitaiton Act, the provisions of that Act generally apply to suits, &c., under the Bill. If so, there will be no difficulty, otherwise there ought to be an express declaration to that effect. It seems doubtful, however, whether it would be expedient to extend the provisions of the Limitation Act generally to suits, &c., under the Bill. Some sections of the Act no doubt ought to be so extended, such as section 5, paragraph 1, sections 12, 17, 18, 22 and 25. There are others which are more doubtful, *viz.* section 5, paragraph 2, which is opposed to section 103, Act VIII of 1869 (B.C.), and perhaps section 14.

SCHEDULE III.

There is such a remarkable unanimity amongst all those whom I have consulted on the necessity for the insertion of some provision to protect putnidars from exactions on the part of zemindars (or rather of their servants), that I have thought proper to notice the matter, though I myself thought section 14, clause 1, sufficiently provided for it. I have, however, been assured that the Collector does not consider himself at liberty to receive amounts tendered under that section, but refers the parties to the zemindar's amla, who invariably refuse to receive it, and stop the sale, except on receipt of a gratuity amounting sometimes to so much as 10 per cent. on the deposit

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No. 450, dated Bankoora, the 16th May 1883.

From—Baboo Brajendra Coomar Seal, District Judge of Bankoora,

To—The Registrar of the High Court of Judicature, Calcutta.

With reference to your No. 1157 J. of the 23rd ultimo, calling for an expression of opinion on the provisions of the Rent Bill, I have the honour to submit as follows.

2. The Bill is in some respects an improvement on the Bill drafted by the Rent Commission; and, generally speaking, I approve its provisions.

3. On going through the Bill, what has suggested itself to me I proceed to note for the consideration of the Court:

CHAPTER I.

4. *Section 3, clause (3), Tenure*—Ryots of the class described in section 14 ought not to be brought under the category of tenure-holders. Paragraph 13 of the Statement of Objects and Reasons explains that it is necessary to call them tenure-holders, simply because it is convenient to do so from the draftsman's point of view; but in course of time the ground on which they have been called tenure-holders would be lost sight of, and they themselves would lose the privileges of a ryot.

5. *Section 3, clause (10)*.—Perhaps it would be better to put it in the following form: "Rent" means whatever is payable in money or deliverable in kind, &c.

6. *Section 3, clause (13)*.—The definition, as contained in the Rent Commission Bill, I consider to be better.

7. Each of the members of a joint-family, consisting of five brothers, may grant a lease with respect to his undivided fifth share in any land. In such a case it would be doubtful whether the *holding* under each of the brothers would come under the definition of the *holding* as given in the Bill. The words "*a parcel of land*" are objectionable.

CHAPTER II.

8. *Section 6*.—The presumption contained in the latter part of this section, if allowed to remain, is likely to create difficulty. Thus A, a ryot, sues to recover possession of land, saying that it is his *ryoti* land; the landlord contends it is *khamar*: A, as plaintiff, ought to start the case. He would be able to prove that it is not *khamar* by producing an extract from the papers relating to the measurement provided for by the Act, as well as the landlord would. Under such circumstances, it would hardly be fair to call upon the defendant in the first instance to disprove the case set forth in the plaint.

9. *Section 7*.—Opportunity may now be taken of making provision for the registry of tenures and the occupancy ryot's holding, on the line of the Land Registration Act (Act VII of 1876). Every sub-divisional office ought to have a register of all tenures within its jurisdiction, and every rural Registrar's office a register of the holdings of all settled ryots, in the same way as the District Collector has in his office a register of all revenue-paying and revenue-free properties.

CHAPTER III.

10. *Sections 16 and 17*.—These sections ought to come under section 15 as Explanation I and Explanation II, respectively. That was the position accorded to them by the Rent Commission.

11. *Section 25*.—It ought to be made clear that the permanent tenure is also *heritable*.

12. *Section 27, sub-section 2, clause (b)*.—The fee provided for by this section seems to be high. It will be sufficient if it is made double of what is laid down in clause (*a*).

13. *Section 27, sub-section (3)*.—Some provision ought to be made when the landlord refuses to give his reasons in writing.

14. *Sections 28 and 32*.—Instead of Revenue Officer, I would prefer Civil Court; at any rate, a wider latitude may be left for the Local Government by substituting the simple word *Officer* for *Revenue Officer*.

15. Throughout the Bill it is provided that a man should first go to the Revenue Court and then to the Civil Court. This procedure will not only be expensive, but also inconvenient. The best course would be at once to go to the court where he will get the final relief. I say inconvenient, because the limits of the sub-divisional jurisdiction are oftentimes more expensive than those of the Munsifs, and therefore the sub-divisional offices are not as easily accessible to the people as the Munsifs are.

16. *Section 29*.—This section will clash with section 312 of the Civil Procedure Code. It will perhaps be better to leave the auction purchaser to follow the course laid down for a private purchaser. That will be reasonable, and it will at the same time secure uniformity of practice.

17. *Section 30*.—There ought to be an application to serve the purpose of a reminder, otherwise mistake is likely to occur in the case of owners of extensive properties like the Maharajah of Durbhunga or the Maharajah of Burdwan. It will be more business-like to make it incumbent on the purchaser to make an application, but without fee.

18 *Section 31*—Instead of jointly *and* severally, it would, I think, be better to say jointly *or* severally. When two persons are jointly *and* severally liable, both of them must be sued, and the decree may be joint and several; but it is doubtful whether the one or the other may be sued separately. My object in proposing *or* for *and* is to leave it open to the landlord to sue both or either. If the phrase "jointly *and* severally" would not stand in the way of a suit being brought against either the one or against the other, or against both, I have no objection to allow the section to stand as it is.

19. *Section 44*.—By custom, having the force of law, the phrase "*having the force of law*" has been used either as expletive or as definitive. If it has been used as an expletive, it is liable to be mistaken for a definitive phrase. If it has been used as definitive, it will create

difficulty in practice. I think it is better to omit the phrase, leaving simply the word "custom"—custom, to be valid in law, has its well-known incidents.

20. *Section 45, Notwithstanding any contract to the contrary.*—At one time I was of opinion that laws ought not to interfere with contracts, but I now think that without such a provision the object of the law is liable to be defeated. I therefore approve the section as it is.

21. *Section 46.*—One year seems to be too short a period. In anology to the limitation in cases of prescription, I would make it two years. Then "*ceasing to hold ryoti land as a ryot*" ought to be explained or illustrated, otherwise difficulties will arise in practice. When the ryot does not cultivate, but continues to pay rent, will he be considered to have ceased to hold as ryot?

22. The period of one year, or whatever the term may be, must be *continuous*. It is therefore desirable to add the word *continuous* before "period."

23. The Bill protects two classes of ryots, *viz.*, (1) ryots who have held lands in a village for a period of twelve years, though it may not be the same land, and (2) ryots to whom occupancy right has been granted by deed; but it gives no protection to a class of ryots who are, as a matter of fact, looked upon as superior in rank to many coming under the first class, *e.g.*, a tenant who has for twelve years held different lands of the same village as a *bhag* tenant, he will obtain the rights of an occupancy tenant; but one who has resided in the village for eleven years and cultivated the land of that village for eleven years, and has given ample proof that he intends to live permanently in the village, is not protected. The custom under section 4 would not help him, because, since the passing of Act X of 1859, there has been an interruption of the custom which protected *khudkasht* ryots, and one of the incidents of custom is that it must be uninterrupted. He may no doubt acquire the rights of an occupancy tenant by deed under section 48, but landlords are not likely to favour such grants.

24. I would be satisfied if a section were inserted between section 48 and section 49, to to say that, when a ryot cultivates the land of a village and lives there, and intends to live there permanently, he will also be considered settled tenant, with the right of occupancy, notwithstanding any contract to the contrary.

25. *Section 49.*—*Under a lease for a fixed period.*—A holds *khamar* land without any engagement for five years. After the expiration of the five years, he takes a lease of the land for a fixed period of thirteen years. Here, when the lease has run for seven years, A shall have held the land for a period of twelve years. He would not, under the section as it stands at present, acquire the right of occupancy, because he has held it for a portion of twelve years under a lease for a fixed period. The section ought to be made more clear, so as not to lead to such a conclusion.

26. *Section 50.*—I approve the rights proposed to be given to occupancy tenants. At one time I held that, to keep the ryots at a safe distance from the mahajuns, it would be wiser to make the interest of an occupancy ryot not mortgageable. I give up that idea and accept the incidents as they are laid down in this section. I object only to the proviso to clause (*g*) as being unwise and unstatesmanlike. The words "proprietor of the soil" in the Regulations of 1793 have given rise to a good deal of misconception. This proviso, which virtually makes the landlords represent the Crown in certain respects, is likely to give rise to further misconception in future. The practice, as it obtains at present, is that the Crown does not exercise its right by escheat with respect to *mal* land; that practice may be continued, and it will serve the purpose of the said proviso.

27. *Section 50, sub-section (1).*—Instead of the *Office of the Collector*, I would substitute *Civil Court*, as ultimately he shall under sub-section (3) have to come to the Civil Court. To go from one office to another for a matter like that would cause delay and trouble. The matter ought at once to be settled by the Civil Court.

28. Instead of *one month from the date on which he files the notice* in sub-sections 1 and 3, I would make it 15 days from the date of the service of notice, making it discretionary with the Courts to extend the period on satisfactory grounds.

29. *Sub-section (4).*—*Within six months from the date of sale.*—The period of the limitation ought to be the same as that fixed for cases of pre-emption (Article 10, Schedule II of the Limitation Act), *viz.* one year.

30. *At a price ten per centum below its estimated value.*—This is a very wise provision and I support it. It will serve as a self-adjusting safety-valve.

31. *Section 54, sub-section (1).*—For the office of the Collector I would make Civil Court.

32. *Sub-section (3).*—For *one month from the date on which the notice is filed*, I would make *fifteen days from the date of the service of notice.*

33. *Sub-section (4).*—For 'within six months,' I would propose one year.

34. *Section 55.*—*Claim to purchase from the legatee or any other person, &c.*—Exception ought to be made in cases where the tenant, with a desire that the property should remain in his family, bequeaths it to his widowed sonless daughter, or widowed daughter-in-law, who, though not heiress-at-law, are still the objects of his affection, and whom he looks upon as members of his family.

35. *Section 59, sub-section (1), Chapter VI.*—"*Approved of, and registered by, a Revenue Officer appointed by the Local Government in this behalf.*"—The plan is not likely to work

satisfactorily if the section stands as it is. I would modify it thus: "Approved by the Court in which a suit for the enhancement would lie, and registered under the Registration law after approval."

36. *Sub-section* (2.)—The standard is perhaps low; it may be raised to eight annas, one-fourth of the estimated average annual value of the produce respectively.

37. *Section 61, sub-sections* (1) and (2.)—I would omit both these sections. So much interference is not necessary.

38. *Section 62.*—The greatest care is necessary to prepare the table of rates, and the local area taken must be limited in extent. A table of rate made without due care and circumspection, and for large areas, is likely to do more mischief than good. The preparation of the table of rates ought to be entrusted to the Rent Suit Munsifs. Although provision is made for the preparation of table of rates by Revenue Officers under the superintendence of the superior Revenue authorities, much will depend upon the exertions of the officer doing the original work, and if that is clumsily done, the Appellate authorities will feel great difficulty in altering it without holding another local investigation.

39. Without detracting the least from the merits of the Revenue Officers, it can be confidently asserted that such tables are likely to be better prepared by Munsifs who have been accustomed to try enhancement suits than by officers new to the work. At any rate, for the present, for *Revenue Officer* in section 62, it may be put down simply *officer*.

40. Instead of the assessors being appointed by the Local Government, it will be better to leave it to the landlord and the ryot, each to select one assessor.

41. *Section 74, clause (2)—From causes not merely temporary or casual.*—Temporary or casual causes may produce permanent improvement. The language ought to be clearer.

42. I approve the rules contained in sections 76 and 78.

Section 79, sub-section (1).—Bonâ fide contracts entered into before the passing of this Bill ought to be saved.

43. *Sub-section (1) clauses (a) and (b)—Have decreased from cause beyond the ryot's control and not merely temporary or casual.*"—The words "temporary and casual" have evidently been employed to mean that there has only been a temporary or casual decrease of the productive power; but according to the grammatical construction, the words temporary or casual refer to "cause." From temporary or casual cause there may be permanent decrease in the productive power. The language ought to be made clearer

44. *Section 82, sub-section (2), clause (b).*—Instead of five years I would make it ten. Sometimes high price prevails for years. There will be no difficulty in getting ten years' price-current, as the Bill provides that price-currents should be annually made and published.

CHAPTER VIII.

45. *Sections 91 and 92.*—If a section such as I have proposed in paragraph 24 be added, I have no objection to these sections; otherwise I would strongly oppose the applicability of these sections to the class of ryots mentioned in that paragraph.

46. *Section 93, sub-section (2), clause (b).*—The compensation for disturbance appears to be high: I would reduce it considerably. I would make it one year's rent, *i.e.*, the increased rent.

CHAPTER IX.

47. *Section 96, sub-section (2).*—The principle laid down in sub-section (3), regulating decrease, ought also to regulate the increase.

48. *Sections 97 and 98.*—In the absence of agreement and custom, the tenure holders ought to be made to pay their rent fifteen days and the ryots one month before the Government revenue payable on account of the estate to which the tenure or holding appertains becomes due; and when the tenure or holding forms part of a revenue-free property fifteen days or one month, as the case may be, when the road-cess on account of such property is payable.

49. *Section 100, sub-section (4).*—It will be useful to have the acknowledgment of the recipient on the counterfoil, when that is practicable.

50. *Section 102, sub-section (3).*—I would omit that sub-section, and substitute in its place a rule like this. If the landlord fails to produce with his plaint, in a suit for rent, the counterfoils for the previous three years, the plaint shall be rejected.

51. *Section 103.*—Payment of rent by post office money order ought to have legislative sanction. If a column in the money-order form be added to shew on what account the money-order is being sent, it would admirably suit the convenience of the ryots without causing any inconvenience to the landlord.

52. *Section 106, sub-section (1).*—In clause (c), section 103, is the officer to make any sort of investigation before ordering payment? In such cases the parties ought invariably to be referred to a suit.

53. *Section 108.—Liable to interest at the rate of 12 per cent. per annum.*—Some discretion ought to be left to the Court to meet exceptional cases; for example in years of famine, when the ryot is unable to pay, it would be very hard to decree interest at 12 per cent.

54. *Section 112.*—For Collector I would make Civil Court.

55. *Section 114, sub-section (2).*—First to the Collector and then to the Civil Court would be a tedious process, it ought at once to be disposed of by the Civil Court.

CHAPTER X.

56. *Section 128.*—An ordinary ryot is not likely to make any improvement, but his right to improve, in the same way as a settled ryot would, ought not to be restricted in any way by legislative enactment.

57. *Section 129, sub-section (4).—Unless it is shown that the landlord, &c.,*—I would omit that provision. That is likely to do more mischief than good.

58. *Section 130.—The Local Government may make rules with respect to assessors.*—The Bill itself ought to make provision for the appointment of assessors on the line of the Land Acquisition Act, and it ought not to be left to the Local Government to do.

59. *Section 133.—Except land entered in the general register of revenue-free lands prepared under the Land Registration Act, 1876.*—Landlords ought to have the right of measuring such lands when it is geographically situate within the limits of their estate. Without the measurement of the whole estate the *chita* cannot be complete. The measurement of such lands does no harm to the rent-free holder.

59. *Illustration to Section 133.*—So long as the putni continues, A ought not to have the right of detailed measurement, requiring tenants' attendance.

60. *Section 138.*—The Civil Court ought to decide it on evidence. If any officer under the Collector has special knowledge, he may be examined as an expert.

61. *Section 139, sub-section (1), clause (b).*—"*Unless the holding is let to another person for the agricultural year following the surrender.*"—I would add: *or the landlord brings it under khas cultivation.*

62. *Sub-section (2).*—All such notices would at once be served through the Court.

63. *Section 141, sub-section (1), clause (a).*—This will have the tendency of making *ryoti* land *khamar*. I would omit section 141 altogether, leaving the matter to be governed by the general principles of law.

64. *Section 150.*—Transfer of portion of a holding ought not to be void in law. The old tenant and the transferee may be jointly liable for rent; or if the landlord does not choose to recognize the transfer of a portion, the old tenant's liability may continue.

CHAPTER XIII.

65. I approve the rules contained in this chapter. Ghatwali lands have been declared by the Privy Council not to be liable to sale even for arrears of rent. The provisions of this chapter will be of great use to the receiver of the rent of ghatwali lands.

66. *In section 167, sub-section* (2), the court-fee proposed to be charged ought to be reduced to half.

67. *Section 179.*—The officer holding the sale ought not to be allowed to distribute the sale proceeds; the Court ought to do it.

CHAPTER XIV.

68. *Proviso to Section 198.*—'Substantial error' is a very vague expression. It ought to be explained that a wrong estimate of the evidence is not a substantial error, otherwise District Judges will be moved in almost every case to call for the record. To discourage useless applications, court-fee for applications to call for records ought to be levied, as in petition of appeals.

69. *Section 199, sub-section (3).*—This sub-section may be omitted as unnecessary. When the money is deposited under sub-section (2), it may be looked upon as a deposit under section 103 (c).

70. The provisions of section 202 I consider to be very salutary.

71. *Section 214.*—The notice ought to be served through the Civil Court.

72. *Schedule IV, Article 2, column 3.*—Instead of date of deposit, ought to be date of service of notice, as in section 31 of the present Rent (Act VIII (B.C.) of 1869.)

73. In conclusion, I regret that I was not able to send this report on the 14th instant.

No. 63A, dated Sealdah, the 15th May 1883.

From—BABOO MOHENDRO NATH BOSE, Judge, Court of Small Causes, Sealdah,

To—The Registrar of the High Court, Calcutta.

With reference to your letter No. 1157K, dated the 23rd ultimo, I have the honour to submit the accompanying few hasty remarks on the Bengal Tenancy Bill.

2. The time allowed was short, nor could I deal with the subject as it deserves. I have simply jotted down my opinion on the provisions generally, hoping the same would be acceptable to the Court.

Bengal Tenancy Bill, 1883.

The scheme disclosed in this Bill is, to my apprehension, simply for the protection of the ryot. Its object is to protect him from ejectment and from undue enhancement.

2. With reference to ejectment, it proposes for the separation of ryoti lands from the *khamar* lands by cadastral survey; and provides that the ryoti lands should ever remain as ryoti and could never be turned into *khamar* by the zemindar. Such lands have therefore been made transferable by sale, and if the zemindar be the purchaser, it is provided that he should let these lands again to ryots.

3. The ryots again have been divided into what are called settled and unsettled ryots, but the tendency of the provision, as far as I can see, is to make them all settled ryots, with right of occupancy and power of transfer in course of time.

4. Such is the scheme, and I can only say that it vitiates very much with the law as current, and the traditions and ideas of men on the subject. This is in fact turning the ryots in a body into present proprietors. I do not know how this would work in the country, but in my opinion it bodes no good. The independent peasantry without a local controlling power is likely to abuse this privilege, would prey on each other, and may in an odd hour rise against the Government.

5. Again I see much difficulty in the way of dividing the lands between the ryots and the zemindars. As far as my experience goes, there are several lands which cannot be so divided, such for instance the *shashun*, *vagar*, *debattar*, and *gochurun*, &c., which enter so much in the economy of almost all Bengal villages. These are what may be styled the *commons* of every village, and these ought not to be placed into the *khamar* at the absolute disposal of the zemindar. Again there are waste lands, and lands lying uncultivated which are taken up by ryots at option, and are assessed by the zemindar at the time of harvestry; such as is the case of *atbundi* lands so prevalent in Nuddea and other districts. These lands are neither *khamar* nor ryoti, but became one or the other according to circumstances. Again in Behar the *basget*, the *bagat*, the *tar*, &c., lands do not bear any rent, but are held and enjoyed by the ryots at the option of the zemindar. If these lands are placed in the category of *khamar*, as they no doubt are, incalculable mischief would be done to the ryots. These and several other similar considerations which I need not dilate here, incline me to believe that the contemplated survey would be to a very great extent a failure.

6. Next as regards enhancement, I need not say anything regarding the enhancement of rent of tenure-holders, as these seldom occur and are generally regulated by the contract between the parties. As regards the other class namely the settled ryots, the provisions in the Bill do not appear to be adequate, where there is no ascertainment of the rates by the Revenue authorities; the old formula of proportion is to regulate, and where there has been ascertainment of the rates, the Courts to assess according to a maximum and minimum scale. So that for some time, at least until the Revenue authorities settle and ascertain the rates, the same state of things would continue, and the irritation between the landlords and ryots in no way be abated.

7. The most important feature of the Bill, and whose want was much felt, is the limiting of the enhanced rent to double the former rent, or to a fifth of the gross produce in money value. I think this is fair and just to all parties. But I would have better liked if the share had been a fourth than a fifth. A *chowth* is the customary rate, and the zemindar has always laid claim to such a share in the case of trees grown by the ryots and in the sale of ryoti land.

8. *Section 119* provides for the conversion of the rent in kind into rent in money. Hitherto the landlords enjoyed and the ryots ungrudgingly paid them a half share of the produce of lands which are never permanently taken up by the ryots. The section limits such share to a five annas of the gross produce. Considering that these lands do not yield produce every year, and that the ryots cultivate them more as a speculation than otherwise, I do not see why the zemindar should not have his eight annas as before, when the produce is more the result of accident than exertion of the ryot. There are many swamps and marshy lands that are let away in this manner. Ryots who let out their lands to under ryots in the *vag* form, deserve a greater share of the produce when they themselves have to pay more than three annas to landlord according to the scheme proposed.

9. The Bill ignores private contract in many places. This is to be regretted. The privilege of demand and supply ought to regulate lands as in the case of other property. If the zemindar has the absolute property in any portion of the land comprised in his zemindari, I see no reason why the law should step in to regulate the disposal of such property. Waste lands and such others which belong to no ryot ought to be left at his absolute disposal, when the reclamation of such entails much outlay of capital. If encouragement is not held out to the zemindar in such cases, there will be a cessation of all improvements in the future.

10. In conclusion, I think some power ought to be left to the zemindar in dealing with the ryots, instead of turning them to mere rent collectors. They have ever been an honoured class, and the ryots have ever looked upon them for advice, protection, &c. It is not politic that such a class be reduced into insignificance. Disaffection and disturbance, I fear, will be the necessary result, and the country will not fare the better in the long run.

Dated Krishnagore, the 25th May 1883.

From—BABOO AMRITA LAL CHATTERJEE, Subordinate Judge, Nuddea,

To—The Registrar of the High Court, Appellate Side.

With reference to your letter No. 1157M, dated the 23rd April 1883, I have the honour to make the following remarks on the Bengal Tenancy Bill.

After the discussion which the matter has undergone in the press, in the Council, and in the several Commissions appointed by Government, it is idle now to question the necessity for legislation on the subject.

The Government by introducing the Bill, has clearly admitted such necessity, and the Hon'ble Krishna Das Pal, the representative of the zemindars in the Council, has also admitted it.

The only point of difference between the Government and the zemindar on this question, is that the former holds that there is necessity for a general revision of the law of landlord and tenant, whereas the latter contend that legislation should be confined to the point of giving facilities to the zemindar for the speedy realization of rent, and effective enhancement thereof.

The zemindars loudly complain that the machinery of the Courts is not sufficiently effective to enable them to realize their rents in time to pay the Government revenue, and that the present law for enhancement of rent is practically unworkable.

The ryots unquestionably an ignorant set of people have no organ in the press, nor a representative in the Council, still their complaints are sufficiently loud to reach the authorities.

The complaints embrace the following points—arbitrary evictions, imposition of abwabs and illegal cesses, illegal attempts to increase rents, withholding of proper receipts for rents, and in some places the abuse of the power of distraint.

I think it has been pretty well established that the complaints of both parties are generally speaking not without foundation. Those who have any experience of the mofussil, know that it is almost impossible for the zemindars now to enhance their rents through the machinery of the Courts, and that in consequence they resort to all sorts of illegal means to accomplish their object. The result of all this is that illegal exactions and arbitrary evictions have not at all diminished. It is believed by some, who are competent to form an opinion on the subject, that these have increased in some places.

These oppressions are not unfrequently practised by landlords in cases where they have not the slightest shadow of a right to claim enhancement of rent.

Far be it for me to say that all zemindars are oppressive, or even that all the most oppressive landlords come from the class of zemindars, properly so called.

Besides the zemindars, there is the great body of the talukdars and other tenure-holders, who own interest in land, intermediate between the zemindars and the cultivators.

These intermediate holders are both rent-payers and rent-receivers; they are tenants as well as landlords. It is not unoften the case that the greatest oppressors of the ryots belong to this class of intermediate holders.

When the complaints of both parties, on so many important points, are generally well founded, it is clear that a general revision of the law of landlords and tenant is imperatively necessary.

Whatever opinions may exist as to the details of the Bills now before the Council, the general principle which underlies it seems to me to be sound.

The two main objects of the Bill are (1) to give reasonable security to the tenant in the occupation and enjoyment of his land, and (2) to give reasonable facilities to the landlord for the settlement and recovery of his rents.

From what Rai Krishna Das Pal, Bahadoor ,has said in Council, it is quite clear that even he is prepared to admit that the Bengal ryot is entitled to have what is popularly called the three Fs. secured to him. But what he contends is that the three Fs. have their fullest operation here.

That is a question in which different people may entertain different opinions. But what I am at present concerned with is in shewing that even the representative of the zemindar practically admits that, notwithstanding the provisions of the permanent settlement recognizing the zemindars as the absolute proprietors of the land, the ryots are entitled to have the three Fs. secured to them. The Hon'ble Member does not deny the authority of the Government to legislate for the protection and welfare of the tenants and ryots. When he admits that the permanent settlement regulations constitute the charter of both landlord and tenants, and when chapter I, section 8, Regulation I of 1793, provides that the Governor-General in Council will, whenever he may deem it proper, enact such regulation as he may think necessary for the protection and welfare of the dependent talukdars, ryots, and other cultivators of the soil, the conclusion inevitably follows that the Government is bound to interfere for the protection and welfare of the ryots and dependant talukdars when the circumstances of the case require such interference.

The only question, therefore, that remains to see is, whether the circumstances of the case require such interference.

The result of the several commissions shews that there is necessity for such interference.

It is contended on behalf of the landlord that the principle involved in the Bill is a redistribution of property; but the answer which His Excellency the Viceroy has returned that this Bill is a Bill for the restoration, rather than for the re-distribution, of property, is complete and conclusive.

The Bill involves several questions of a complicated nature. Land questions are always and everywhere complex and difficult of solution. They are more so in a country like India, where the known principles of political economy can hardly have free play; custom, caste, and religious prejudices offering so many obstacles to their having full scope. I cannot, therefore, venture to handle the large economic questions involved in the Bill.

John Stuart Mill in chapters 6 and 7 of the Second Book of his Principles of Political Economy has dwelt on the advantages of having a body of peasant proprietors. But in the permanently-settled provinces of Bengal, peasant proprietors entitled to the enjoyment of the whole rents, profits, and wages cannot exist.

But I submit that that is no sufficient ground for disallowing to the great body of occupancy ryots the advantages which they can enjoy consistently with the spirit of the Permanent Settlement Regulations.

With regard to the question of the right of occupancy, I admit that the rule laid down in the Bill is a fair attempt to settle the complicated question. But I beg leave to submit that the rule is, in my humble opinion, open to some objections, the principal of which are, *first*, that it is not wide enough to reach the cultivators of the soil who hold their lands under occupancy ryots, and *secondly*, that it gives to the settled ryot the same rights with regard to lands which he has held for a year as to those which he has held for upwards of 12 years. I propose to deal with the second objection first.

I submit that it is not fair to allow a settled ryot of a village or estate to acquire all the rights of an occupancy ryot in any ryoti land which he may happen to hold as a ryot in that village or estate, irrespective of the time for which he has been in occupation of it. I am fully alive to the force of the able arguments of Mr. Justice Cunningham against the rule which leaves the right to accrue by a precarious growth through a series of years. But this objection would be obviated if the settled ryot were only protected from ejectment and arbitrary enhancement in respect of such lands. When the proposed right of occupancy carries with it under the Bill the incidents of transferability and sub-letting, this provision seems to me to unduly favour the ryot at the sacrifice of the interests of the landlord and the community.

A settled ryot may thus one year manage to rent a piece of ryoti land for a short term for nothing, and in the next year he may be desirous of selling it to another. The landlord, if he wishes to exercise his right of pre-emption, will have to pay to the ryot the market price of occupancy holdings, although the ryot may have done nothing to merit this reward. Some settled ryots may make it a profession to rent ryoti land for a year or so and then sell it for value. Even if transferability of such land be allowable, sub-letting is clearly objectionable; for sub-letting, practically, means rack-renting.

I would, therefore, beg leave to propose that with regard to these lands the incidents of transferability and sub-letting be not annexed to the right of occupancy, unless the ryot has held the land for more than 12 years.

There can be no reasonable objection, however, to clauses, *A, B, C, D, F* and *G*, applying to a settled ryot in respect of such land.

With regard to the second objection, I beg most respectfully to observe that the discussions during the negociation of the permanent settlement, shew that it was accepted as a general maxim that the immediate cultivator of the soil, duly paying his rents, was not to be dispossessed of the land he occupied.

In the letter to Lord Cornwallis, dated 19th September 1792, the Court of Directors observe:—"Our interposition, where it is necessary, seems also to be consistent with the practice of the Monghul Government, under which it appeared to be a general maxim that the immediate cultivator, duly paying his rents, should not be dispossessed of the land he occupied.

Lord Cornwallis, in his Minute of 3rd February 1790, observed:—"Whoever cultivates the land, the zemindar can receive no more than the established rent, which, in most places, is fully equal to what the cultivator can afford to pay. To permit him to dispossess one cultivator for the sole purpose of giving land to another, would be vesting him with a power to commit a wanton act of oppression from which he would derive no benefit."

The above passages make it clear that the intention of the authors of the permanent settlement was to prohibit the wanton and arbitrary evictions of ryots, or actual cultivators of the soil.

It may not be either proper or advisable to invest all cultivating ryots alike with the statutory right of occupancy; but regard being had to the intention of the authors of the permanent settlement, it may not be improper to restrict, within certain limits, the right of the landlord to evict a cultivator from his land.

In the present circumstances of the country, a large portion of the immediate cultivators of the soil are korfa, or under-ryots; and when the Bill recognizes sub-letting by occupancy ryots, the number of these under-ryots will gradually increase.

Sub-letting by occupancy ryots is practised all over the country and has been recognized by our courts. It is neither expedient, nor possible, therefore, to abolish the practice by a legislative enactment.

In an agricultural country like India, where the great bulk of the population are agricultural tenants, whose sons must, in the present circumstances of the country, necessarily live upon and by agriculture, it is almost impossible to abolish by a legislative enactment the subletting of land by occupancy ryots. The population of the country is increasing under the beneficent rule of the British Government at an enormously rapid rate, but the area of culturable land has almost reached its natural limit.

The excess agricultural population must, therefore, derive their lands from the existing holdings:—there will, therefore, be either sub-division, or sub-leases, of the holdings, and probably both.

Those occupancy ryots who have sub-let their lands and have, therefore, ceased to cultivate them, are clearly in the position of middlemen; the drone of society, and the sub-ryots under them, who are the actual cultivators of the soil, are the really useful members of society; they are, therefore, entitled to favourable consideration at the hands of the legislature.

Much discussions took place among the several members of the Bengal Rent Commission as to what advantages should be given to such cultivators.

In the 22nd meeting of the Commission it was decided by the majority of the members that the sub-ryot under an occupancy ryot "shall be protected against arbitrary ejectment by his landlord so long as he pays" his rent.

Mr. Mackenzie proposed to give the sub-ryot sub-occupancy rights, good against the occupancy ryot, but not against his landlord.

The Bill allows sub-letting by occupancy ryots, but it contains no provision protecting the under-ryot from arbitrary ejectment by the occupancy ryots.

I humbly submit, will it not be proper, therefore, to make some provisions for the protection of these classes of ryots; 1st, because on account of their weakness they are specially entitled to the protection of Government, and also because they come within the words used in the letter of the Court of Directors, and the Minute of Lord Cornwallis, referred to above.

I beg leave to suggest that they be allowed to have some sort of sub-occupancy rights which will protect them from ejectment so long as they duly pay their rents. They should, however, be absolutely prohibited from either transferring or sub-letting their lands. As to enhancement of rent, the same rules should govern them that govern the occupancy ryots; but the rate of rent payable by these sub-occupancy ryot ought not to be equal to the rate payable by occupancy ryots.

The provisions in the Bill, prohibiting the parties from contracting themselves out of the land, seems to be judicious. When one of the parties is so unequal to the other in education, wealth, and general intelligence, there can be, properly speaking, no freedom of contract between them.

Instances are not rare where ryots have been cajoled to give up their valuable rights for nothing.

In dealing with what are called the ordinary ryots, the Bill does not go far enough.

In the Statement of Objects and Reasons it has been stated that after a full consideration of the position, it has been determined that the legislation to be undertaken by the Government shall proceed on the assumption that the occupancy right is to be recognized as appertaining only to such tenants as may be shown to be, in some special sense, settled or permanent.

It proposes, however, to fetter the landlord's right to evict an ordinary ryot, with certain conditions.

The rules laid down in section 90, chapter C of the bill, for the protection of these ryots from arbitrary evictions, appears, however, to be opposed to the notions of the people, and unsuited to the circumstances of the country.

The bill authorizes the landlord to evict an ordinary ryot from his holding, in execution of a decree, if he does not agree to pay the enhanced rent demanded, on condition of the landlord's paying to the ryot, within a certain time, compensation for disturbance, in addition to compensation for improvements.

There can be no question about the fairness of the provisions, giving compensation to the ryot for improvements made by him, but the provision, allowing compensation for disturbance, involves a new principle foreign to the custom of the country, and not yet recognized by our legislature in dealing with the questions between landlord and tenants

If the landlord has a right to evict the ordinary ryot, even when the latter agrees to pay fair rents, the former certainly is not bound in equity to give the ryot any compensation for disturbance.

If, on the other hand, the landlord has no right to evict such ryot, so long as he duly pays fair rents, compensation for disturbance will be no adequate remedy to the ryot for such evictions.

I submit that some rules ought to be formed regulating the enhancement of rent of such ryots, and allowing evictions in such cases only if the ryot fails to pay within a limited time the enhanced rent decreed by the Courts.

In the framing of such rules, the legislature might give the landlord more advantages, and the ordinary ryot, less favorable terms than those given in the case of occupancy ryots.

If, however, the legislature do not think it proper to interfere between such ryots and the landlords, in respect of the enhancement of rent, save as is provided by section 119, I submit that the clause allowing compensation for the disturbance of the ryot, may be left out altogether.

With due deference, I beg to submit that the registration system ought to be extended to occupancy holdings.

The extension of this system to these holdings will, in the long run, tend to diminish litigation by preserving a permanent record in the zamindar's sherista, of the transfer of, and succession to, such holdings.

There may be some difficulty, at the outset, in bringing home to the ryot the details of the system but in time the difficulty will be overcome.

The harm which is likely to arise from the extension of the registration system to such holding, will be infinitely less than that which will probably accrue from the non-extension of that system to, such holding.

Even if the legislature were not to make the provision of chapter IIID expressly applicable to occupancy holdings, the court would in many cases make the transferers liable for rent accruing, due subsequent to the transfer, on the ground of want of knowledge of such transfers.

Thus, the transferring ryots will in many cases suffer a disadvantage, without the transferee enjoying probably, in any case, the privilege of registering the transfer in the landlord's sherista, and thereby making his title secure. The registration fee in such cases should, however, be lowered.

Without full statistics on the point, it is difficult to say in what parts of the country occupancy rights are saleable by custom, and where they are not. But this much I can say, that even in those parts of the country, where the question of the existence, or otherwise, of the usage, is hotly contested in our courts, people do, as a matter of fact, buy and sell such right, in and out of court. Not only are occupancy rights sold in this manner, but even lesser rights. Such terms are thus constantly made the subject of sale. Even zamindars are not un-often found to be the purchaser of such rights.

Lest the sales are invalidated by our courts, the kabalas generally falsely describe the occupancy right as a mourasi jote, and, where a zemindar is the purchaser, he invariably insists on this description, but otherwise his conduct shews that he recognizes the existence of the custom.

The statement published along with the report of the Bengal Rent Commission shews, however, that ryots' holdings are, almost everywhere throughout the country, sold at execution sales. It is only in Pubna, Purneah, Sarun, Balasore and Cuttack that occupancy rights are very seldom sold at such sales. Thus, it is clear that occupancy rights are generally sold in the greater part of the province. It will therefore be only proper for the legislature to recognize the fact and legalize the custom.

The provision in the bill giving the landlord the right of pre-emption, is certainly a judicious one, as it will enable the landlord to avoid an inimical tenant. But the rule contained in section 56, unless modified, is, in my humble opinion, likely to be prejudicial to the landlord.

The landlord will have to pay for the occupancy holding, but a ryot to whom he will let out the land wil get an occupancy right in it for nothing.

I think thalt a ryot in such a case should acquire a right of occupancy, only if he would pay the amount at which the landlord purchased the holdings.

A Patnee under the bill, includes a darpatnee, and other similar under-tenures; the provisions for the summary sale of a patnee of the first degree have not been thought proper to be made applicable to darpatnee, and the rest, I think, however, that the extension of those provisions to all degrees of inferior patnees, will be a boon to the superior patneedars, without producing any appreciable injury to the darpatneedar and the rest. It will facilitate the recovery of arrears of rents due in respect of such tenures.

The zamindars justly complain that the present law for enhancement of rent has become, to a great extent, a dead letter.

The present bill proposes to deal largely with this subject, but I am not without doubts as to the sufficiency of the proposed rules to make legitimate enhancement an easy matter.

The Purgunnahs rates have, in most parts of the country, long ceased to exist. The rates will have to be properly ascertained by competent revenue officers for each village. That is not an easy matter to accomplish, and it is doubtful it it will be accomplished without much trouble, expense and time. For some years at least, the officers dealing with the question of enhancement will have to work without the aid of the tables. In such cases the difficulty will remain as before.

I beg to suggest that so long as tables of rates are not prepared, the question of enhanceability or otherwise be determined by the civil courts as now; but that the question of proper rates be decided by competent revenue officers, after holding a local investigation on the spot.

Inducements ought also to be held out to both landlord and tenants to have recourse largely to the provisions of chapter XI.

Section 125 provides that the rent of a tenure occupancy holding or bastu holding shall be a first charge on the same.

In the 16th meeting of the Bengal Rent Commission, it was unanimously held that a landlord having obtained a decree for arrears of rent due upon any transferable tenure or holding, shall be bound to bring such tenure, &c, to sale in execution, before taking out execution against the person, or other property of the judgment-debtor.

It appears to me that this is a fair and equitable provision.

No reason has been assigned for omitting this provision from the bill.

The present law, as settled by the High Court, is that a decree-holder after having obtained a decree for arrears of rent, may proceed against any property of the judgment-debtor he likes. The High Court has come to this conclusion on a question of construction, but I do not think that the Hon'ble Court maintains that this is an equitable doctrine.

It is necessary that the legislature should define what particular acts of disclaimers should work a forfeiture.

The Hon'ble Krishna Das Pal complained of the tendency of the Bill being to promote and foster litigation, and set class against class.

There will be some ground for making the charge if the record of rights promised by Government be not complete or accurate.

If, however, the record be both complete and accurate, half the litigation between the landlord and tenant will be unnecessary; one cause of the increase of litigation certainly is the uncertainty of the rights of the several parties interested in a particular subject matter. It will, I think, be very uncharitable to suppose that people resort to the courts simply because they love litigation for its own sake. They go to the courts in most cases simply because the rights of the contending parties are not certain.

In whatever degree the record of rights will be complete, accurate, and accessible to the

public, in the same degree litigation will diminish and good feeling will exist between the parties, between whom feelings the very reverse of which now subsist.

I would therefore earnestly solicit the Government to begin at once with the preparation of the record of rights.

The word land requires to be defined.

I do not think there can be any reasonable objection to making chapter IXD applicable to the ground rent of bustee, and shop, and other lands. I know from my own personal experience as a Small Cause Court Judge that tenants of bustee and shop and other lands labor under a very great disadvantage in consequence of the absence of any provision for the deposit of rents payable by them. I therefore beg to suggest that the provisions of this chapter IXD, be made applicable to these classes of tenants also.

Section 139. The following words, I submit, ought to be added after chapter B, "or the landlord himself cultivates the land."

Section 177. No delivery should be made before payment.

Section 181. After the words "if at any time" the following words, "before an order for distraint has been made," should be added.

Dated Calcutta, the 14th May 1883.

From—BABOO MOHENDRO NATH MITTER, Judge, Small Cause Court, Moorshedabad.

To—The Officiating Registrar of the High Court of Judicature at Fort William in Bengal.

I HAVE the honor to acknowledge the receipt of your letter No. 1157O, dated the 23rd April last, and in compliance with the request contained therein, to submit the following observations on the provisions of the Bengal Tenancy Bill, 1883, to the consideration of the Hon'ble Court.

2. The avowed objects of the Bill are to improve the status of the ryots, to afford every facility for the acquisition of the right of occupancy, to simplify the procedure for enhancement of rents, and for the realization of undisputed arrears, and in general to place the relations between landlords and their tenants on a sure and satisfactory footing. In view of these objects, many new provisions have been introduced into the Bill which trench upon the legal, and hitherto undisputed, rights of landlords, and will, I am afraid, prove injurious to the interests of both the parties, cause much trouble and litigation, and in the end disturb their relations more than ever.

3. I will take up the several chapters of the Bill in their order. In chapter I, the terms "tenure-holder" and "ryot" have not been sufficiently defined for the purposes of the Bill, and cases as apprehended in the "Statement of Objects and Reasons," will arise when the difficulty will be to draw the line of distinction between them. Then again, no denomination is given to persons who may own only bastu or homestead land without being settled or ordinary ryots, nor are their rights and liabilities dealt with in the Bill. Thus a large class of persons, such as barbers, blacksmiths, weavers, potters and other artisans, who may not hold land for the purpose of agriculture, horticulture or pasture, are excluded from its operation.

4. In chapter II, provisions are made for ascertaining and fixing the quantity of khamar land in each village, with the object of preventing landlords from increasing it hereafter. The definition of "khamar land," as given in this chapter, seems to be arbitrary, and the provisions made therein are a clear infringement of private rights. A landlord can now increase the quantity of his khamar or nij jote land according to his discretion, as opportunity offers. If a ryot absconds, or surrenders his holding, or is ejected therefrom, the land may be converted into khamar, and there is nothing in the law to prevent the landlord from doing so. It is altogether a matter affecting his own interest, and no good and sufficient ground is shown why he should be restrained in the exercise of his undoubted right.

5. In chapter III, section 17, in case of land held at a fixed rent, from the time of the permanent settlement being amalgamated with other land into one holding, the character of the tenure will generally be lost, and it will be difficult to ascertain whether the rent had varied or not. Again, in section 18, if by "a tenure" is meant a tenure held at a fixed rent from the time of the Permanent Settlement, then its liability to enhancement of rent on the grounds stated in clauses (*a*) and (*b*) will be a matter of great hardship to its holder, who will scarcely be able to stand against a mass of false evidence that will usually be brought by his more powerful adversary to prove a custom or a condition. The expression in clause (*b*) "and that the lands are capable of affording it" is vague.

6. Sections 27 to 35 relating to the registration of transfers of, and successions to, permanent tenures, are decidedly an improvement on the present law. In section 34, provision should be made for the granting of certificates of copies of entries in the register, by the landlords' authorized agent also. I think this registration system might with advantage be extended to occupancy holdings. The proposal of the Rent Commission on this point ought to be adopted, for experience has shewn that the evils attending non-registration of transfers of such holdings are grievously felt by a larger class of people, than the holders of permanent tenures.

CHAPTER IV.

7. Relating to patni tenures, does not call for any notice, as the present law is left substantially unchanged.

CHAPTER V.

8. Is an important chapter in the Bill. The acquisition of a right of occupancy by a settled ryot as defined in section 45, holding any ryoti land, notwithstanding any contract to the contrary, is a startling innovation made in the existing laws and usages of the country. And I do not see any justification for it. The ryots for whose special behoof this innovation is sought to be made, do not wish that the established law on this subject should be unsettled. The landlords, on the other hand, have good reason to protest against this invasion of their rights. In this state of things, where is the necessity for enforcing a law which the people do not want? Why disallow contracts duly made and interfere with the rights of private property? All that is contended for by the ryots is that the right of occupancy is, and should be, a transferable right. And on this point the Bill very properly gives them the relief they require. Transferability, as an important incident of this right, is generally unfavourably looked upon by the landlords, but custom favours it, and they have no right to complain of the provisions of section 50, when a right of pre-emption is reserved to them by the subsequent sections.

9. *Section 56*, which purports to confer at once a right of occupancy on a ryot to whom land purchased under the pre-emption sections by a landlord is let, appears to me to be objectionable. It is said in the "Statement of Objects and Reasons" that this will prevent a landlord from buying up on a great scale the occupancy rights on his estate or tenure, with a view to locating ordinary ryots on the land. But you cannot prevent him from converting the land into khamar or nij jote. If that be so, the provisions of chapter II of the Bill would be null and void, and in course of time the quantity of such land shall increase to the detriment of the tenantry and the agricultural prospects of the country.

CHAPTER VI.

10. Is another important chapter in the Bill. Sections 59 to 61 are open to grave objection. If an occupancy ryot agrees to pay a higher rent than that previously paid by him or by his predecessor, no such restriction as is sought to be laid down in these sections ought to be imposed by law. All that can be reasonably insisted upon, to protect him from the consequences of his ignorance and credulity, is that such agreement shall be in writing, and registered under the Indian Registration Act in force.

11. *Sections 62 to 73*, which deal with the preparation of a table of rates and produce, and suits to enhance rents, when such a table is in force, seem to me to be of questionable efficacy. Considering the variety of the rates of rent usually paid by occupancy ryots in one and the same local area, I am of opinion that the preparation of a general table of rates by a revenue officer with any degree of accuracy will almost be an impossibility. Of the three grounds for enhancement of rents under the present law (section 18, Act VIII, B.C., of 1869), the most difficult to deal with is the second ground, *viz.*, "that the value of the produce or the productive powers of the land have been increased otherwise than by the agency, or at the expense of the ryot." The rule of proportion laid down by the High Court, in "the great rent case," has, it is true, practically become unworkable, owing to the complicated nature of the enquiry it involves, and the want of reliable materials to work upon.* To meet this difficulty a less ambitious table, shewing only the average value of produce, and the average quantity of produce, and cost of production per beegah, in staple crops, of any local area, at the time of the enquiry, as compared to any other time back, which may appear to be fair and equitable, might be prepared with greater accuracy and less trouble and expense, leaving the Civil Courts to determine upon evidence whether or not the increase, if there be any, has been brought about otherwise than by the agency, or at the expense of the *ryot*. The other two grounds for enhancement are clear enough, and do not present much difficulty.

CHAPTER VII.

12. Gives a permanent right in bastu land to a settled *ryot* of a village, notwithstanding any contract to the contrary. This is a new provision quite opposed to the law in force. If a ryot wishes to build his dwelling-house on a particular piece of land, it is his look-out to take a proper lease from, or come to proper terms with, his landlord; and there seems to be no valid reason for setting aside a contract duly made between the parties. In section 86, the provision for compensation does not appear to be just and reasonable; for, if a tenant is liable to ejectment for breach of contract, it would be a hardship to his landlord to pay compensation to him for any dwelling-house and out-offices erected on the land. All that the tenant can fairly ask for is their removal within a stated period

CHAPTER VIII.

13. In *Section 93* the provision for compensation appears to be also unjust and unreasonable.

CHAPTER IX.

14. In *Section 98* a wholesome provision is made, fixing four as the maximum number of instalments in which rents of ryot's holdings are to be paid. This will prevent much harassment and trouble, to which the ryots are subjected. Sections 100 to 102, regarding receipts and accounts to be given to tenants, will also prove beneficial to them as well as to their landlords.

15. *Sections 103 to 107*—Relate to the deposit of rent by a tenant in a public office, clauses (*b*) and (*c*) of section 108 are certainly good additions to the present law; but clause (*a*) will become a source of great annoyance to the landlord. It is better that there should be a tender and refusal, for otherwise tenants will, in the majority of cases, refuse to go to the landlord's cutcherry to pay rents, and the landlords will be put to much trouble and expense in drawing the money deposited. The feelings of the parties, moreover, will be more and more estranged as this clause is more and more resorted to.

CHAPTER X.

16. *Sections 126 to 132*—Which deal with improvements on ryots' holdings, are wholly unnecessary. They will only introduce complications into the relations between landlords and tenants, and cause much harassment and litigation to both the parties. Sections 142 to 148, which provide for the appointment of a manager on behalf of co-owners of an estate or tenure, are, as has been pointed out in the "Statement of Objects and Reasons," an improvement on the present law.

CHAPTER XI.

17. Which treats of the settlement of rents by a Revenue officer, might be made available for the purpose of Government settlements; but the application of it to private estates without the instance of landlords, would be an usurpation of their rights, and lead to much discontent and disaffection. This and the following chapter, which are introduced into the Bill with one and the same object, appear to be quite uncalled for. The landlords, as a rule, will not apply for the enforcement of their provisions, and if they be enforced at the instance of the tenants, or for the settlement of an agrarian dispute, they will resent, offer every obstacle to the proceedings and carry litigation to the bitter end. And the result would be ruinous to both the classes. Facilities for realizing undisputed rents and for enhancing them under the law in force are only sought for by the landlords in Bengal. The tenants, on the other hand, are already sufficiently protected from illegal impositions. They know how to unite and assert their rights. Their occupancy rights are made freely transferable by this Bill, a reasonable limit has been fixed to the number of instalments in which their rents are to be paid, and the receipts and accounts they are to receive from their landlords will supply them with all evidence they might require in defending rent suits. They have nothing more to complain of. The only point for consideration is, how are those facilities required by the landlords to be given? The provisions of the Bill regarding receipts and accounts will as well help them in recovering their rents, and a simpler procedure than that which now obtains will ensure their speedy recovery. As to enhancement of rents, the preparation of a table, such as that indicated in paragraph 11 of this letter, would remove the main difficulty. Why then introduce these chapters and other novel provisions when nobody asks for them, and unsettle the minds of the people and the law of the country?

CHAPTER XIII.

18. Very properly gives a modified power of distraint to the landlords, and ought to be retained. I would, however, suggest that section 172 be so altered as to give at least 7 days' time to a defaulter or the owner of distrained property, where he is not the defaulter, to make the deposit under section 181; and to prevent abuses, provision should also be made for the owner of distrained property, when he is not the defaulter, to institute a suit to contest the legality of the distraint within the specified time without making a deposit, provided he can shew any sufficient cause for not making it.

19. The procedure applicable to suits between landlord and tenant (chapter XIV) has been as much simplified, as it possibly can be, with a due regard to justice. In section 202 the maximum period during which it shall be open to the defendant to pay compensation, or where the damage or breach is declared to be capable of remedy, to remedy the same, should be fixed, and not left to be determined by the court at its discretion. And in section 203, clause (*b*), the words "together with reasonable interest on that value" ought to be omitted, for in a decree for ejectment it does not appear fair and equitable to compel the landlord to pay interest over and above the value of the labour and the capital expended by the tenant in preparing his land.

CHAPTERS XV, XVI, AND XVII

Do not call for any remarks.

No. 82, dated Khulna, the 21st May, 1883.

From—BABOO BHOGOWAN CHANDRA CHAKRAVARTI, Subordinate Judge of Khulna,

To—The Registrar of the High Court of Judicature at Fort William in Bengal.

Agreeably to your order conveyed in your letter No. 1157J, dated the 23rd ultimo, I have the honour to submit the report therein called for.

The question of the relation of landlord and tenant in this country involves in itsel many problems which are of considerable difficulty, and indeed although they engaged patienf attention of the Legislature for many years, the practical solution of some of them is stilt distant. The present Rent Bill is an embodiment of the practical rules of law which attemptl to remove those difficulties. As it is the result of thought and research of many eminent

lawyers and practical men of business, and as it has had due publicity and evoked honest opinion and criticisms from all parts of the country, I think it will not be necessary for me to dwell on the subject in detail. I will confine my remarks on the cardinal points of the Bill.

The provisions of Act X of 1859, subsequently and substantially embodied in Act VIII of 1869 (B.C.), have failed, as experience tells us, to bring about the desired effect on all subjects regarding the relation of landlord and tenant. It is found that law courts can do little or nothing with the cases of enhancement and settlement of rents, and enhancements are introduced by tortuous acts and illegal means, where the landlords are strong and raiyats weak, and on the other hand just demands of rents are successfully resisted where the raiyats are strong and the zemindars weak. Such a state of things must be put down. It is, therefore, necessary that there should be such a legislative measure as would give facilities to the landholders for recovery and enhancement of rent, and afford protection to the poor raiyats.

The distinction between tenure-holders and raiyats has not been clearly drawn. Cases may and often occur in which it will be difficult to ascertain whether a tenant is a tenure-holder or a raiyat.

The definition of tenure in section 3 is too general and vague, and may lead to confusion.

CHAPTER II.

Section 5.—The distinction between *khamar* and *raiyati* land has been properly made, and they should be defined and registered as proposed in the Bill. I do not see any reason why the raiyats occupying *khamar* lands should have better right than those occupying *raiyati* land. In my humble opinion, if the land is defined and registered as *khamar* or private land of the proprietor, the raiyats occupying it should be allowed to acquire right of occupancy without the consent of the proprietor.

CHAPTER III.

Sections 21 *to* 25.—Provided (1) that rent may be enhanced up to the limit of customary rate; (2) where there is no customary rate, it may be enhanced to such limit as shall appear fair and equitable, but the profit of the tenure-holder shall in no case exceed 30 per cent. To prevent these provisions from working hardship, the following limits have been proposed. (*a*) :—Enhanced rate shall not in any case be double of the previous rent. (*b*) The rent shall increase yearly by court's order during any number of years not exceeding five. (*c*) The rent once enhanced shall not be altered for ten years.

These limits, I believe, will seriously tell upon enhancement. The economical condition of the country and the quality of the land may be so changed that the limits (*a*) and (*c*) would not be applicable. Such limits as proposed above would stand greatly in the way of progress. Neither the tenant nor the landholder would be induced to bring on improvement on the land.

Section 59.—Enacts that money rent payable by an occupancy raiyat may be enhanced by contract in writing, approved of and registered by a Revenue Officer, who will be absolutely debarred from registering any contract by which a raiyat engages to pay more than six annas in the rupee, higher than the existing rent or more than one-fifth of the estimated gross produce. This section is supplemented in 61st section by somewhat similar provisions, and its tendency is to hamper free contract as much as possible.

Sections 76, 78.—Provide the same limits as are found in sections 21, 25, and the same remarks that have been made above as applicable to these.

The suits for enhancement of rents of occupancy raiyats have been sub-divided into two classes, *viz* (*b*) of chapter VI for suits to enhance money rents where a table of rates has been prepared, and (*c*) for such suits where a table of rates has not been prepared. (*B*) contains only tentative measures which will have their operation when the tables will be complete. What the results of these tables will be, is a matter still in the womb of futurity, it is well known that there are many parts of the country where recognized rates of rent have no existence, and even if there be so, the soil of the country is so various that it would be difficult, if not impossible, to prepare the table within a reasonable time; perhaps when the table will be prepared the relation of landlord and tenant might be such as would not require the assistance of such a table. As for the sub-division (*c*), the rules of enhancement have been left where they were before. Practically it will be as difficult to enforce these rules, as when the rules under Act X of 1859 were in force.

CHAPTER V.

One of the most important chapters of the Bill. The right of occupancy is the creation of Act X of 1859, and having been recognized since then, it cannot now be ignored. There is already in the country a class of raiyats who enjoy such a right, and it is high time that that right should be defined and protected. The framers of the present Bill, however, not content with recognizing the incidents of the right of occupancy already existing, have attached some others, which are new and hitherto unrecognized. The right of occupancy is acquired by settled raiyats holding *raiyati* land, notwithstanding any contract to the contrary. This is contrary to the principles of the law of contracts, and is too great an interference with the freedom of parties. The reasons assigned for such a measure are that the zamindars as a body are so powerful that they can induce or coerce poor raiyats to enter into wrongful contracts

There may be, no doubt, oppressive zamindars who, by illicit means, might induce the raiyats to enter into illegal contracts. But such instances are rare, and it cannot be said that a practice of getting into illegal contracts obtains, as a rule, throughout the country. If there be a small class of raiyats who might be induced to enter into wrongful contracts, should principles of equity be sacrificed for the protection of that small minority? I humbly think that such a saving clause is not necessary. Besides, if the freedom of contract be repressed altogether, somehow or other it may burst out in another, and probably worse, direction. The following are some of the incidents, of right of occupancy as proposed in the Bill that call for notice:—(*a*) The raiyats may subet; (*b*) his interest is to be transferable and hereditable. The right of sub-letting and transferring without the consent of the landlord, sanctioned by law, is, in my humble opinion, objectionable. It will be readily admitted that if the raiyats who are proverbially improvident and unthrifty be left to mortgage or sell their tenures, they will easily spend large sums of money to celebrate marriages of children, &c., by mortgaging or selling their tenures, and thus contract debts and fall into the hands of unscrupulous money-lenders. It is well known that sub-infeudation is the cause of misery to the raiyat, and if the occupancy raiyat be allowed to sub-let, the pressure will no doubt at last fall on the actual cultivators; transferability shall have the same baneful effects. The powers of transferring and sub-letting recognized by the Bill, will in time bring on a state of things in which the great bulk of actual cultivators would not have the advantage of becoming occupancy raiyats, but under-raiyats, having but little protection from the law. Section 56 confers the right of occupancy on a mere squatter—a provision which requires but little comment. The evils arising from transferring have been sought to be mitigated by giving the powers of pre-emption to landholders, but this power, I submit, will not be a sufficient safeguard against too frequent sales and mortgages. The transferability of such tenure has, no doubt, grown almost into a custom in some of the districts, but its consequences are, I believe, *nil.* The present miserable condition of the Bengal raiyat is a sufficient evidence of the evils of that custom. The ultimate results of this transferring and sub-letting will, I fear, be that a new class of men, quite unmanageable, will be thrust into the lands of the zemindars. The conferring of the right of occupancy on a raiyat who has occupied the land purchased by the landlord by his power of pre-emption is a restriction which militates against pre-emption powers.

CHAPTER VIII.

The principles formulated into law in this chapter are new, and quite foreign to the ideas of the people; if the provisions will be enforced, they would embitter the feelings of the landlord and tenants. If the landlord has the right to eject, his powers should not be clogged by making him pay compensation for enforcing it. If he has not the right no money payment ought to be sufficient to give it to him. If these at all pass into law they should be restricted. If the tenants fall into arrears and make three successive defaults in payment of rents, the landlords should be justified to eject them.

CHAPTER IX.

Instalments in which money rents are payable should be uniform, and should tally with the instalments by which rent or revenue is payable by superior landlords.

Sections 100, 101 *and* 102.—Impose penal damages for refusal or neglect to give receipts (*dakhilas*) and statements of accounts prescribed in them. The principles involved in them, however correct, would practically work hardship on not a small class of petty landowners, most of whom are ignorant men and women, who cannot possibly keep accounts and give receipts in the forms prescribed.

Sections 103 *to* 107.—The provisions for these sections give direct means in the hands of the raiyats to deposit rent without tendering it to landlord, which will give them full acquittance of their payments. Their effect will be to make the tenants refractory.

CHAPTERS XI AND XII.

Contain measures, some of which have a tendency to trench upon the jurisdiction and powers of the civil court. I submit that all questions of a civil nature that will arise before a revenue officer engaged in the settlement of rent should be referred to the civil court for decision.

CHAPTER XIV.

The procedure as laid down in Chapter XIV can hardly be made more simplified, for in rent suits in this country questions of right frequently arise, which cannot be coped by summary procedure.

Section 200—Enacts that applications for execution of decrees for arrears obtained by landlord shall not be made by an assignee of the decree holder; its effect would be to throw obstacles in the way of executing large number of decrees. There may not be unfrequently cases in which widowed females and ignorant men, not conversant with the rules and practices of the Court, and who are in extreme need of money, look upon decrees as moveable properties and sell them. It mitigates, no doubt, one class of evils; but it fosters another.

Sales.—If occupancy right be made transferable by law, I submit that too many sales and mortgages may be checked by imposing the condition upon all sales that take place in execution of decrees for rents, that they should avoid all encumbrances.

Section 224, Limitation.—This section is objectionable, on the ground that it remedies one evil, but creates another. It protects minors against accumulations of rents but exposes them, helpless as they are, to the rapacity of unscrupulous landlords.

Lastly, I beg to suggest that retrospective effect should not be allowed to be given to any new provisions now made.

No. 17, dated Alipore, the 13th June 1883.

From—NUFFER CHUNDRA BHATTA, First Subordinate Judge, 24-Pergunnahs.

To—The Registrar of the High Court, Appellate Side, Calcutta.

I have the honor to forward herewith a few observations on the Rent Bill, prepared hastily, as I had no sufficient time at my disposal.

Bengal Tenancy Bill.

I think the Bill, with its sections 45, 47, 49, and 50 except clauses (*a*), (*b*), (*c*), and (*g*), 56 and 57, will be hard upon the landholders generally, and upon the tenure-holders of limited means specially. The fear of ejectment makes the ryots punctual in payment of rent. A decree for rent, coupled with an order for ejectment, if the arrears are not paid within 15 days, as passed now under the present law, is far more readily obeyed than a bare decree. If 90 per cent. of the ryots have already acquired right of occupancy, the remaining 10 per cent. will obtain it as soon as the Bill is passed. Then the sale of the transferable tenure will have to be almost universally adopted. But sale, with its previous enquiries into claims by third parties, and objections to set it aside on the grounds of irregularity, and so forth, is a very cumbrous and dilatory proceeding. Ryots have seldom valuable moveables, and such as they have are easily removeable from the ken of a decree-holder. The most tangible portions of them, such as draught cattle and implements of husbandry, cannot be seized under the law.

I fear no valid custom of transfer of the occupancy right could yet arise, as Act X was passed only in 1859, and custom, in order to be valid, must be immemorial. Where the landlords have acquiesced in such a custom, transfer of the right, as it at present exists, is not very injurious to them. The right subsists "so long as rent......is paid," and transfer cannot change the nature of the right itself. So that, when transfer takes place, the landlord has yet the option of either bringing the jote to sale or of ejecting the ryot or transferree for arrears. If the right of transfer were conveyed subject to landlord's power of eviction in case of arrears, it would be preferable to the proposed form. It would be better still if the ryots were required to pay a small sum as *selami* before they acquired the right, as a compensation to the landlords, specially when they themselves would have to pay a price to get their own land back if they wished to buy right of occupancy in any case by right of pre-emption. Freedom of contract should not be much curtailed, and particularly the existing contracts should be maintained.

As to enhancement, the maximum standard of one-fifth share of the produce would be too small, and might lead to abatement of rent in many places. One-fourth share, proposed by the British Indian Association, is not unfair to the ryots. There are communities of Burga or Adhibhag ryots in Nuddea, Jessore, Moorshedabad, &c., who pay one-half of the produce to the land-owners. The remaining one-half, therefore, not only pays the wages of labour, interest on capital, &c., but also leaves a profit; or how do those communities manage without any other profession? If, then, the occupancy ryots were to let their lands in Burga, they would yet get one-fourth share as their clear profits, and they and the landlords be equal partners in the profits of land. One-fifth share would be too small to support the so many holders of tenures, under-tenures prevalent in Backergunge, Jessore, Furreedpore and Noakholly.

It were better if some of the small under-tenure-holders were brought out, either by zemindars or by the Government. The idea of a table of rates and produce is good, and may be beneficial in eastern districts. But the rates are now so variable, and the work so gigantic and expensive, that I doubt its feasibility.

I cannot recommend any more expeditious course for recovery of arrears, for a summary procedure like the certificate system of revenue authorities is liable to abuse, even in their hands. But the power of distraint should not be further restrained. A suit for arrears, in which nearly four years' rent may be claimed, with a prayer for attachment of the crops before judgment, would be preferred to the proposed course, requiring a full court fees duty for the value of the arrears, in which current arrears alone could, with difficulty, be recovered, and the order would not have the force of a decree rendering other properties and person of the ryots liable. It would be virtual abolition of the power of distraint, a consciousness of whose existence induces ryots to pay off current arrears.

Another feature of the Bill is that it gives exclusive jurisdiction to the revenue authorities in some of the most important matters. Act X of 1859 gave jurisdiction exclusively to the Revenue Courts in all matters. Act VIII (B.C.) of 1869, on the contrary, transferred the said jurisdiction bodily to the Civil Court; and now it is proposed to divide the jurisdiction, half and half, between the two classes of tribunals. There is no doubt that the class of enquiries to be made over to the revenue authorities can be better conducted by them than the Civil Courts. Yet one difficulty the people feel before the Revenue authorities is that they do not obtain that full scope for discussion of a point as before the Civil Courts. Further,

they labour under the impression that the views of the Revenue authorities sometimes change with the change of Government. It would therefore be better if the decision of those authorities were *primâ facie* and not conclusive evidence of a matter.

CHAPTER I.

Section 4.—Contract should also be saved as customs.

CHAPTER II.

The provisions are good, as the proprietors have no right to extend the area of khamar and nij-jote lands, and thus curtail the area for the growth of occupancy right even under the present law. Section 20 is not in keeping with the spirit of the Bill.

CHAPTER III.

There ought to be a section for forfeiture of a non-transferable tenure, if transferred.

It would be a great boon to the zemindars if all transferable tenures were declared liable to summary sale, like putnis, on an application to the Sub-Divisional Deputy Collectors.

Similarly, it would be a great relief to some of the unfortunate tenure-holders if they had the option of insisting upon the sale of the tenures for arrears in the first instance; for in case the tenure happens to be an unprofitable one, the landlord proceeds against the person and other properties of the tenant, instead of the tenure itself, and ultimately ruins him, as he has not the option of relinquishment, as the ryots have. If he had the option of relinquishing a tenure, it would answer the purpose equally well. I speak this from my experience in Backergunge.

CHAPTER V.

Sections 45, 47, 49. Are quite opposed to the terms of the permanent settlement, as it seems to me. Section 49 will, no doubt, confer right of occupancy on a large number of ryots, namely, all the settled ryots of section 45, in Behar, even if they have held the lands for a year only, but will as surely prevent them from getting one *chittak* of additional land in future, both in Behar and Bengal, without paying a heavy *selami* so long as a non-settled ryot may be had to take it up.

Section 50.—I have already dwelt upon several of its provisions.

Clause (c).—May be injurious to the ryots, as we see from the *zemba* system of Backergunge. Though it is now too late to prevent sub-letting, it ought not to have legislative sanction, except in cases where the ryots are minors, invalids, lunatics, females and the like.

Section 51.—One month's time is too short.

Section 52.—The landlord may not know the impending sale. There ought to be provision for a notice to the landlord in all cases of intended sale in execution of decrees held by third parties, as provided in cases of private sales.

Section 53.—One month's time too short, as there are many absentee landlords, whose local agents must take their permission for the purpose.

Section 54.—One month's time too short.

We see that, in making the right of occupancy transferable, the present privilege of relinquishment, which would be inconsistent with it, has been taken away. But, nevertheless, a large number of ryots, occupant or non-occupant, yearly find it convenient to relinquish their jotes. Henceforth such ryots shall continue liable for rent as long as the landlord hooses, though they may cease to hold the jotes, or find them unprofitable. At all events, enceforth they will have to pay a heavy sum, if they wish to relinquish their lands, as no archaser will be found for such jotes.

CHAPTER VI.

No procedure has been yet laid down as to how the revenue officer is to determine whether the ryot, in any particular instance of lease, acted as a free agent, and whether the stipulated rent exceeds one-fifth of the estimated average annual value of the gross produce of the land in staple crops, calculated at the price at which ryots sell at harvest time; for if there is competition for land, the ryots will agree to the terms offered by the landlord; and if he comes to register the lease at all, in ninety-nine cases out of hundred he will admit all that is stipulated in the lease as correct, if he does not wish to go without the land, as we find in cases of registered bonds at exorbitant rates of interest. If there be, again, a counter-combination among the landlords, in these days of combinations, the matter will be still worse. The provisions cannot, at all events, come into operation until the expensive and laborious tables of rates and produce are prepared.

Section 60.—Here the law contemplates giving the occupancy ryots a right to the accretions to their holdings by alluvion, contrary to the provisions of section 4, Regulation XI of 1825.

Section 63, Clause (c).—To take price current at the harvest time alone would be unjust to the landlords. There should be an average price taken.

Section 66.—No provision against difference of opinion amongst assessors.

Section 70.—The minimum of 10 years and maximum of 30 years are too long periods.

Section 72.—The tables may ultimately be of no use to either the ryots or the proprietors, and yet the expenses are to be borne by both.

Section 74, Clause (2).—So the landlord is to be bound by his contract, though the ryot is not to be so.

Section 78.—Ten years too long a period.

Section 81, Clause (b).—Why so when some crops exhaust the land more than others?

Section 82.—This appears to be contrary to the teaching of the *Statesman* in several of its articles on Deccan Agricultural Relief Act, that the greatest blunder ever committed by the settlement officers was to have fixed the rent in money and not in kind, thus forcing the ryots to sell the produce at a time when the market is glutted with it, namely, just after the harvest time.

Section 83.—The price list would be of great value, indeed.

CHAPTER VII.

These provisions are good and just. They should be extended to all bastu or dwelling-house land in town or village, but the existing contracts should be respected. The provisions are in keeping with the equitable principle of "stand-by."

CHAPTER VIII.

Section 93, Clause 2, Sub-clauses (a) & (b).—Compensation for improvements may be allowable where a ryot is not bound to make them by the terms of his lease, as a ryot is not *per se* under any obligation to make them. But compensation for disturbance cannot be allowed, as disturbance follows from the nature of his tenure, which he accepted with full knowledge thereof, and from his laches.

I may here state that compensation for improvement may be allowed to occupancy ryots if they remain subject to eviction, as now, for non-payment of rent.

CHAPTER IX.

Section 98.—This will seriously affect the existing arrangements, and will be very injurious to the tenure-holders, who are, in many cases, bound by their contracts to pay rent to their lessors by even monthly instalments. If contracts are to be set aside, sections 97 and 98 should be amalgamated into one, and the same rule should be laid down as to instalments, whether payable by a ryot, sub-ryot, or tenure-holder.

Section 103.—The sanction of verification should not be taken away, the ground (*a*) being too broad and indefinite.

Section 109.—If damages are to be allowed in order to induce other ryots to be prompt in paying their rents, they lose much of their effect if they are to be awarded in lieu of interest, which is a simple compensation for the delay, and is not intended, and has not the effect of a punishment. The present law does not make it a substitute for interest, though it has been so interpreted in some old rulings. The counter-provision for awarding damages against the plaintiff (landlord) for vexatious suits in the present law, or section 110 of the Bill, is not a substitute for interest, but is intended purely as a deterrent.

Section 119.—This section seems to do away with the Burga or Adhibhag system. If not, the system should be expressly preserved as merely a labour contract.

CHAPTER XI.

Section 155.—The matter should not be left entirely to the discretion of the revenue officers.

Section 159, Clause 2.—The Local Government is too inaccessible a tribunal.

CHAPTER XII.

Preparation of records of rights is a good idea, and such a record, if properly prepared will confer a real boon on the country.

CHAPTER XIII.

I have already commented upon the proposed curtailment of the power of distraint.

I would leave the provisions of the present law on the subject as they are, and suggest only one improvement, namely, that when a landlord asks for assistance of the Court, there should be a regular enquiry after a short notice to the ryot, restraining him and others, if necessary, from reaping the produce in the meantime. The ryots should also be allowed to object to distraint immediately after they receive a notice from the landlord, or an attempt to distrain is made.

CHAPTER X, HEADING E.

There seems to be an omission as to how the present co-owners of estates and tenures receiving rent jointly are to sue for arrears in case all of them do not agree to sue jointly, often in collusion with ryots. Certain decisions have laid it down that in such cases one co-owner may sue for the whole amount of arrears, making his co-sharers parties as co-plaintiffs. But provisions under this heading seem to lay down that in every such case a manager is to be appointed or a partition to be forced. Now, both these courses are expensive affairs, and it will be in the power of a big co-sharer to force the minor ones to appoint him their manager, or to bear the expenses of a manager appointed by the District Judge, and thus ultimately to part with their shares, most likely in his favour. They may well afford collecting their own share of rent if ryots consent to pay them that share separately. The joint Hindu family system makes co-sharers unavoidable, and it is also well-known what bitter enemies they at times are. The

minor co-sharers are sure to go to the wall if they were not allowed to sue for whole arrears, as at present. The omission on this point is liable to the misinterpretation of a covert attempt to aim a blow at joint-Hindu family system, so fostered by Regulation XI of 1793. The zemindars would fain have a law of primogeniture, but the courts are dead against it.—*See* the celebrated case of Tagore *versus* Tagore.

CHAPTER XV.

Sections 211 & 212.—To avoid delay both kinds of sale should be simultaneously advertised and held one after the other on the same day.

CHAPTER XVI.

Section 225.—I do not see the justice of this provision. Are ryots objects of more care and compassion than minors and lunatics?

NUFFER CHUNDRA BHATTA,
First Subordinate Judge, 24-Pergunnahs.

No. 1876-669L R., dated 18th July, 1883.

From—Officiating Secretary to Government, Bengal,

To—Secretary to Government of India, Legislative Department.

In continuation of my letter No. 1827-648L.R., dated the 13th July 1883, I am directed to submit, for the consideration of His Excellency the Governor General in Council, the accompanying copy* of a report from the Commissioner of the Burdwan Division on the subject of the Bengal Tenancy Bill, 1883.

*No. 339, dated the 22nd June, 1883, with enclosure.

A. P. MacDONNELL.

No. 339, dated Chinsurah, the 22nd June, 1883.

From—John Beames, Esq., Commissioner of the Burdwan Division,

To—The Secretary to the Board of Revenue, Lower Provinces.

In reply to your No. 351A, dated 29th March last, I have the honour to submit my report on the Bengal Tenancy Bill.

2. I have already submitted two lengthy reports on this subject, the first of which commented on the Bill drafted by the Rent Commission in 1880, and the second on the amended Bill put forward by Government in 1881. Under these circumstances it will perhaps hardly be necessary at the present stage of the matter to enter into a detailed examination of each of the provisions of the present Bill, which, as the final outcome of much protracted and careful argument, may, in my opinion, be generally accepted as likely to prove workable and fair to all parties affected by it, though I am still very much in doubt whether any enactment of the kind is really required, except perhaps in Behar.

3. It is not of course to be expected that the Bill, even in its present expurgated state, will escape opposition, nor do I think such opposition altogether unreasonable. It is all very well to say that the framers of the permanent settlement specifically, and in set terms, reserved to themselves and their successors the right to interfere between the zemindar and the ryot, whenever such a step might seem necessary, for the protection of the latter; and that, though no such interference practically did take place during the sixty-six years that intervened between 1793 and 1859, yet that "it is never too late to mend," and that consequently we are going to interfere now. The answer to that argument is that during all those years we have allowed men to buy zemindaries and tenures on the belief, fully justified by our acions, that no interference would take place, and that it is not fair to these persons suddenly to uproot the conditions, on the faith of which they have invested their money. I so far agree with this argument, as to think that, in any changes which may now be made, it is not sufficient to go back to first principles and base our enactment solely on what we understand to be the relation between landlord and tenant, as established by Lord Cornwallis' Regulations; we must go further than this, and take into consideration the present status and vested interests of the proprietary body whom we have called into existence, and whom we have during nearly a century allowed to acquire rights and privileges which are none the less deserving of respect now, because their growth and development were not contemplated by the statesmen of the last century.

4. I mention this point not as a peg on which to hang a long historical discussion, or an examination of the state of revenue law and its effect on the agricultural classes during the last hundred years. All that has been done over and over again, and by far abler pens than mine. But I mention it to shew the spirit in which I approached the discussion of the two previous Bills, and the nature of the test which I feel bound to apply to the present Bill. In other words, the question I ask myself as I examine one section of the Bill after another, is "does this provision deprive either landlord or tenant of any right or any status which he legally holds *at present*, whether in virtue of the terms of the permanent settlement, or in virtue of

any custom which the Government has tacitly allowed to grow up since that time?" We have nothing to do with the historical zemindar of 1793; if he ever existed at all, that is, if there ever was any class of men so situated as we are apt to figure them to ourselves, he exists no longer. We have to deal with the zemindar in the position which he holds in the present day.

5. This is the view which most officers and private gentlemen whom I have, from time to time consulted, take of the matter, and I think it is the only practical reasonable view to take. There is a great deal of sentimental talk about the woes of the ryot; and I venture to think that no one who knows anything of the incidents of my obscure career will suspect me, at any rate, of a tendency to overlook the claims of the ryot, or to side too strongly with the zemindar. But I cannot overlook the fact so ably urged by the Hon'ble Kristo Das Pal, that the Bengal of to-day offers a startling contrast to the Bengal of 1793; and that the wealth and prosperity of the country has marvellously increased—increased beyond all precedent—under the permanent settlement. There is much force in his remark that a great portion of this increase is due to the zemindari body as a whole, and that they have been very active and powerful factors in the development of this prosperity.

6. The ryot suffers from causes over which no Government can have any control; the country is over-peopled; and the intensity of the struggle for existence is due principally to this cause, and not to the capacity or bad management of the zemindars. Every one *will* marry, and *will* have heaps of children; no one *will* emigrate, a vast majority *will* grow nothing but paddy, and the poorest *will* spend in advance the earnings of ten years on a marriage feast or a religious ceremony. It is very doubtful whether any legislative measures will improve the condition of people whose manners, customs, and prejudices are so utterly incompatible with improvements as these.

7. *Section 3, sub-sections 3 and 5.*—The definition of ryot has been purposely left obscure. We are told that certain persons are not ryots, but we are not told who are ryots. It seems to be thought impossible to define a ryot in such a way as to differentiate him from a tenure-holder. It is undoubtedly difficult; but I am afraid, unless it is done, much greater difficulties will arise. The definition in the Rent Commission's Bill, section 3, was not altogether satisfactory, because, for reasons briefly stated in the report, no other test was applied than that of the extent of the holding, and limit was arbitrarily fixed at 100 standard bighas. The present Bill, in sections 14 and 15, also fixes an arbitrary line of demarcation between a tenure-holder and a ryot by making what are at present known as ryots, with right of occupancy at fixed rates of rent, into tenure-holders, so that, if this definition be maintained, we get an exceedingly simple definition of ryots by merely saying that all persons who hold land under a zemindar, except those mentioned in sections 14 and 15, are ryots.

8. This, however, introduces considerable confusion in another way, for it has never, as far as I am aware, been the custom to regard as tenure-holders persons who have a right of occupancy at fixed rates. Such persons are always regarded by themselves and others as ryots, and the adoption of the classification of the present Bill will very much modify our conceptions on this point, and introduce changes which will not be readily understood nor acquiesced in by the classes connected with land.

9. Where so many high authorities have declared themselves unable to define a term, it may seem presumptuous in me to offer any definition. It is therefore with some diffidence that I put forward the suggestion, that the practice, or, so to speak, the tacit understanding on the subject among the people generally, should be taken as the basis of a definition.

10. When a zemindar lets land to a tenure-holder, he considers that he is granting, and the tenure-holder considers that he is obtaining, the right to collect rents from a number of cultivators already actually in occupation of the land so granted. When, however, the zemindar lets land to a ryot, he grants, and the ryot takes, the permission to cultivate the land himself, it not being, at the time of granting the lease, actually occupied by cultivators. The ryot who thus takes land may subsequently, without ceasing to be considered by the zemindar and by himself a ryot, sublet portions, or even the whole of such land, but at the time of taking the potta the land is not in occupation of others.

11. This is, I think, the broad line of demarcation between "talukdar" and "ryot;" and if we use tenure-holder strictly for talukdar, this demarcation will practically hold good everywhere, with very few and unimportant modifications. It is the *intent* with which the land is granted and taken that shews where to draw the line; and the intent is clearly understood in all cases by the parties at the time the transaction occurs.

12. It is no objection to this to say that ryoti land is often let with *korfa* ryots actually on it, because the right of the *korfa* practically ceases with that of the ryot from whom he holds; and if he stays on, he does so by permission of the new ryot, who might, if he choose, consider the land as unoccupied and free of all incumbrances. I think if a definition of ryot, based on the above idea, were introduced into the Act, it would be found to meet most, if not all, cases. It might be formulated thus:—

(1) A tenure-holder is a person who takes land on lease from a proprietor with the intent of collecting the rents from the ryots; and against whom the proprietor has the remedy mentioned in section XV of this Act (sale).

(2) A ryot is a person who takes land from a proprietor, tenure-holder, or under-tenure-holder, with the intent of cultivating it himself or by hired labour, or of sub-letting it, and against whom the proprietor, &c., has the remedy specified in Chapter XIII of this Act (distraint).

13. If the difficulty is great of distinguishing between a ryot and a tenure-holder, it is equally great in distinguishing between a ryot and an under-ryot, and we cannot rest contented with the definition of an under-ryot, given in sub-section (6), that "an under-ryot means a tenant holding land below a ryot," unless we know what a ryot is. What we must know, for purposes of settlement, and what the zemindar also must know for the same purpose, is, who is the person in whose name the jummabundi is to be made. Section 164 of the present Bill, indeed, contemplates that, in compiling a record-of-rights, which is practically what we know as a jummabundi, tenure-holders, occupancy rights, *bastu* ryots, ryots, under-ryots, shall all be jumbled up together. But this will never do: something more definite will be necessary, unless the whole of our present system of settlement procedure is to be reversed, in which case a good deal of Regulation VII of 1822 will have to be repealed. Bengal Act VIII of 1869 is, I see, to be repealed; but Chapter XI of this Bill, as I shall notice further on, makes the same requirements as the Act does on settlement officers, in respect of defining the status of various kinds of tenants, so that I am afraid we shall not be able to get on without some definition of "ryot."

14. The matter would be made clearer by altering the definition of an under-ryot, from one "holding land *below* a ryot" into one "holding land *from* a ryot." As it stands at present, it is doubtful whether the holding of a korfa ryot could be brought within the definition of an "incumbrance" in section 208.

15. If we get rid of the korfa ryot as an incumbrance, then the definition of the ryot, as the actual or presumable cultivator (presumable from the *intent* with which he took the land), would come in, and we should get the actual ryot on our jummabundi, and every one below him, *i.e.*, holding under him, would be omitted, or, if it were desirable to record them, might be put into a subsidiary jummabundi or ikwal.

16. In accordance with this view, howladars, aymadars, mandals, and all persons who obtained grants of waste land for the purpose of bringing them under cultivation and colonizing them would fall into the position of tenure-holders. This would, I presume, cover also the case of the jotedars of Northern Bengal, and to some extent also that of the talukdars of Chittagong. The present under-ryots in such estates would then become, to a great extent, ryots; but on this point I beg to refer to my remarks on section 50, further on.

17. Another point referring to this same definition is the restriction of ryoti land to land held for purposes of agriculture, horticulture, or pasture. This excludes tanks, which all over Eastern Bengal are let as ryoti holding for fishing purposes. It also excludes land let for building bazars. Something must be done about this latter class of land. In the Midnapore bazar cases, the High Court ruled that land let for building purposes unconnected with agriculture (*i.e.*, not *bastu*, as defined in the present Bill) was not governed by the settlement laws, which only applied to agricultural land and homestead land connected therewith. But the subject still, so far as I am aware, remains unsettled, and if it is to be excluded from this Bill, it will require a Bill of its own to settle it. The only mention of it in this Bill is in section 208, clause (*c*), where such tenures are declared not to be incumbrances; but this does not provide for their being leased, or for recovery of arrears, or for ejectment, or enhancement, or, in fact, any of the conditions to which such lands are equally liable with agricultural lands. I reserve further remarks on this point till I come to discuss chapter VII of the Bill.

18. *Sections 14 and 15.*—I have already noticed that these sections turn an occupancy ryot at fixed rates into a tenure-holder. I see that this is said to have been done for the convenience of the draftsman. It is unfortunate that we hear so much of this person now-a-days. It seems to me that it is a matter of no moment at all whether he finds an Act easy or difficult to draft; that is his affair, and should not for an instant occupy the mind of the legislator, whose attention should be directed solely to the justice and utility of the law. The mechanical operation of putting an idea into plain English is beneath consideration. I venture to think that by turning the occupancy ryot at fixed rates into a tenure-holder, we are creating a state of things foreign to the ideas and customs of the people, and likely to give rise to much confusion.

19. *Section 21.*—I am disposed to think that the limit of 30 per cent. is too high, and that it should not be more than 20 per cent. I think, however, that, in a vast majority of cases, there will be no necessity for courts to apply sub-sections (3) and (4), as cases in which the customary rates payable by persons holding similar tenures in the neighbourhood cannot be ascertained must be very rare.

20. *Sections 27 and 28.*—This seems unnecessary. Under section 27 the transferor and transferee, or successor, may apply to the landlord for registration of the transfer. If he refuses, an application must be made to the civil court, which will apparently take evidence and decide the question. There seems very little use in giving the applicant the option of applying to the revenue officer, who can do no more than issue a notice, which, it is said, the landlord is "bound to comply with;" but it is not said how compliance is to be enforced. Why should the applicant not go to the civil court direct on the refusal of the landlord, just as the landlord has to do under section 33. The landlord who refused to register on the request of the applicant will not do so on a mere executive order of a revenue court under section 28, if there is no penalty attached to disobedience. And why is the revenue officer to assist the tenure-holder, while he is not to assist the landlord.

21. Moreover, section 28 does not give the revenue officer any power to enquire whether

there has been a transfer or not, nor is he authorized to listen to any objection the landlord may urge against registering. This section will give a certain amount of additional work to revenue officers without the slightest corresponding advantage to either of the parties.

22. The same remark applies to clause (3) of section 27. There is no use whatever in saying a man "shall do" this or that, or "shall be bound to do" this or that, unless some penalty is prescribed for disobedience. In this case the landlord shall give a statement in writing of the reasons of his refusal; ninety-nine landlords out of a hundred will habitually neglect to comply with this section; and if they do so neglect—what then? They do not suffer, for there is no punishment for neglect. The fines which the Board is authorized to prescribe would not, as section 35 at present stands, cover cases where a landlord neglects to register.

23. I think the increase in the rate of fee from two per cent, if notice is given within six months, to twenty per cent., if given over six months from date of transfer, is excessive. The maximum rate, it is true, ranges from Rs. 100 to Rs. 1,000, and this will mitigate the severity of the fine (for such it is) in some large tenures, but in the smaller tenures, the holders of which are generally poor, a fee of twenty per cent. will be very seriously felt; and as the use of having the transfer registered at all is not very clear to this class of persons, the result will be a pretty general neglect to register at all. The landlord will, in a great majority of instances, remain ignorant of the transaction; or will not care enough about the matter to apply to a court under section 33, and thus much of this portion of the law will remain a dead letter.

24. *Section 30.*—In transfers under this section, it should be provided that the court holding the sale shall give notice to the landlord, who otherwise might remain in ignorance of the transfer. So also in section 35 (1) the Board should be authorized specifically to make rules not only for the matters mentioned in that section, and for procedure to be followed, but for the enforcement of the duties imposed upon landlords by Part D of chapter III.

26. *Sections 36 and 42.*—I do not see the necessity of incorporating the law regarding putni tenures into this Bill. It seems to have been taken as a matter of course by the Rent Commission that this should be done. If this view is to prevail, then, I think, the system should, as suggested by the Rent Commission, be extended to such under-tenure-holders, other than putnidars, as may choose to accept it by a written agreement. The principle that where there is no dispute, the process of recovery should be as summary as possible, is a sound one, and almost indispensably necessary at the present time, when courts are overcrowded with business. The Collector of Midnapore also holds this opinion.

27. I would suggest also that, if the putni law is to be incorporated into the present Bill, the opportunity should be taken advantage of to make a few verbal alterations in that law. I would insert a section making it legal for a Collector to make over the duty of holding sales to a Deputy Collector, with the sanction of the Commissioner. Collectors have so many duties now-a-days that it hampers them very much to be obliged to hold these sales themselves.

28. Doubts also occasionally arise as to the exact meaning of the words in section 14, clause 2, of the putni law. A "talukdar may contest the zemindar's demand of any arrear." May he only contest the fact of the arrear being due, or may he bring forward other objections, such as that the zemindar is not a recorded proprietor, or that he is only one out of a number of proprietors, and therefore cannot apply alone to bring the taluk to sale, and other similar objections?

29. It might also be as well to substitute throughout the putni law the term "recorded proprietor" for the vague "zemindar," wherever it occurs.

30. As the Board are aware, questions have also arisen as to what is to be the actual date of sale, when, as often happens, the Durga Poojah holidays fall on the first day of Aghan. This doubt might be cleared up on the present occasion.

31. *Section 45.*—I think this section goes a great deal too far. It allows a man who has held land anywhere in an *estate*, no matter how often it may have been changed, to become a settled ryot; and a settled ryot acquires a right of occupancy in any land he may happen to hold on the 2nd of March last, so that, in the case of a large zemindary, say the Burdwan estate for instance, a man may come to a village from another village sixty miles off in that estate, take land there, and have rights of occupancy from a few days' possession.

32. Estates in Bengal are often very large and very scattered, and the various portions have nothing in common. Why should a man, who has lived for some years in the south of a district, acquire thereby a right of occupancy in land many miles off in the north, merely because the two places happen to belong to the same estate.

33. There may be some justice in the rule that a ryot who has lived 12 years in a village shall be considered a settled ryot. The village even in Bengal still preserves some sort of solidarity, the estate has none, and it would be certainly very unfair to allow a ryot to acquire a right of occupancy in a plot of land which he has held only for one year, in a village in which he is, to all intents and purposes, an outsider and a stranger simply on the ground that he has held land for twelve years in other disconnected parts of the same estate. Such a concession as this is not looked for by the cultivating class, is opposed to their own views and to the custom of the country, and would operate very hardly on the zemindar.

34. There is of course the counter consideration that unless some latitude is allowed in acquiring the right of occupancy, the zemindar can prevent its accruing by shifting the ryots

fields year by year. But I do not think the legislature meant to authorize the consequences which would result from the wording of this section as it stands. There is not only the difficulty of an estate containing a vast number of villages scattered widely apart, but also that of a large village containing portions of many estates. It is evidently not intended that a ryot who has held land in estate A for twelve years should be considered a settled ryot in estate B, merely because the two estates, or portions of them, are included within one and the same village.

35. Yet the use of the word village would lead to this result, just as the use of estate would lead to that mentioned above. I would suggest that it should be declared that when a ryot has occupied land for twelve years in a village which constitutes one entire estate, such occupancy shall make him a settled ryot of that estate; when the village forms only a part of an estate, such occupancy shall make him a settled ryot of that village only; when a village contains more than one estate, or portions of several estates, twelve years' occupancy should constitute a settled ryot of so much of the village as belongs to the estate in which he has held. Of course this would restrict the area in which the last-named class of ryot could acquire occupancy rights, but this does not matter. The occupancy right is a matter between landlord and tenant; and if the landlord's property is small, the tenant's area of selection must be small also.

36. *Section 50.*—It is contemplated in paragraph 41 of the Statement of Objects and Reasons that the right of sub letting, conferred by clause (*e*) of this section, may in time lead to a state of things in which the bulk of the actual cultivators would be under-ryots; and this state of things is regarded as so far off in the future that it may be safely left to some future Government to deal with it.

37. But the Collector of Midnapore points out very truly that this state of things is actually in existence very largely in that district, and I apprehend that it exists much more extensively than is suspected in all districts, similarly situated to Midnapore, *i.e.*, in all districts which were, down to recent times, the wild uncultivated frontiers of the Mahomedan province of Bengal. It is in these places that we find the jotedars, howladars, mandals and the like referred to in paragraph 16 above. The illustration to section 4 of the Bill recognizes the custom that under-ryots may acquire a right of occupancy, but leaves the conditions under which such a right may be acquired undefined, and the under-ryots consequently unprotected. They hold under, or from, superior tenants, who have been recognized as having the status of occupancy ryots.

38. There are in Midnapore many thousands of these ryots whose forefathers have tilled the land they now occupy for many generations, and I agree with Mr. Wilson in thinking that there is no reason why they should be left unprotected. The Board have before them precisely this question in the case of the ryots of Hooda Bhetia, in which, in appeal from the Collector, I was forced, by what appeared to me to be the present state of the law, reluctantly to rule that the ryots had no status beyond that of mere "korfas."

39. The case is this:—A, some 60 or 70 years ago, got from the zemindar a lease of a tract of jungle. He then induced B, C and D to settle and clear the land for cultivation by giving it to them rent-free for three years. A and his successor have now been recognized as occupancy ryots, but that is no reason why B, C and D should not be protected in the same way as other hereditary cultivators. The defective state of the present law on this subject has certainly been productive of much hardship; for, as the Collector observes, "although these under-ryots are hereditary occupants of the land, they cannot prove the existence of a custom enabling them to acquire an occupancy right, and in fact the courts have more than once decided that, under the law as it stands, they have no such rights."

40. Mr. Wilson would insert a provision to the effect that an under-ryot, who for five years consecutively cultivates the same land, shall acquire the status of an ordinary ryot, unless during any part of that time he has held under a lease for a fixed period. It would, I think, answer the purpose equally well if it were provided that, on a person whom we now call a ryot becoming (as he would under sections 14 and 15) a tenure-holder, the ryot's holding under him should, if they fulfil the above conditions, be held to have acquired a right of occupancy.

41. *Section 56.*—This section has given rise to much discussion. It is urged that, with the great facilities now granted for the acquisition of occupancy rights, it is only fair to the zemindar that he should have a chance now and then of extinguishing such rights. But the object of the Bill is avowedly to take away all such chance. Every possible obstacle is put in the way of a zemindar's preventing the growth of occupancy rights; and such rights will consequently grow inordinately; and not only will they grow, but once established, they must remain for ever, unless the landlord keeps the land in his own hands.

42. Here there is some confusion in the law; section 47 provides that no occupancy right shall accrue on land held by any person as owner: one would suppose that when a landlord exercised the right of pre-emption and bought a ryot's holding, he would thenceforth hold it as owner.

43. Yet the sections on pre-emption and section 56 speak of the ryot selling his "occupancy right," and the landlord purchasing the same. What is this but selling and purchasing the land itself? I do not see why, if the landlord thus purchases the land, it should not be open to him to extinguish the occupancy right. In fact, under section 47, that right would be extinguished by the mere fact that he, the owner, purchases it. But to prevent this conse-

quence, the fine distinction is introduced, that he, the owner, holds it not as owner, but as an occupancy ryot under himself. This, I think, is very hard upon the landlord. Ordinary ryots with no occupancy rights, though by no means sufficiently cared for in chapter VIII of the Bill, are yet placed in such a position that no deterioration of the status of the cultivating class would result from the partial extinction here and there of occupancy rights. Under section 119 no ryot can have his rent raised to more than five annas of the value of the gross produce of his land, and he cannot be ejected without elaborate proceedings. Surely this is protection enough for any ryot, unless it be deliberately intended to make all zemindars mere annuitants, in which case we deprive the highest class in the country of all incitement to take an interest in the welfare of their tenantry; we turn them into drones, and, in a vast number of instances, into paupers. It is all very well to have a substantial peasantry; but I am not one of those who wish to see this end attained by sacrificing the nobility and gentry of the country.

44. With their estates held by ryots, setting at what will be virtually, in many cases, fixed rates, and with land which, when once occupied by a ryot long enough to give him a right of occupancy, carries that right with it to whosoever may hold it hereafter, the zemindars will cease to have any interest in their estates at all. The privilege of pre-emption ceases to be of any value; for why should a zemindar buy up the tenure of a ryot unless it be in order to extinguish the right of occupancy? He will not be led to use his right of pre-emption merely to exclude an obnoxious purchaser, for his interest in the land will be so slight that it will not matter to him who purchases it.

45. Moreover, as pointed out by Mr. Reynolds in his speech in Council, the landlord will by this provision be led to keep the land in his own hands, thus virtually turning it into khamar. The whole section seems to me to involve an erroneous idea. It is not the land that acquires rights, but the man who holds it. If he holds it for a certain term of years, equity and custom demand that he should acquire occupancy rights in it. But one fails to see why the land itself should carry those rights with it when it passes into the hands of a man who has done nothing to earn or merit those rights.

46. *Section 62.*—The preparation of tables of rates will be, in all places, a difficult and, in many places, an impossible task. It has been tried experimentally in several districts, and it appears from the debates in Council that the officers selected for the task do not think it is likely to be generally successful. This is to a certain extent admitted in paragraph 51 of the Statement of Objects. It is there apparently implied that tables of rates will only be prepared in districts where such rates are already recognized and in existence. I think if the idea of having such tables is not abandoned altogether, it should be stated in the Bill that they will only be made in such districts, so as to make it impossible for applications for the compilation of a table of rates to be sent up from districts where the materials for such a table do not exist.

47. *Section 70.*—On the question of finality being given to tables of rates under this section, the Collector of Midnapore writes :—

"I desire to represent the extreme danger involved in irrevocably fixing for a term, even of ten years, a table of rent rates. It is often found necessary in this and other provinces to revise the work of careful experienced settlement officers, with reference to facts gradually brought to light by experience; but the procedure of the Bill would give absolute finality to an order of Government sanctioning a table of rates. In considering this point, it should be borne in mind that the Board and Government would have no independent knowledge of the facts with which they had to deal, but would be wholly, or almost wholly, dependent upon reports submitted to them by the officer who had framed the table of rates, and who could hardly fail to be prejudiced in favour of his own handiwork. Nothing is easier than to deduce logical conclusions from figured statements; but it is far from easy to ascertain (for instance) the true average outturn of a particular class of land.

48. I quite agree with Mr. Wilson; the illustration which he gives fully confirms his remarks. He points out that in the Midnapore settlements Mr. Price came to the conclusion that the price of paddy would probably never fall below one rupee a maund, and certainly never below 12 annas. The Board then went into the same question, and from the police returns of the selling prices at the principal marts from 1872 to 1877, arrived at rates, in most cases, lower than Mr. Price's. The present Collector has gone over the same ground in the same manner from the price lists of 1881 and 1882, the result being two annas, or even more, below the rates arrived at by the Board. Prices may rise again, or they may not; but the above example shows conclusively to my mind that it would be dangerous to fix any table of rates, no matter how carefully prepared, for so long a period as ten years.

49. Seeing then that, before a table of rates can be prepared at all, an enquiry must first be held to ascertain whether the district or area is one in which the materials and conditions for compiling such a table (recognized rates or uniformity in the classes of soil, &c.) exist; that the cost of this enquiry and of the preparation of such a table, if found practicable, will be thrown upon landlords and ryots jointly; that there will still remain many parts of the country where no such tables can be made; that even where made, they will not continue to represent actual facts for more than one or two years together; and that the only object of having such tables at all is to simplify the work of the courts in enhancement cases, I must express my opinion that, to use a common saying, "the game is not worth the candle."

50. As a mere matter of administrative economy, it would be far cheaper to appoint more rent-suit moonsifs, and let them work out the rates as they do at present, than to employ a large number of highly-paid revenue officers (they must be highly paid, because they must be possessed of much ability and experience, and such officers are only found in high grades of the Covenanted and Uncovenanted Services) to prepare tables, which, when prepared, will be of comparatively little value. I think also the people themselves will very much prefer having their cases decided each on its own merits, to having them summarily disposed of by reference to a table of rates.

51. *Section 74.*—Where there are no tables of rates, the courts are to proceed, in enhancement suits, on certain lines which are apparently intended to be a decoction of all the case law on the subject since Act X of 1859. With regard to section 74, clause (3), I may remark *en passant* that I do not quite see how the increase in the average price of produce in any locality, or in any of the usual markets, can be brought about by the sole agency or at the sole expense of any individual ryot. Excluding temporary or casual increases in the selling price of agricultural produce, such as famines or campaigns, the increase is, as far as I can see, invariably due to causes operating on a much too large a scale to be affected by the actions of any individual ryot, or even of all the ryots of a village acting collectively. It is brought about by opening up new roads, railways, or canals, or by the establishment of permanent trade relations with foreign countries, and the like.

52. But passing by this point, I find that in section 75 the principles by which the court is to be guided in enhancing rents are practically the same as those by which it would be guided in a case where there were tables of rates. We have first the limit of one-fifth of the annual value of the gross produce. Subject to this we have some very simple rules for dividing the increase between landlord and tenant. In 92 cases out of a hundred the issue will turn on clause (c), and so we get back again to the old rate of things.—Issur Ghose's case and Act X of 1859. The facts to be ascertained by actually recording evidence are very simple, and I do not think a moonsif would have much more difficulty in deciding a case where there was no table of rates, than one where there was a table, especially as the law allows of going behind the table in certain cases. Here, again, I find an argument against the adoption of the table of rates with all its concomitant inconveniences.

53. As to the one-fifth limit I see no great objection, though I do not think one-fourth would have been too much. I find in Jellamootha the percentage of gross value taken as rent ranges from 19 per cent. to 27·5, the general average being 19·8. In Majnamootha it ranges from 20·3 to 30, the average being 23·5. Many of the pergunnahs in these estates are, however, very fertile, and as the highest average hardly rises to one-fourth, perhaps one-fifth, for the whole of Bengal, is a safe limit to fix. It is always, however, very unsatisfactory to lay down hard and fast lines for so vast a tract of country containing such widely differing kinds of soil and conditions of fertility.

54. As regards section 77, I can only repeat what I said in my report on Mr. Reynolds' Bill, that if it is fair to decree enhancement at all, it should be decreed at once. It is impossible for a court to say that land is progressively improving, and that it will go on improving at the same rate of progress. It also seems somewhat contradictory for a court to declare in the same breath that the land is fairly liable to enhancement, and yet that enhancement would cause hardship to the ryot, and therefore cannot take place all at once. This is another instance of that extreme tenderness towards the ryot, which does not seem to be felt when dealing with the landlord.

55. *Section 79* is another instance of the same tenderness. What is just for the zemindar is just for the ryot; and if enhancement is hedged in and fenced about with all the conditions of section 74, reduction should be similarly hedged in, and it should not be merely left to the court to pass any order if thought fit. This looks very much as if, when the zemindar's pocket is to suffer, it does not matter; but when the ryot's pocket is to suffer, it matters a great deal, and you can't be too careful.

56. *Section 80.*—This is not of much use. Pasture lands are not, as far as I know, leased to individual ryots *as* pasture; I am sorry to say they are often so leased with a view to their being turned into arable; and in this way all the pasture land in the country is being swallowed up by zemindars, and the cattle are deteriorating visibly for want of proper grazing land. I should be glad if Government could see its way to preventing this. Hitherto we have been generally under the impression that a zemindar might, to a very great extent, do what he liked with his land, so long as he paid his revenue punctually; but in the present day we have outlived so many old-fashioned prejudices, that there would be no great shock to our feelings if this one followed the rest. We are going to fix rates of rent by tables of rates; we even contemplate entering on a permanently-settled estate, and settling it over again (all but the revenue, which is to remain unaltered, whatever may be the result of our new settlement); and under these circumstances it would be merely "straining at a gnat and swallowing a camel" if we were to allow our hands to be tied in such a matter as the preservation of pasture land.

57. Even if it be admitted that the framers of the permanent settlement reserved to themselves and their successors the right to interfere for the protection of the ryots, it has always been admitted that the zemindar was to be allowed to make his own arrangements for bringing into cultivation waste land. The difficulty about pasturage has arisen, I believe, from the fact that anciently there was abundant waste land where the ryots grazed their cattle

as they pleased; no specific area was therefore set aside as pasturage or grazing land distinguished from the waste land. In course of time, therefore, the zemindars have brought under cultivation all the land not already under the plough, and pasturage has disappeared under the pretext that it was waste, and was being reclaimed as such. It would, I fear, be impossible to throw back into grazing land any land already brought under the plough and leased to ryots; but in places where this process has not gone so far, it might be enacted that a certain proportion of land in each village should be reserved as pasturage and left free for the cattle of all the ryots to graze on, the conversion of existing pasturage, beyond a certain proportion, into arable being forbidden by law. I do not think this would meet with much opposition.

58. *Section 83.*—This will be a very difficult proceeding, not because there will be any difficulty in finding what are the market prices on any given date, at any given place, but because in the present day communication is so easy and rapid between one part of the country and another, that there cannot, in many places, be said to be any one market price all harvest time. The harvest time may last six weeks; and during that time, especially in places in telegraphic communication with Calcutta, Madras, and other large towns, prices will go up and down twenty times. Long before the price list has been sanctioned by the necessary authority, it will have ceased to be correct. All that can be done is for the Collector to record, day by day during the six weeks of harvest, and for another six weeks afterwards, till the crop is all disposed of, the daily fluctuations in the principal markets. At the close of this period he may tabulate and arrange his figures and strike averages, and the return will then be of some use in future years as a guide to what the prices were in the year to which it refers.

59. *Section 85.*—With reference to the remarks made in paragraph 17 of this report, I observe that in the Statement of Objects, paragraph 70, it is mentioned that all provision regarding land used for building purposes has been purposely omitted from the Bill. I regret much that the weighty remarks on this subject, in paragraphs 108 to 112 of the Rent Commissioners' report, have been passed over with only this cursory notice. I need hardly point out that all the land in the country (except waste land and petty patches of revenue-free land here and there) belongs to, and is included within, the limits of one estate or another. Why should a zemindar have no law to guide him when he wishes to find a village or a town? Why is there to be no provision made for cases where capitalists wish to obtain land for building a great factory? The whole subject of this Bill is, as I have said more than once, looked at too exclusively from the ryot's point of view, and not even the ryots in the widest sense of the word, but from that of the ryot who tills the soil, and him only. The omission of all provisions regarding land used for building purposes is calculated to retard the development of the country and to re-act unfavourably even upon the ryot, for whose welfare we are so solicitous.

60. The "substantial peasant," whom it is so much wished to create, has a far better chance of coming into existence and continuing to live and prosper if he has marts for his produce all round him. What retards the progress of the peasantry as much as anything is the long and weary distance which so often separates him from the nearest place where he can get money for his produce. Whatever renders it difficult or disadvantageous for the zemindar to establish marts on his land, or to allow of the erection of better houses than the mud huts, or bamboo or thatch hovels, which now form the peasant's or ordinary dwelling, in the same degree keeps back not only the commercial development of the country, but also the material comfort of the peasant, and consequently also his striving after improvement. If the subject of letting land for purposes other than agricultural be not treated of in its proper place in this Bill, the Bill will be imperfect, and a most urgent and all-important feature in the question of the tenure of land will be left in a state of dangerous chaos.

61. *Section 88.*—I agree with Mr. Reynolds in considering it a mistake to call a ryot, who has no right of occupancy, an "ordinary" ryot. In the earlier part of this report I observed that we had not yet succeeded in defining a ryot at all; and when you cannot define the substantive, it seems strange to prefix to it the adjective "ordinary."

Section 89.—I also object to the terms of this section, leaving the "ordinary" ryots' rent to be fixed by contract between him and the landlord, subject only to a maximum, which it is truly observed will be evaded at every turn.

62. The privilege of the occupancy ryot is not necessarily, at least it ought not to be, a more favourable rate of rent than other classes, nor ought it to consist in greater protection at the hands of the law. It ought to consist merely in a tighter hold on his land in a right to hold his hand in spite of every one, so long as he pays his rent and uses the land for the purpose for which he got it.

63. The "ordinary ryot" ought to have all these privileges too, except fixity of tenure. He is a tenant-at-will, unless he likes to stick to his land long enough to give him occupancy rights; and this ought not to be difficult for him to do, now that every possible obstacle is placed in the way of zemindars stopping the accrual of such rights.

64. *Sections 91, 92, &c.*—The procedure for enhancement in these sections seems to me very faulty. There is here none of the careful weighing of considerations laid down for the occupancy ryot in chapter VI. The landlord may enhance, with or without reason, up to the limit of section 119, five annas in the rupee. Then he may serve a notice on the ryot, who must then either pay or go. In the suit for his ejection, to be instituted under section 93, the

court is not to enquire whether the enhancement is fair or not. The case is to be tried in the most summary manner, and unless the ryot agrees to pay the enhanced rent, the court must pass a decree ejecting him. I really do not see why such tender care should be bestowed upon one favoured class of ryots, while the other is left utterly unprotected. The protection granted to the occupancy ryot is so complete, and any attack on him is attended with so much risk and difficulty, that the zemindar will naturally turn his attacks against the "ordinary" ryot, whom the law does not deign to protect, and will effectually prevent him, at any rate, from acquiring occupancy rights by ruining him long before he has had time to do so.

65. *Section 93*, clause (*a*), will be inoperative. Every one knows that tenants-at-will do not make improvement. But I agree with Mr. Reynolds, and with the unanimous opinion of all whom I have consulted, that clause (*b*) is absurd. If you start by defining a man as one who has no right of occupancy, why should he be compensated for being turned out if he does not comply with the terms of the contract by virtue of which alone he holds. The law expressly says that the "ordinary" ryot has no rights in the land he tills, save such as he may acquire by virtue of some contract or agreement with landlord. It is of the very essence of his position that he can be turned out, and if so, what injury is done him when he is so turned out? It is very sad to see this, one of the most pestilent inventions of the *anti-landlord* party in England, of that noxious class who believe that *la propriete cest le vol* introduced into this country.

66. *Sections 97 to 99.*—Some objections have been raised against this Part B. I do not share them. I think it is very necessary that something should be done, not so much to fix the dates of ryots' kists, which are on the whole very fairly paid already, but to limit the number of kists. On more than one occasion recently I have met with cases in which a zemindar or putnidar had arbitrarily fixed 12 kists in the year; and, in order to harass his ryots, was in the habit of suing them in the moonsif's court separately for each kist, thus bringing twelve suits in one year against a single ryot. It should, however, be stated who is to move the Board to exercise its powers under Part B. If the Board waits for either zemindars or ryots to apply to it, I fear it will wait a long time. The initiative should rest with the Collector of the district, who should report through the Commissioner for the Board's orders.

67. *Section 100.*—I approve of this section entirely. I would, however, repeat the recommendation, which I made in reporting on the Bengal Bill of 1881, that the Board should have power to prescribe a form of receipt, as zemindars through ignorance or carelessness will be very apt not to include all the necessary particulars in the receipts which they may give.

68. *Section 101.*—I adhere to my former objection to this provision. It will be widely and generally, if not universally, evaded; such a statement is not, as a general rule, required by ryots. Those who desire to be on good terms with their landlords are careful to avoid asking for any information. If a ryot comes asking for information about the state of his account, it is generally assumed that he means litigation, and the zemindar prepares himself accordingly, and bad blood is caused. It would be far better to provide that zemindars shall *keep* a register containing all those particulars (many of them keep nothing of the kind); this would be a great step in advance, and that if a ryot at any time wanted a statement, which might happen once or twice in his lifetime, the zemindar should be bound to give it; and if he did not, the ryot could apply to the Collector or the civil court to compel the zemindar to give it. It would be useless practically to rule that such statement should be given free of cost, because whatever the law might say to the contrary, the zemindar's *amla*, if not the zemindar himself, would be sure to demand some fee or present, and the ryot would, on the whole, rather give it than not, in order to keep on good terms with his landlord and the *amla*, who have his fate in their hands.

69. *Sections 103 to 107.*—I object to the wording of clause (*a*). It would be very dangerous to allow any tenant who, without just cause, or for the deliberate purpose of making mischief, chooses to fancy that he "has reason to believe" that the zemindar will not receive his rent and grant a receipt to pay it into court. The present law (section 46 of Act VIII, B.C., of 1869) requires that the tenant shall first make a tender of the rent. I think this provision ought to be retained. I know it has been said that a ryot is often afraid to go to the zemindar's cutcherry with his money, lest it should be taken from him and no receipt granted, but such cases are in my experience more imaginary than real; and as between man and man, it is surely only fair that the recipient should have a chance of taking the money and giving a receipt before he is put to the trouble of going to a distant court to get it.

70. When a ryot is afraid of violence or unfair treatment at the zemindari cutcherry, he always takes the precaution of taking a number of other ryots with him, who can give evidence in case of his being ill-treated; and a zemindar, who is capable of such conduct, is always so unpopular with his ryots that any one of them can get plenty of others to stand by him in such a case. If we let any ryot, who thinks he "has reason to believe" that the moon is made of green cheese, or any other of the wonderful things which make up a ryot's belief, especially at times when he is at feud with his landlord or neighbour, deposit his money in court, much unnecessary business will be entailed on the courts, and much hardship on zemindars.

71. The wording of the remaining sections of Part D seems to be intended to authorize

Collectors to receive deposits; but if the suits lie in the Munsif's court, the deposits should be made there also to avoid delay and correspondence in ascertaining whether the money is really in deposit or not.

72. *Section 119.*—I have much doubt as to the propriety of fixing a definite proportion of the produce as the ryots' rent. I know that very much has been said in favour of such a measure, yet as it seems that this section is intended to have retrospective effect (though the wording is not very clear), such a provision would lead to a very general disturbance of existing engagements. Is it meant that if a ryot is at the present moment paying a rent which is in excess of five annas in the rupee on the value of the produce, he shall, as soon as this Act comes into force, be entitled to have his rent reduced to that proportion? If so, I am not prepared to say to what extent the rents of ryots all over Bengal will not require reduction. It is one thing to lay down a general principle and quite another to insist on its being immediately applied everywhere throughout a vast country. I think it is far better to leave such matters to be decided by mutual consent and local custom. The ryot is in many places far stronger than seems to be supposed, and with the liberal amount of protection now to be given him by the Bill, will be well able to hold his own against any excessive demand on the part of his zemindar. At any rate, if it be thought that the welfare of the ryot demands some such limit as this to his rent, the rule should not be made retrospective.

73. *Section 126.*—Instead of ruling, as is done at the close of clause (2), that no work shall be deemed to be an improvement which diminishes the value of any other part of the estate, it would be fairer, I think, to say that it shall not be deemed an improvement if it diminishes the value of any other part of the estate to a greater degree than it improves the part worked upon. The estate in this respect being regarded as an unit, an improvement on one part expressed by fifty, which diminished the value of another part to an extent expressed by twenty-five, would still be on the whole, as regards the estate at large, an improvement. I do not, however, attach importance to this chapter, as I fear, from what I see round me, we are yet some way off from the day when ryots of any kind will make improvements to any great extent at their own expense.

74. *Sections 133 to 138.*—These are mostly already in force. There seems to be some obscurity, however, about rent-free and revenue-free lands. In section 92 of the Statement of Objects and Reasons reference is made to a letter from the Government of Bengal, in which it is remarked that a landlord cannot measure "lakhiraj," though a lakhirajdar may be holding under cover of his grant more land than he is entitled to. The Government thought landlords should be entitled to measure such land, and there can be no doubt of the correctness of this view. To remedy the defect, however, section 133 of the Bill gives the landlord power to measure "rent-free" lands, but does not (if I understand the wording rightly) empower him to measure "revenue-free" lands. Both classes of land are commonly included under the expression lakhiraj, which, however, strictly only applies to the latter, and probably the Government of Bengal meant to include "revenue-free" lands. These lands very frequently are entirely surrounded by zemindari land, and "revenue-free" holder is quite as much given to encroaching as the humbler "rent-free" holder. The law should enable a zemindar to proceed against the former as much as against the latter, provided the lands were an *enclave* in that is, entirely surrounded by the zemindar's lands. Probably some alteration in the wording of this section would be advisable.

75. *In Section 138.*—I think the appeal from the Collector should be not to the District Judge, who, from his official position at least, has no means of judging what is the correct standard of measurement, but to the higher revenue authorities, who, as administrators of all matters relating to the revenue, and custodians of all the records pertaining to the subject, are the best persons to decide what is the proper standard in any part of the country.

76. As we are by way of providing Bengal with all sorts of records of matters which we have hitherto been brought up in the belief that we were not concerned with, it would, I think, be as well if, along with our records of rights and such like matters, we should make once for all an enquiry which would enable the Board authoritatively to declare what was the standard in each pergunnah or other area throughout the country.

77. *Section 141.*—Here I am in doubt whether the provisions of "merger" are not in opposition to those of section 56. If a landlord acquires an occupancy right in land by any process, would not the principle of merger cause the occupancy right to merge in that of the landlord, so that on re-letting the land the new ryot would not, as provided in section 56, acquire an occupancy right, that right having merged and so become extinguished. I am not sufficiently familiar with the meaning and working of this new principle of "merger" to answer this question. I think it ought to do so, as I have said in my remarks on section 56.

78. *Sections 142 to 148.*—It is only necessary to say that I fully approve of this Part E, and that it introduces a much needed and extremely valuable reform. There is, I think, one small omission, which might be supplied. It is of course understood that during the incumbency of a manager all power of interference shall be taken away from the co-owners, and that during that period it shall not be lawful for them to receive rent or grant leases, and that all receipts given and leases granted, save by the manager, shall be null and void, and that the manger, and he alone, shall exercise all the powers and functions conferred by the law on landlords. I have known cases in which co-owners have tried to collect rents and do other acts indicative of ownership behind the back of a manager appointed under Regulation V of 1812.

79. *Section 151.*—The procedure of chapter XI virtually amounts to making a regular settlement of part or the whole of a permanently-settled estate. It involves not merely the determination of the rents, but the preparation of a jummabundi; in fact all the proceedings of an ordinary settlement, excepting only the fixing of the revenue. And in some respects this procedure gives more power to revenue officers than do the existing settlement laws. This is stated to be intentional, and the procedure has been invented with a view to removing from the civil courts the power they now exercise of reversing the decision of the revenue officers on many points in a settlement, accordingly Bengal Act VIII of 1869 is repealed.

80. I personally, as a revenue officer, naturally approve of such a step. It may be foreseen that with such a powerful engine as this in their hands, the executive authorities will in future abandon the procedure of the settlement laws entirely in all cases of Government estates or wards' estates in favour of procedure under section 151, clause (*c*), and I fancy few revenue officers will avail themselves of the permission to refer to the civil court given by section 155. By section 227 (*a*) the Local Government may confer on revenue officer employed under chapter XI all the powers of a civil court in trying a suit; and as these powers include those of summoning and examining witnesses, compelling production of documents, and in fact do everything that is necessary to the full understanding of the matter at issue, I do not see why a revenue officer, say a Deputy Collector, should not be quite as competent to decide any matter that may arise as a munsif. The munsif can do no more than the Deputy Collector is empowered to do. He can only summon and examine the same witnesses, compel the production of the same documents, hear the same arguments from pleaders. His materials for forming a judgment will be precisely the same as those of the revenue officer, and consequently unless we admit that the munsif is *per se* a better man than the revenue officer, which is a hazardous assumption, there is not the slightest necessity for any reference to the civil court under section 156. The revenue officers will, therefore, henceforth pursue their course in settling an estate in peace without having the fear of interference by the civil court constantly before their eyes.

81. All this is very pleasant and gratifying for us, revenue officers. I do not, however, quite see how it is to be reconciled with the remarks in the preamble to Regulation II of 1793, which, after stating that "all questions between Government and the land-holders respecting the assessment and collection of the public revenues, &c., &c., have hitherto been cognizable in the courts of mal adalut or revenue courts," goes on to say that "the proprietors can never consider the privileges which have been conferred upon them as secure, whilst the revenue officers are vested with these judicial powers." This is not forgotten by the zemindars in the present day, and it is to be feared that the provisions of this chapter will excite great oppositions from them; indeed, this is already the case; and this chapter is by many zemindars looked on as an infringement of the principle laid down in the above regulation, which has for nearly a century been one of the fundamental principles of British rule.

82. It may be said that the powers conferred by this chapter can only be exercised at the request of the parties interested, or to preserve the public peace, or in estates where there is either permanently or temporarily no zemindar in existence.

83. As to the first of these cases, I would observe that the chapter can be brought into operation not only without the consent of the zemindar, but very much against his will. The vague expression "a large proportion of the tenants" may easily cover case of collusion among a certain portion of the tenantry got up by disaffected persons; and as the total number of the tenantry on an estate can, prior to proceedings under this chapter, be only vaguely guessed at, the Collector, with whom will rest the initial duty of representing the case to higher authority, may easily be misled into taking a comparatively small number of disaffected persons for a "large proportion of the tenants."

84. Then again, clause (*a*) of sub-section 2 of section 151 is defective in an important point. Surely it is not intended, as the words as they now stand imply, that any large body of tenants by merely making an application and depositing costs should cause an estate to be brought under settlement. They should certainly show cause for their application, and the landlord should have an opportunity of showing cause against the application, and the Collector's decision should be appealable, and no formal representation to the local Government should be made, except by the Board, and after all appeals have been decided.

85. It is no light thing to enter on to a permanently-settled estate and turn it upside down, with the result, perhaps, of crippling the landlord's resources for one lifetime or more. This clause must be very carefully fenced and hedged to prevent much injustice. It must be remembered that it is not always a case of the righteous arm of Government interfering to rescue a helpless flock of ryots from the fangs of a ravenous landlord. There are cases, and not so few as some would persuade us, in which a helpless landlord requires to be rescued from a combination of crafty and irreconcileable ryots. Eastern Bengal would furnish many such cases.

86. I would say that an application under clause (*a*) must be made by not less than two-thirds of the rent-paying tenants; that a local enquiry should be held to verify the signatures, and to count the tenants, so as to ascertain that the true proportion had signed, and had signed knowing what they were signing. If this was satisfactorily settled the Collector should then hold an enquiry as to whether there existed any valid reason for making a settlement, and at this enquiry both parties should be heard, the ryots and the landlord.

If the Collector found that there was cause, as well as if he found that there was not, he should report to the Commissioner, who should hear appeals against the report from either side, and should then report to the Board, who might again hear appeals, and either quash the whole proposal, in which case their decision should be final, or report to Government in its favour, in which case orders would issue under the section.

87. The same procedure should be followed in case where a landlord seeks to put in force this clause, though I presume such cases will be very few and far between. On this point, however, the Collector of Midnapore observes very justly that enhancement made under chapter XI "will have one great advantage over enhancement effected by a landlord dealing separately with individual ryots, in that it is more likely to be equitable." But as he also remarks, it is open to the serious objection that such a step will excite the hostility of the whole of the ryots, and lead them to band together in opposition; and this opposition will be the more serious, because it is principally in districts like Pubna and Furreedpore, where the ryots are particularly difficult to deal with, that applications will be made under this clause by zemindars.

88. It may be expected that during the progress of a settlement thus originated, the ryots will stand aloof and give as little assistance as possible. Recent events in Midnapore have shown us what is the result of these tactics. When the jummabundi is prepared and issued, it is suddenly discovered that it is full of errors, both as regards classification of soil, area, names of ryots holding specific plots, and the like. When this jummabundi, full of errors, is put into the zemindar's hand, he will find himself quite unable to collect according to it. He will then either make default in paying his revenue, and so get rid of an unprofitable estate by throwing it on the hands of Government, or he will have fair cause for asking Government to undertake the management for him: either of these courses would be very embarrassing.

89. These remarks are based on the supposition that any zemindar who applied under this clause would do so with the object of getting his rents raised. One cannot conceive that he should make the application with any other object. It is not for the interest either of Government or of the mass of the population that rents should be raised to any large extent, and Government would not be justified in interfering on the application of a zemindar for such a purpose. I therefore think that if a zemindar wants to raise his rents, the courts are open to him, and he should have recourse to them, instead of being able to proceed as provided in this section.

90. As to the second cause of interference—the preservation of the public peace—clause (*b*) appears to cover the same ground as the Agrarian Disputes Act V (B.C.) of 1876, which, as far as I am aware, has never been made use of anywhere since it was passed. There would therefore seem to be very little use in enacting clause (*b*). When a serious dispute arises, it is the duty of the Magistrate to preserve the peace, which he has generally no difficulty in doing, while the matters at issue are being decided by a competent court. Ryots are many, landlords few; a disturbance of any magnitude is necessarily got up by the ryots, who would thus have it in their power to force the landlord against his will into submitting to the procedure of this section. This ought not to be. I do not suppose it would occur often, seeing how entirely the Agrarian Disputes Act has remained a dead letter, but this clause goes further than the Act, and might be taken advantage of by designing persons.

91. The third cause provided for by class (*c*) is a valid one, and will be of much use.

92. *Section 164.*—If undertaken gradually and systematically by picked officers throughout the country, and confined simply to *recording* with no attempt at deciding disputed points, this record-of-rights would be extremely valuable. It will not, however, ordinarily be called for either under clause (*a*) or clause (*b*) of section 164 (2).

93. It should, I think, merely put on record such facts as are undisputed; indeed section 164 provides for no decision of disputed facts. If the class to which a tenant belong, or the amount of land held by him, or the rent payable be disputed, the recording officer should merely enter "disputed." Subsequently, if a court called for a copy of the record for reference in a case, and decided the disputed point, it should issue a precept to the recorder or the Collector, directing him to insert the facts affirmed by the decree in his record. The record would thus in course of time get complete.

94. There should be some provision in this chapter authorizing the Board or Government to confirm the record by notification, and to make rules for its form and for its safe custody, and for granting copies of extracts from it.

95. *Sections 166 to 187.*—I approve of the retention of the power of distraint under its present modified form. I think, however, that much, if not the whole, value of distraint depends upon the rapidity with which it is carried out, and having regard to the general slowness of procedure in civil courts, I would, in section 168, fix a period within which the court should be compelled to issue its order, say, 15 days from date of presentation of petition. If there is much delay, a ryot may get wind of the matter, and carry off his crop.

96. Distraint in itself does no harm to the ryot, and the courts should not allow themselves to be led into long and tedious proceeding before granting the distraint order. It would, I think, be sufficient if a mere application were taken from the landlord, with a copy of the accounts, both to be altered, with penalties attaching to false statements and damages as under section 110, if the rent were ultimately proved not to be due. These precautions would sufficiently protect the ryot.

CHAPTER XIV.

97. *Sections 188 to 207.*—The whole of this chapter seems well adapted to the conduct of suits. I do not think any greater simplification of procedure is called for. I have nothing particular to suggest.

CHAPTER XV.

98. *Section 215.*—In this section I would leave out the word "registered;" none of the Midnapore ryots' holdings referred to in paragraph 37 above are registered in the sense of section 208 (2), and it is not likely that they ever will be. If, therefore, this word stands, it will deprive large classes of the kind, which it is sought to benefit, of the protection designed for them by the section.

99. The question, what particular liens and rights shall be considered incumbrances, is a very difficult one, and one which, with the limited time at my disposal, I am unable fully to go into. As far as I have been able to study this chapter, however, I am disposed to agree with the views expressed, with Statement of Objects and Reasons.

100. I have not yet received any reports from any of the Collectors, except the Collector of Midnapore. In order not to delay the submission of this report, I propose to embody any suggestion that may be received from the Collectors in a supplementary report to be submitted hereafter.

No. 639, dated Hooghly, the 26th June 1883.

From—F. Wyer, Esq., Collector of Hooghly,

To—The Commissioner of the Burdwan Division.

With reference to your circular No. 38 of the 14th instant, calling on me for an immediate report on the Rent Bill, and Board's letter No. 351 A., dated the 29th March 1883, and forwarded with your letter No. 131 of the 16th instant, I have the honour to submit the following report. The shortness of the time allowed me for considering the Bill and ascertaining the views of the leading persons in my district is my excuse for its shortcomings.

2. I have received the opinions of Baboos Joy Kissen Mookerjee, Peary Mohun Mookerjee, Bijoy Kissen Mookerjee, Harihur and Monohur Mookerjee, Jogessar Shing, Chander Kant Mookerjee, Onooroop Mookerjee, Okhoy Chander Sarkar, and a note from Baboo Bimola Churn Bhattyacharjee, Deputy Collector.

CHAPTER II.

3. All the zemindars whose opinions I have received object to the Bill. In Baboo Joy Kissen's opinion the measures proposed will ultimately lead to no good results. He objects to the attempt to restrict for ever the area of *khamar* lands, and the presumption of section 6, on the grounds that the landlord's proprietary rights will be interfered with, and that the right of the landlord to let lands to the best advantage, which they are by the permanent settlement entitled to do, would be seriously restricted.

4. Baboo Onooroop Mookerjee thinks that it will be impossible to fix the area of khamar lands, for when a ryot gives up his ryoti lands, and no one comes forward to take them, then the land must become khamar. All khamar lands were once ryoti, and so no hard-and-fast line can be drawn between them. Baboos Bijoy Kissen, Harihur and Monohur Mookerjee think the proposed survey of khamar lands unnecessary, and will be the cause of litigation and expense, and the provisions of Chapter II will prevent the landlord from making improvements by digging tanks, planting groves, and so forth, and would expunge Chapter II entirely from the Bill. I think that there should certainly be an authentic register of khamar land in a village, but a zemindar should be allowed to add to his khamar or sir land. Thus, if he wishes to reclaim some of the culturable land in the estate, or to try agricultural experiments on a large scale, he should certainly be allowed to have the register prepared under section 9 corrected, as too in other cases, as where he exchange uncultivated land for holdings of a ryot with the ryot's consent.

CHAPTER III B.

5. I think it would be far better not to allow any enhancement of the rent of middlemen. If it be allowed on their own number, and that of enhancement suits to increase, their rents will be ever on the increase. If, however, enhancement of these tenures is allowed, I think there should be no maximum of enhancement fixed, for, if there is, in many cases such a rule would bear hardly on the landlord. For instance, the lands in Naihati now let, I believe, for 2 or 3 annas a bigha. When the railway bridge has been opened, the same lands will probably fetch Rs. 15 or Rs. 20 a bigha, and the increase in value will in no way be due to anything the tenure-holders have done.

6. Baboo Joy Kissen Mookerjee is of opinion that the limit put to enhancement is wholly unwarrantable, and that the effect of the rule will not only stop for ever all enhancement in districts like Hooghly, where the public assessment was so high as to be nearly 50 per cent. of the staple produce, but will gradually lessen the rates of rent to a material extent.

CHAPTER IV.

Putni tenures.

7. Baboo Bijoy Kissen Mookerjee and others are of opinion that the notice required to be published under section 8 of Regulation VIII of 1819 should be served through the Collector, and not by a single peon of the

zemindar. That rule has, they say, been all along the cause of great hardship to all parties, and the source of expensive litigation throughout the country. The notice should therefore be published by beat of drum by a collectorate peon. I think the proposed alteration should hardly be made, since the Collector would then be responsible for the due service of the notice, instead of the zemindar, and no sufficiently strong case has been made out against the present practice.

CHAPTER V.

8. This chapter is most strongly objected to by most of the zemindars. Baboo Joy Kissen Mookerjee, after quoting Sir Barnes Peacock's opinion, writes:—"The Bill proposes to extend the right of occupancy in a most objectionable manner, unless protected by a registered contract to the contrary. The right will accrue with respect to khamar lands of the landholder, and by a retrospective operation of the proposed law all ryots who held any quantity of land, even for a day, with other plots of land, however small, for 12 years in the same village or estate, will acquire the right for the whole quantity of land." Baboo Bijoy Kissen Mookerjee says that section 45 is a most obnoxious one. It deprives zemindars of their vested rights granted them by the permanent settlement: it may render inoperative kabuliyats executed years ago. The proprietary rights of zemindars are disregarded, and pass into the hands of ryots, who have only to enter upon the land under section 56 by force or fraud, and cultivate it for a few months. After the landlord has improved the land, the Legislature, without giving him any compensation, deprives him of it. Baboo Onooroop Chunder Mookerjee says that he would not grudge ryots acquiring this right, provided that they held and occupied the land themselves at a reasonable rent. But the Bill, by vesting the ryot with the privilege, and allowing him to sub-let the land while the sub-tenant can never acquire the right of occupancy, virtually throws on the actual cultivator all the risks and dangers which the Supreme Council seeks to remove. The Bill, if it becomes law, will make the zemindar share his rights with the occupancy ryots, and the zemindar is to be fettered in the numerous conditions in the process of enhancement, and a thorough re-distribution of landed property is contemplated, in spite of the permanent settlement, with the object of benefitting the ryot, but the practical result will be that the real tiller of the soil will be placed in the worst possible position. He will be left to the tender mercies of hungry middlemen, instead of to the better educated zemindar. He adds that the zemindars would scarcely exercise the right of pre-emption, and outsiders would step in. He asks whether anything could be more invidious than to allow a ryot who buys an occupancy holding to sub-let it to a cultivator who cannot acquire the right; but if a zemindar leases out any such holding, the cultivator at once acquires the right. He says further there is not much objection to the principle of the right of occupancy, but the zemindars protest to a man against the manner in which the proposed Bill deals with it. It seems to to me that the right of occupancy should be acquired only by the actual cultivator, and that it should not be transferable; otherwise the right will in all probability pass in a few years into the hands of the money-lenders, and the actual cultivator will in no way have been benefited, except so far as they have obtained funds by the transfer of the right. By section 47 of the Bill the ryot is not allowed to divest himself of the right as against the landlord, yet by section 50 of the Bill he may transfer it.

9. One gentleman, Baboo Okhoy Chunder Sarkar, while entirely approving of the distinctions between *khamar* and ryoti lands, and Khudkast and Paikast ryots, which, he says, are the key-stone to the entire superstructure of the land settlement in Bengal, and while he commends generally the provisions of the Bill which attempt to improve, define, and settle the rights and status of the ryots, and declares that they are no new rights, deprecates the forcing the ryot constantly into court in order that he may enforce the details of his rights. Thus by section 28 of the Bill the ryot may obtain registration of a transfer without first applying to the landlord under section 27. This, he says, is mistrusting the landlord unnecessarily. But passing this over from a ryot's point of view, the provisions for obtaining registration are very cumbrous and troublesome to the parties concerned. He then gives the steps which have to be gone through until at last the civil court's decree has been obtained. Here the Bill stops, but execution of decree must be taken out according to the Civil Procedure Code, and the zemindar may now contest the decree on the ground of notice being not served on him, and so on. Such provisions, he adds, are ruinous to the tenant, and a fruitful source of exasperation to the landlord; and to compel an ordinary Bengal ryot to go to two sets of courts for the mere luxury of having his name registered in his superior landlord's book shows a deplorable oversight of the position of the parties and the practice of the courts. The Government, by desiring to nullify certain voluntary contracts, proves clearly that it considers the zemindars powerful and the ryots weak, and yet it will set up class against class in such details of tenant's right as the registration of a transfer. This, the Baboo says, is not sound policy. The civil courts are already overworked, and people, besides having to pay the initial petition stamp duty of 8 annas, have to pay 8 annas for almost every prayer they make. Thus by compelling the ryot constantly to resort to the court against his landlord frustrates the first object of the Bill, which is to give reasonable security to the tenant in the occupation and enjoyment of his land. This is only one instance out of many in the Bill, and those provisions have been proposed only through completely ignoring the true position of the parties, and should be recast.

10. With regard to clause C, section 50, Baboo Bijoy Kissen Mookerjee says that this provision will entangle landlords and ryots in law suits of the most technical kind. What

should be considered improvement? The small *ails* which bound a ryot's fields? Is any ryot to be allowed to dig a tank and thus multiply a constant source of disease? He says that section 51 will result in converting money-lenders into occupancy ryots, and the ryots into their under-ryots, for no landlord, as a rule, would exercise the right of the pre-emption, since, as soon as ryots entered into the lands again, the right of occupancy would again spring up; and further, ryots would easily sell their rights without giving notice to their landlords. A full year should be allowed to the landlord within which he might take steps in cases of sale without notice. Baboo Joy Kissen Mookerjee objects strongly to the provisions for compensation for disturbances, as implying not only a title in them which the ryots never claimed or enjoyed, but as assuming a state of things which never existed. He adds that, with very few exceptions all improvements have been made by the landlords, and not even by tenants with fixity of tenure, and yet the Bill assumes that tenants-at-will have carried out these works. He objects to making the rights of occupancy saleable. The right of pre-emption will place the landlord in a worse position than any other purchaser, for he will be allowed to let it subject to the occupancy right and at the old rent even to a new-comer and stranger. He quotes the opinions of Sir Richard Garth and Mr. Elliot againt the proposal.

Tables of Rates 62 to 72.

11. It is the general opinion that tables of rates cannot be prepared, and in that opinion, as far as my experience goes, I agree, but special enquiries have been made by the Board of Revenue on this point, and the result of the enquiries will doubtless settle the question.

Enhancement 75, 76.

12. I think that the limit of enhancement should not be fixed. The only way to do so would be to define what proportion of the rent, as defined by Ricardo, should be left with the ryot, always bearing in mind that the rent so defined is rack-rent. With regard to the rules contained in sections 73, 74, and 75, Baboo Bijoy Kissen Mookerjee thinks that they cannot be carried out, so many restrictions have been placed in the way of the landlord in carrying them out. He says that it was expected that some improvements would result after so much writing and discussing, but the result has been no improvement on the present law. He also thinks that section 79 will always be worked against the landlord by the ryots when enhancement suits have been started, for the ryots will only have to combine, and by suing the landlord under this section force him to give up his enhancement proceedings.

13. *Sections 81, 82* are objected to by Baboo Bijoy Kissen Mookerjee on the grounds that in some cases, according to local custom, the landlord is entitled to recover more than half, and the matter had better be left to be settled by the parties. Baboo Bimola Churn Bhattyachargee thinks that in section 82 the words "notwithstanding any contract to the contrary" should be struck out; for in many parts of Behar, where roads are very bad, it is the grain which the zemindars keep up in stock during famines, that keeps the people from starving, and asks why Government should afford a means of abolishing a system which the experience of ages has proved beneficial to the country. This section was proposed to the Behar Commission by this officer, and his opinion to the effect that special contracts should not be done away with is entitled to great weight. I have had no experience in Behar, and so pass no opinion on the matter.

14. *Section 85.*—This section is objected to by Baboo Bijoy Kissen Mookerjee on the ground that proper prices will not be supplied, and it would be impossible to do so for every village. It will be quite sufficient, however, to obtain the prices at the principal market-places where the new crops come into the market.

15. *Sections 85, 86.*—Section 85 will bear hard on landlords, ryots being allowed to occupy his bastu land, though he does not use it as such. Baboo Bimola Churn Bhattyachargee informs me that in Behar no rent is paid for bastu land, and in that case he certainly should have to give it up when he is no more a ryot in the proper sense of the term. For this part of the country, where rent is paid for bastu land, non-payment of rent for one year should render the ryot liable to ejectment.

16. *Sections 93 and 94.*—Clauses *a* and *b*, sub-section 2, should, I think, be struck out. A landlord gets a decree for fair and equitable rent, if the ryot does not choose to pay, the zemindar has to suffer. He has to pay for "compensation for disturbance." Does he disturb the ryot when the ryot refuses to pay his just rent?

17. *Section 98.*—This section is objected to by the zemindars, but will be, I think, a most useful one.

18. *Section 119.*—By this section the practical difference between occupancy and ordinary ryots would be removed. Separate limits should be fixed for each class.

19. *Section 166.*—If the power of distraining crops for current arrears is continued, the procedure should be very much less complex than that proposed in the Bill. The costs would be very heavy, and ultimately fall on the ryot. It would be quite enough to allow the zemindar to distrain the crops himself, but in no case to sell them without the order of a competent court. As a rule the arrears would be paid on the mere attachment.

20. *Section 167, clause 2.*—The application should be allowed on plain paper.

21. *Sections 169 and 170.*—The zemindar should give the list of demand and account to the ryot previous to the application for sale. If after the distraint and delivery of the demand and account paper the ryot does not pay up, then the zemindar should apply to the court to sell the crops, and any objection the ryot might have would be heard.

22. I have given above the principal objections to the Bill. It excites great apprehensions in the minds of the zemindars, and will, I think, not effect any permanent settlement of the rent question. Mr. Ilbert says that it is "merely a Bill to amend and consolidate certain enactments relating to that subject" (the law of landlord and tenant), and it seems hardly worth while to pass a measure which excites so much opposition among the landlords merely for this object. I am inclined to think with Mr. C. B. Clarke that the real remedy will be a ryotwari settlement, for in that way only would the ryot get rid of the middlemen; and, as Odysseus says, "a multitude of masters is no good thing."

23. To show how strong the feelings of the zemindars are against the Bill I enclose copy of a note on it, sent to me by Baboo Peary Mohun Mookerjee.

I find that I was quite unable to let you have my report by Saturday last; I have therefore, to save time, sent a copy of it direct to the Board of Revenue.

No. 648, dated Hooghly, the 27th June, 1883.

Memo. by—The Collector of Hooghly.

Copy, with enclosure, forwarded to the Secretary to the Board of Revenue.

The Bengal Tenancy Bill.

I am of opinion that in so far as the Bengal Tenancy Bill proposes, (1) to limit the maximum area of khamar lands; (2) to extend the right of occupancy in the manner provided in section 47, and in a modified way to tenants-at-will; (3) to give the occupancy ryot a right to the accretion to his holding; (4) to make a right of occupancy transferable; (5) to limit the maximum increase of rent to one-fifth of the value of the staple produce; (6) to restrict the landholder's right of letting in any way he chooses lands which come to his khas possession; (7) to award compensation to ordinary ryots for disturbance; and (8) to virtually abolish the law of distraint; it is a direct breach of the compact known as the permanent settlement, and is a measure of spoliation of vested rights of property.

The other provisions of the Bill are not such as would alter for the better the existing law on the subject. The provision, for instance, as to instalments of rent, contained in section 97; the provisions for deposit of rent, contained in section 103; the provision for the appointment of managers of joint estates, contained in section 112; the provision for a record of rights, contained in section 164: the provision for the sale of tenures and under-tenures, with encumbrances, contained in section 211; and the limitation to the right of appeal in certain suits, contained in section 198, would aggravate the defects of the present law, and introduce complications and difficulties where none exist at present, would give rise to unnecessary and harassing litigation, and set class against class, and individuals against individuals, in matters in which legislation may well aim at the establishment of peace and harmony.

The Bill presupposes a power in the legislature to take away material rights from the landholder, and to give them to the ryot. The Hon'ble Mover of the Bill claims that power under section 8 by Regulation I of 1793. When, however, it is recollected that at the time of the Permanent Settlement landholders had the legal power of not only compelling the attendance of ryots, but also of inflicting corporal punishment, and confining them for non-payment of rent, of levying sayer duties on internal trade, of maintaining police establishment for the preservation of peace, and of appointing kazees and canoongoes for the administration of justice, civil and criminal, and that some of the subsequent Regulations were expressly passed to divest the landholders of almost all of these seignorial powers, it may be fairly contended that the reservation contained in that section could have reference only to the powers thus exercised by the State, and not to any interference with the proprietary rights of landholders, with regard to which they were assured that "they will enjoy exclusively the fruits of their own good management and industry," and that "no power will then exist in the country by which the rights vested in the landholders by the Regulations can be infringed, or the value of landed property affected."

It seems to me that the Indian Legislature, by giving to the reservation in section 8 an interpretation which is at least doubtful, and assuming powers which are denied by such eminent and responsible authorities as Sir Barnes Peacock and Sir Richard Garth, may give cause to parties interested to question the validity of its acts. The principle laid down by Sir Lawrence Peel in Wheel Tax Case (Taylor and Bell, 391), would, I think, give them a *locus standi* in such an attempt. "It is the province of courts of justice of the country to decide on the legality of *Acts of Legislature*, if a suit is instituted to decide whether the Legislature has or has not exceeded the limits within which it may legislate.

The matter presents yet another aspect. The present body of landholders have mostly come to the possession of their estates and talooks by purchases made for adequate considerations, and crores of rupees have been thus invested in land on the faith of the binding character of the Permanent Settlement; but if the Bill in question passes into law, the value of landed property will be materially reduced, and while those who will make purchases hereafter will pay only the reduced prices, and those who have gone before had a full return for their money, it is only the present body of landholders who will be the losers, in many cases to a ruinous extent. It is with reference to such a case as this that Sir J. S. Mill observes that it would "impose a penalty on people for having worked harder and saved more than their neighbours."

But the question is, where is the necessity for such a piece of revolutionary legislation? Not a single suggestion for a radical amendment of the Rent Law emanated before the publication of the Draft Bill of the Rent Commission from any of those responsible officers of Government who are charged with its administration. The Chief Justice of Bengal, on the contrary, held that the Bill "is calculated to deprive landlords, unjustly and unnecessarily, in my opinion, of rights which the courts of law have always considered to be their due." No part of these provinces is suffering from an agricultural depression. The condition of the ryots is unquestionably one of growing prosperity, and the fabulous wealth of the landholders which both Justice Cunningham and the Hon'ble Mover of the Bill deduce from the fact of the increase of the rent roll of these provinces from three and a half crores at the time of the Settlement to more than 13 crores at the present time, even if well founded, is no index either of a corresponding poverty of the ryots or of their rights having been usurped. So long ago as 1871 the Government bound itself by a promise to give the landholders greater facilities for the recovery of rent in return for the obligation laid upon them to collect the tenant's share of the road cess; but surely a plea of fulfilment of that pledge cannot justify a radical amendment of the Rent Law to the detriment of the most valued rights of landholders.

On the above grounds I think that a radical amendment of the Rent Law is wholly uncalled for, and that several of the provisions of the Bill involve assumptions of fact which are not merely not true, but the very reverse of the truth; interpretations of law which are opposed to judicial decisions; inroads into vested rights of property, which are as much objectionable as measures of direct confiscation; visions of peasant proprietorship, which leave out of sight important factors peculiar to the Indian social economy, and theories of legislation which would justify a universal distribution of all property.

OOTERPARA,
June 21st, 1883.

PEARY MOHUN MOOKERJI.

No. 1928-694L.-R., dated the 24th July, 1883

From—A. P. MACDONNELL, Esq., Officiating Secretary to Government, Bengal,
To—The Secretary to the Government of India, Legislative Department.

In continuation of my letter No. 1876-669 L.-R., dated the 18th July 1883, I am directed to submit, for the information of His Excellency the Governor General in Council, the accompanying copy of a report * on the provisions of the Bengal Tenancy Bill, 1883, submitted through the High Court by Mr. J. P. Grant, District Judge of Hooghly.

* No. 750, dated the 13th July 1883, enclosed with letter No. 2014, dated the 17th idem, from the Officiating Registrar of the High Court.

No. 2014, dated Calcutta, the 17th July 1883.

From—C. A. WILKINS, Esq., Officiating Registrar of the High Court of Judicature at Fort William in Bengal,
To—The Secretary to the Government of Bengal, Revenue Department.

In continuation of my letter No. 1835, dated the 27th ultimo, I am directed to forward, for the information of His Honour the Lieutenant-Governor, the accompanying report on the Bengal Tenancy Bill, which has just been received by the court from Mr. J. P. Grant, District Judge of Hooghly.

No. 750, dated Hooghly, the 13th July 1883.

From—J. P. GRANT, Esq., District Judge of Hooghly,
To—The Registrar of the High Court of Judicature at Fort William in Bengal, Calcutta.

I have the honour to submit a report as requested in your letter No. 1157, dated 23rd April 1883, on the Bengal Tenancy Bill, 1883. I am sorry that press of other business, which could not be neglected, has delayed my examination of the Bill, the subject of which, moreover, demands considerable thought and deliberation. I do not propose to enter into the general question of the necessity for legislation, which, I think, no one who has at all studied the subject denies, still less shall I discuss such matters as the alleged inviolability of the Permanent Settlement, &c. I shall content myself with criticising the provisions of the Bill *seriatim*, from the point of view of what I understand to be its two-fold object, *viz.*, (1) to give security to the tenant in the occupation and enjoyment of his land, and (2) to give facilities to the landlord for settlement and recovery of his rent.

CHAPTER I.

2. *Section 3, clause (5).*—The definitions of "tenure-holder" and "ryot" are not satisfactory. The latter especially is defined in negative terms only, and the definition, although apparently intended to connote something different from a ryot who is a tenure-holder under section 14 of the Bill, yet includes this class. If these definitions are maintained, the conven-

tional meaning of the word "ryot," the nearest English equivalent of which is 'yeoman,' will disappear, as indeed will the class itself, for the inevitable tendency of the proposed law is to make right-of-occupancy ryots, in fact as well as in name, middlemen. In this view, perhaps, the reserving of the term 'ryot,' for the class upon which the actual cultivation of the soil must ultimately fall, is far-sighted. I would, however, take occupancy ryots out of the category of tenure-holders. There is nothing, *pace* the author of the Objects and Reasons, in common between their position and the position of those who are really middlemen, such as patnidars and farmers. The law should recognise the existing two classes of ryots, *viz.*, those having, and those not having, rights of occupancy, and in defining them should employ the word 'ryot' for both. The definition of tenure-holder should be altered to signify exclusively a middleman between a proprietor and a ryot. This clause should also be amended so as to include in the definition of ryoti land tanks which are often let as ryoti holdings for fishing purposes.

CHAPTER II.

3. This chapter purports to limit for the future *khamar* land to what was such land at the passing of the Bill. I doubt both the policy which would enact this, and the possibility of enforcing it, if enacted, in face of the provisions of section 141 of the Bill as regards merger. I do not see why a proprietor should be restricted from converting to *khamar* lands from which the ryot has been lawfully evicted, or which he has vacated by surrender, or to which there is no heir. There is again nothing in the Bill to prevent a proprietor purchasing occupancy rights and then holding the land *khas*. It is, indeed, to be feared that this expedient will be largely resorted to as the only one by which occupancy rights can be extinguished, and thus, practically, *khamar* lands must largely increase in spite of the Bill. It must be remembered that, in some instances, a zemindar can find no one to take up lands from which the previous tenant has absconded or has been evicted, or which he has surrendered, or to which the last occupant has left no heir. In such a case the zemindar *must* hold the land khas, or in *bhag-jote*, or let it lie idle while he is paying revenue on it.

CHAPTER IIIA.

4. Sections 14 and 15 of this chapter convert the right of occupancy ryot into a tenure-holder. I have already pointed out the confusion of ideas here indicated, which is certain to breed confusion of practice. You cannot alter the conventional meaning of words by Act of Parliament. Section 16 converts the *bhag-jotedar* into a ryot who may possibly acquire a right of occupancy. This is totally opposed to all the existing notions of a *bhag-jotedar's status* and position. He is, in fact, only a labourer under another name. His share of the crop is the wages for which he has engaged to cultivate it. This is the only way in which many proprietors can use their *khas khamar* land. I do not know whether the definition of 'tenant' excludes the *bhag-jotedar* from the operation of this section; but if it is intended to do so, it might be more clearly so expressed by an illustration. Of that portion of this chapter regarding enhancement, I have not much to say, except that I approve of a limit being placed to enhancement, and that I do not think much occasion will arise for recourse to the civil courts under this part of the law. The cases in which the customary rate payable by holders of similar tenures in the vicinity cannot be easily ascertained must be rare. The provisions regarding registration are very necessary, but, as here drawn, are imperfect. It is quite proper that the proceedings to enforce this should be before the Collector in the first instance; but if they are to be of any effect, some penalty must be provided for the case of neglect or refusal on the part of the zemindar to register. It is vain to enact that he "shall" do this, and "is bound" to do that, unless some sanction be provided. The result of the law in its present state will be that zemindars will, as a rule, refuse to register in order to force the ryot into the civil court, where all the resources of chicanery will be resorted to call in question the title of the ryot or the nature of his tenure. There should be provision for the imposition of a fine upon the zemindar by the Collector on proof of his omitting or refusing to fulfil the requirements of the law; and if thereafter the zemindar is taken to the civil court, he should, whether the applicant succeeds or not, be liable for his costs.

CHAPTER IV.

5. I do not see why the patni Regulation should be incorporated with this Bill. The character of a complete code is repudiated for the Bill, and I see no more reason for incorporating this Regulation than for incorporating the Regulation creating the Permanent Settlement which is still left as a separate law, and is, in its nature, as much connected with the Bill as the Patni Regulation is. If this last is to be incorporated, the opportunity should be taken of amending it, of which there is, in some respects, great need. The difficulty of proof of private service of notice of sale especially is a standing complaint of zemindars and one which is only too well-founded. Service ought certainly to be through the Collector, whose certificate as to a good service ought to be conclusive proof of it. In many other respects, too, the Patni Law might well be amended; but I do not enlarge on this subject, as I cannot suppose that this Regulation will be degraded bodily into a schedule of the Rent Law.

CHAPTER V.

6. By this chapter the 12-year rule in regard to a prescriptive right of occupancy at fixed rates is maintained, and thus the zemindars are no worse off than they are under the existing

law, and have therefore, I think, much to congratulate themselves on. Considering that it is admitted on all sides that this rule of Act X of 1859 was a most mistaken one, operating to the prejudice of a large body of ryots who were right-of-occupancy ryots already on other conditions, I am rather surprised at the retention of the rule. I would have approved a much shorter term if the test is to be at all of one time. But taking the 12-year term, it is absolutely necessary to apply it to all alike, and thus I think it expedient that even where a contract to the contrary exists it should be set aside. On the same principle, taking the word 'estate' as defined in the Bill, I consider that it is an improvement on the former state of things to allow the *status* of a settled ryot to one who has held in the same estate, though not perhaps always in the same village. By the nature of the case the different villages of an estate must be contiguous to one another. The provisions of section 50, defining the incidents of an occupancy right, generally, have my entire approval. I have never yet known the place in which such tenures are not transferable by custom even now. The provision regarding improvements may at first create some litigation. Zemindars will still seek to prevent ryots digging tanks and cutting down trees; but this will soon right itself. The crux of the whole question is the determining, what is to be looked upon as constituting a holding, a permanent one at fixed rates, which is the estate which the Permanent Settlement purported to confer on all resident ryots; and I think this end has been achieved by the Bill with less injury to zemindars' present interests than they at all looked for, loudly as they may still exclaim against it. The provisions as to pre-emption are entirely in their favour. They will lose nothing even by the provision which accords the *status* of a right-of-occupancy ryot to one who takes such a holding after the zemindar has purchased it; for we may be sure that the zemindar will not let a ryot come in who has not paid, by way of *bonus*, at least as much as the zemindar gave for the out-going ryot's right of occupancy; who has not, in fact, purchased from the zemindar the right of occupancy inherent in the holding. The only part of this chapter that, I think, the zemindars may legitimately object to is section 49. "Holding *khamar* land as a ryot" is a contradiction in terms. Of course, if a zemindar regularly settles his *khamar* land with a ryot he converts it into *ryoti*; but *khamar* lands, as a rule, are cultivated on the *bhag-jote* system, which, as I have pointed out, is not really a system of land-tenure, involving payment of rent, whatever economists may say of the metayer system, as prevailing in Europe, but is simply a system of paying wages on the co-operative principle.

CHAPTER VI.

7. This deals with enhancement of the rents of occupancy ryots. It provides, as one means of adjudging enhancement, for the drawing up of a local table of rates of rent and produce. I believe that it will be practically impossible to draw up such tables: indeed, I understand that an attempt has been already made on a considerable scale and has signally failed. This was only to be expected. To begin with, much must depend in the enquiries incidental to such a matter upon the individual idiosyncracies of the particular officer making them; and again the whole idea pre-supposes a sort of natural unfluctuating dead-level in the outturn of land, and taking no account of improvement and industry.
It is impossible to expect any trustworthy result from such tables, which, moreover, to be of any real use, must be applicable, each of them, to comparatively small areas. I do not know where Government could obtain the machinery necessary for this work on any very considerable scale. Where such tables have been prepared, they are to furnish conclusive evidence; but where no such tables are prepared, the courts are to proceed in enhancement suits on certain prescribed principles stated in sections 74 and 75, which I cannot distinguish from those now law. The greater number of enhancement cases will be those to which clause (c) of section 75 applies, and we are thus sent back to Ishur Ghose's case. As to the one-fifth limit, I understand this, if calculated at harvest time, will be unduly favourable to the ryot; and that the more just proportion would be one-fourth. I do not know how the market rate at harevst time is to be authoritatively settled; but this is a much easier task than the preparing a table of rates. Further, the produce of the *staple* crop alone is to govern the calculation; but where this is rice, there is often a very valuable second crop, which should not, I think, be ignored.

CHAPTER VIII.

8. This deals with what are very mistakenly called "ordinary" ryots. The ordinary ryot of the country is the ryot having rights of occupancy; it is all *other* classes of ryots that are exceptional. I do not see why the every-day terms of "ryots having a right of occupancy" add "ryots not having a right of occupancy," should not be maintained. But the mistake goes deeper than the mere name. The only difference between the two classes of ryots is that one has fixity of tenure and the other has not. The provisions of this chapter would seem to imply that the former class possesses some privilege of setting at a lower rate of rent also; for the "ordinary" ryot may, by the Bill, be rack-rented up to a certain maximum, which, in practice, will certainly be evaded. All classes of ryots have now, and ought always to have, equal protection at the hands of the law in respect of the rate of rent payable by them; the only difference is that while one class hold from year to year, or for a term of years on lease, the other holds in perpetuity, if he only pays his fixed rent. For these reasons I do not agree with those who find fault with the provisions of section 93. Without this section, as soon as the Bill passes, there will be a flood of notices of enhancement upon tenants-at-will, which they would have no means of resisting. It is true that, under exist-

ing circumstances, a tenant-at-will has little or no inducement to make improvements, and therefore, as a rule, make none; but this is no reason, if the law is so altered, as it is here proposed to alter it, as to give him also a far better prospect than he has now—of remaining on the land as long as he pays a reasonable rent—why tenants-at-will in the future should be assumed to be incapable of making improvements. I therefore approve of the clause (*a*) of this section. The clause (*b*) is also necessary, much as it has been exclaimed against, in order to prevent arbitrary and unreasonable enhancements, the sole object of which is not to raise the rent but to eject. For this reason I think it is right that the landlord should know that he can only eject his ryot on paying him the amount that he would have received from the ryot in increment of rent for the term during which his rent, if enhanced, must be let alone. I think this provision has been most unreasonably criticized. Its opponents argue from the erroneous point of view that the Indian agricultural tenant-at-will is one who can be turned out, without rhyme or reason, at the mere will or even caprice of the landlord. I need not say that this is not so; that if a tenant holds over, after notice of enhancement or notice to quit, he cannot be proceeded against only for compensation at a reasonable rate for use and occupation, and if he pays cannot be turned out.

CHAPTER IX.

9. The provisions of section 98 are absolutely necessary, in order to abolish the practice which has, during the last few years, been adopted by zemindars, especially in this part of the country, of demanding rent in monthly instalments, and suing for each instalment if not paid This cruel procedure has been the ruin of thousands of ryots, as it was deliberately intended to be, and is one of those crying abuses that call for the interference of the legislature. Section 100 is also urgently called for on much the same grounds. At present ryots are entirely at the mercy of the zemindar, or rather of the gomashta, especially as to the appropriation of the amount paid as rent. But to make this section really effective, the forms of receipt in foil and counterfoil ought to be supplied by Government at cost price, or even given away to the landlord. At least no landlord should be allowed to use a form, a specimen of which has not been presented to the Collector and approved by him, such specimen being preserved for future reference. I am more doubtful as to section 105; but even this is only an amplification of the *akhiri* or *faikaludakhila* which all honest zemindars have been long in the habit of giving. The provisions as to depositing rent are also necessary, especially in the cases of clauses (*b*) and (*c*). As to (*a*) it has been the greatest boon that has been conferred on the ryot since the passing of Act X, and has been hitherto unnecessarily clogged with the condition of proof of tender, such condition being a mere premium on perjury. Section 119 is rather obscurely worded. It may be held to operate retrospectively, in which case there will be a perfect invasion of the courts by ryots with suits to have their rents re-adjusted. As regards occupancy ryots, the words "and not otherwise" of section 79 will stop them, but the position of other ryots is not clear.

CHAPTER XA.

10. I approve of the definition of improvements here given, but I see no reason whatever for making the case of the "ordinary" ryot different from, or rather the converse of, that of the occupancy ryot. As I have said before, the only difference between the classes is that the former has a firmer hold on the land, but that this does not mean that the latter has no hold on it. Once admitted, he cannot be turned out as long as he pays a fair rent. Why should he not be in the same position as the occupancy ryot as regards the making improvements? The Bill, indeed, is inconsistent with itself on this point. It puts all classes of ryots on the same footing as regards the improvement of house-building, as it certainly could not decently do otherwise. What is there in the nature of this species of improvement that makes it exceptional? The Bill is logically wrong here. Hitherto neither landlord or tenant has made "improvements;" the former because they do not rightly discern their own interests, the latter because they do. *They* have hitherto refrained from making improvements, not because they fail to see the ordinary advantages of making them, but because they know that their making them would only entail the result of the zemindar seizing upon the fact to raise their rent. The provisions of the Bill will relieve occupancy ryots of this fear; but they do not protect the ordinary ryot, or rather they absolutely discourage him. The very class who ought to have even exceptional facilities for making improvements, are denied the facilities that are given to more favoured classes, indeed are positively obstructed where the others are facilitated. I do not think this reasonable, to say nothing of justice. We may be sure that the zemindar class will not "improve;" any improvements that may come must come from the cultivator class, and all these should have equal rights in this respect.* (*B*) Rent-free lands, as well as revenue-free lands, should be included in section 133. I also doubt the policy of giving appeal to the civil court in the matter of the standard pole. These are matters which are better left to the revenue authorities. (*C*) Here, again, I think that the notice of surrender should be served through the Collector, not a civil court. (*D*) What is the effect of section 141 when read with section 56? If the interest on an occupancy tenant be "extinguished" by merger, can it be revived when the landlord, if he does so, re-lets the tenure? This should be made clearer, and one or other section should contain "notwithstanding anything contained in section." (*E*) The provisions of this part will obviate much inconvenience now felt. There ought, however, to be specific provision disabling all the co-parceners for doing any acts of management, and making such acts null and void. As things exist, a co-sharer has been known to go on collecting rents, notwithstanding the appointment of a general manager.

CHAPTER XI.

11. This chapter is a very important one, as re-introducing a state of things which the preamble of Regulation II of 1793 states was found then to be unsatisfactory. The principle therein enunciated is that disputes between landholders and tenants shall be adjudicated by the civil courts and not by the revenue authorities, who otherwise would in many cases be deciding upon their own acts. Under the present chapter, however, revenue officers will have it all their own way. It is true that section 155 allows of their referring a case to the civil court, but this provision will be a dead-letter, depending, as it does, on the option of the revenue officer alone. Moreover, it must be remembered that, under clause (*a*), section 227 of the Bill, Government may invest any revenue officer with the powers exercised by a civil court in the trial of suits. The chapter provides an alternative to the procedure under chapter VI, as regards enhancing or varying rents; this being done in the one case by the civil courts in separate and individual suits, while in the other case it is done by dealing with whole estates at one operation, and by the revenue authorities. I think that the distinction ought to be made complete, and reference to the civil court in the latter case abolished. The procedure of the revenue authorities might still be that of the civil courts. I believe that adjustments of rent will be more equitably made when on this large scale than is possible with a civil court dealing with isolated suits. Clause (*b*) of section 151 appears to re-enact Bengal Act V of 1876, which has hitherto been a dead-letter. In its present shape it promises to be of some practical effect; but I do not see the above Act among those repealed by schedule 1 of the Bill.

CHAPTER XIII.

12. The power of distraint being, I am sorry to see, maintained, the provisions here made are hedged round with such wholesome checks that it cannot be hereafter used as the engine of fraud and oppression that it has hitherto been. Instead, however, of the power by the Local Government to suspend its provisions in any local area, I would prefer to see it provided that the chapter should be inoperative, unless especially extended to a local area, which should not be smaller than a collectorate. I myself doubt very much the necessity of any law of distraint anywhere, not seeing the justice of giving a landlord-creditor priority or preference to all other creditors; and I think that, with the improved procedure here to be enacted as to the recovery of rent-at-law, it would be well to wait and see whether any law of distraint is really called for. This would best be done by leaving the chapter to be extended when and where experience might show it to be needed. If, however, distraint is allowed, all the proceedings regarding it should be as prompt as possible. The rules to be prescribed by the High Court under section 169 should require applications for distraint to be dealt with within a certain time, according as the court allows of additional evidence or not, that the applicant furnish a properly drawn-up form of notification (section 169), at least two forms of demand and account (section 170), one of proclamation of sale, and at least six forms of certificate, to be given to purchasers (section 178). Section 179 appears to require the immediate distribution of the sale proceeds on the spot by the distraining officer; whereas if the distraint is paid off by a deposit before sale into court or into the hands of the distraining officer, the amount must be held for one month before being paid out. I do not understand why there should be this distinction. I think that in all cases the money, whether realized by sale or by deposit, ought to be paid into court, held for one month, and then distributed. In any case, even if sale proceeds are not held for one month, they should, I think, be distributed at the court and not on the spot. The present class of pleaders are not to be trusted with this duty. As regards penalties, I would add to section 186 a provision, that a criminal prosecution is to be no bar to any civil remedy that may lie open to the injured party.

CHAPTER XIV.

13. I very much approve of the adoption of a procedure simplified from the existing code, instead of the odd and fanciful procedure recommended in the former Bills, founded on analogy to that on negotiable instruments, &c. I have carefully considered this part of the Bill, but have no suggestion to make, except that to section 195 should be added some such words as "granted by an order written and signed by the presiding Judge on a written application to that end." Unless this is done, cases will happen in which a fictitious written statement, purporting to be made by the ryot and containing damaging admissions against his interest—certified copies of which will be taken out by the plaintiff—will be found on records after disposal. I would also add to section 189 some words to the effect that, notwithstanding that suits are instituted by naibs and gomashtas under general powers, the personal responsibility of landlords under sections 209 and 210 of the Penal Code shall remain unaffected. It is notorious that a regular system of instituting false legal proceedings, either by suing deliberately twice for the same arrear, or by executing decrees twice, or by drawing out money paid into court before or during suit, and then executing the decree, is practised in many districts. When such is the case, it is by deliberate direction of the landlord. His agents have no incentive to sue on any but really existing cause of action.

CHAPTER XV.

14. This chapter will go a good way to prevent excessive sub-infeudation, and I can add nothing to the argument in favour of these provisions which are contained in the Statement of Objects and Reasons. The remaining chapters of the Act call for no remark.

No. 2179-787L.R., dated 13th August, 1883.

From—A. P. MACDONNELL, Esq., Officiating Secretary to the Government of Bengal,
To—The Secretary to the Government of India, Legislative Department.

1. "Notes on the Bengal Tenancy Bill" by the Committee of the Behar Landholders' Association, with appendix.
2. No. 484R., dated the 7th-13th July, 1883, from the Commissioner of Patna.
3. No. 188R L., dated the 2nd July, 1883, from the Commissioner of the Presidency Division
4. No. 246A.M., dated the 23rd June 1883, from the Officiating Commissioner of Dacca.
5. No. 335G.C., dated the 30th June, 1883, from the Commissioner of Chittagong.

In continuation of my letter No. $\frac{1928}{694}$ L. R., dated the 24th July, 1883, I am directed to submit, for the information of His Excellency the Governor General in Council, the accompanying copies of reports on the provisions of the Bengal Tenancy Bill, 1883, received from the Behar Landholders Association and the Commissioners of the Patna, Presidency, Dacca, and Chittagong divisions.

No. 484R., dated Bankipore, the $\frac{\text{7th}}{\text{13th}}$ July 1883.

From—F. M. HALLIDAY, Esq., Commissioner of the Patna Division,
To—The Secretary to the Board of Revenue, Lower Provinces.

With reference to your No. 351A., dated 29th March last, calling for a report on the Bengal Tenancy Bill, after holding a conference with the Collectors subordinate to me, I have the honour to say that the following Collectors attended the conference:—

Mr.	Norman,	Collector,	Mozufferpore.
„	Boxwell,	ditto,	Durbhunga.
„	Quinn,	ditto,	Sarun.
„	Nolan,	ditto,	Shahabad.
„	Grierson,	ditto,	Patna.
„	Henry,	ditto,	Chumparun.

Mr. Skrine, who had very recently joined as Officiating Collector of Gya, was unable to attend.

2. The Bill was discussed chapter by chapter.

Taking Chapter II, section 5, it appeared to some of us that this section did not provide for the case of dearah land which might come into existence subsequent to the passing of this Act, though, in the opinion of two of the Collectors, under the existing Bill such lands are provided for under section 6.

I myself considered that sections 5 and 6 might deal hardly in the case of small proprietors being allotted separate shares under the provisions of the law for partition of estates, after the Act came into force; but I admit that this would more probably fall under the subject of an amendment of the partition law, rather than of the rent law. It seems to me that a small proprietor, in a partition case, who may have his proportion of zeraat in the estate in his own holding, and who objects to the partition proceedings, though unsuccessfully, may find himself turned out of his zeraat by the process of partition. As an original proprietor of the parent estate, he was entitled to, and held, his proportion of the zeraat lands, and I think some provisions might be made in the present Bill by which such a proprietor on making the arrangement, which is usually made in Behar in these instances, should retain his original proportion of zeraat land in the new estate, and that this land may be registered by him as new zeraat. It almost always happens that ryots, who in the course of partition find themselves under a small proprietor in the allotment apportioned to him, relinquish their land voluntarily, and enter into new arrangements with the larger shareholders. These lands on being relinquished should be recognized as zeraat, after the commencement of the Act, if the proprietor should so wish. It was unanimously agreed at the conference that the point should be brought to notice.

CHAPTER IIIB.

Section 12 (3).—With the exception of Mr. Boxwell, who did not think it necessary to interfere, we came to the conclusion that the words "more than thirty per cent. or" should be omitted.

There appears to be no particular reason for having a minimum of enhancement. For instance, take the profits at Rs. 100 and rent Rs. 60. The tenure-holder's share Rs. 40. Under the Bill his share would be reduced to Rs. 30, which in many instances might be very unfair.

Section 22.—This section states that the rent of a tenureholder cannot be enhanced to more than double the rent previously payable. On the representation of Mr. Henry, we considered that this section requires re-consideration, for it ought to meet the case of those under-tenures which are created by zemindars in the names of their wives and families at quit-rents, and are held separately from the zemindari.

If such an estate were sold, the auction-purchaser could only get an enhanced rent of double the amount of the original quit-rent. This would seem to be a hardship. Under the Bill, the civil court would be bound to accept the Collector's table of rates, and to enforce it, unless the ryot could show that by contract or special consideration he was entitled to hold at lower rates.

Section 25.—In connection with this section, the Behar Landholders' Association have, in their remarks on the Bill (copy of which is appended), raised the contention that the landlord should be allowed the right of pre-emption in permanent tenures. The contention seems untenable. At present there is no right of pre-emption in the case of tenures (such as the guzashta rights in Shahabad), and no special reason appears for according it now.

CHAPTER V.

Sections 43, 45, and 47.—In connection with these we were unanimously and decidedly of opinion that the Bill gives two great advantages to a non-resident ryot, and that the extension of the right of occupancy to all lands held in the same village or estate should be conditional on residence; and I would submit that the distinction, which exists according to the custom of the country between a resident and non-resident ryot, and which has been continually affirmed and re-affirmed by subsequent Regulations and Acts, has been entirely lost sight of in the Bill. As a corollary, whatever qualification of occupancy be adopted, it seems most necessary that the definition of "estate" in section 3 should be adhered to, and hence section 43 (*b*) should be expunged. In Behar, the retention of this clause would certainly lead to endless confusion and complication.

Section 48.—This section has been already noticed by the Hon'ble Mr. Reynolds in his speech in Council, where he speaks of it as practically an admission of the vicious principle that the occupancy right may be made a matter of bargain or contract between landlord and tenant. The section appears altogether unnecessary. A proprietor before his estate was sold for arrears of revenue might go about granting occupancy rights all round, not a large sum of money, and thereby diminish the value of the estate; occupancy rights being not voidable under the sale law. As Mr. Reynolds has remarked, the occupancy right is not the landlord's to grant; it is essentially inherent in the status of the resident cultivator, we would therefore record our protest against this section.

Section 49 (1).—In view of the great extension of the right of occupancy given to ryots, I, in concurrence with Messrs. Grierson and Henry, would add after the words "fixed period" the words "or under an agreement to hold from year to year." It seems necessary to take into consideration on this point the case of small proprietors who let small plots of their zeraat lands from year to year to labourers on a verbal agreement, and to whom the formal execution of a lease, except at considerable expense, is almost an impossibility. It is altogether so very opposed to the whole custom of the country that occupancy rights should so accrue in *bonâ fide* zeraat lands, except with the consent of the landlord, that numbers of small proprietors would never dream of such privilege existing for the cultivator, and would fail to take the only precaution to retain their rights which the section, as it stands, gives.

Section 50.—"Incidents of occupancy right generally."

The general sense of the conference was to approve of the provisions. But it was considered advisable to draw attention to the remarks submitted by Messrs. Boxwell, Quinn, and others regarding sub-letting. I give the remarks as follows: Mr. Boxwell states:—"I myself think the subletting powers of the occupancy ryots the most doubtful and only dangerous part of the Bill. The great object is to secure the cultivator his occupancy at a fair rent, to be transmitted to his heirs as long as the family can last. I see no good in sub-letting."

The whole question seems to me to be, is more good or harm done by trying to stop it? A long string of rent-payers and receivers must be bad. "As far as an occupancy ryot is a rent receiver, he is one of the objectionable class of land-jobbers. His under-ryot is the important man. I would be greatly inclined to enact that there should be for each field or holding one rent at a time. If the occupancy ryot chooses for his own convenience to sublet it, he should not be permitted to make money on it. It is easy to say, we can't interfere with sub-letting; but our courts should not give an occupancy ryot more rent than he pays. It is as a cultivator we wish to protect him, not as land-jobber."

It is a pity the reasons and objects do not dwell more on the question of subletting. It would be impossible to prevent it, and therefore it is right formally to admit it. Mr. Boxwell considers these dangers arising from ryots not behaving as ryots do not seem to him to be very great or pressing, and perhaps it was enough to note that when occasion arose, the legislature could act; but he thinks that one simple and easy condition would make the danger idefinitely remote.

No ryot should recover for any piece of land a higher rent than he pays for it. This rule, he believes, would do no harm to the man we want to protect, and encourage the strong hereditary cultivator; while it would help to checkmate the land-jobber, who under the guise of a ryot makes his money by speculating in rents.

Mr. Quinn thinks that the balance of argument is entirely in favour of allowing the settled ryot to sell or sublet his holding. These provisions may no doubt tend to produce a class of middlemen, under whom the actual cultivator would have no occupancy rights, and this would be a most undesirable result; but in Behar at least they will not have this effect. As a fact, even in Sarun, ryots' holdings have been frequently sold both privately and in execution of decrees, and these evil consequences have not followed. As regards subletting, Mr. Quinn is of opinion that no legislation can prevent it, and in many cases it is a good thing that a ryot should have the right of subletting a portion of his holding. For instance, if indigo is to be grown on a proper system, it is certainly desirable that the planter should be

able to obtain a lease of the land which he requires from the ryot, and that the latter should get the full benefit of the transaction which he would not obtain if the landlord's consent were necessary. The provisions regarding the landholder's rights of pre-emption are, Mr. Quinn thinks, fair and reasonable, though it is believed advantage will seldom be taken of them.

Mr. Norman, on the other hand, has recorded that he cannot for a moment admit the necessity or advisability of framing the Bill in such a manner as to lead to consequences, such as clause 41 of the Statement of Objects and Reasons admits to be possible. It seems difficult to understand how such a result can be contemplated with equanimity, or how an intention can be deliberately expressed of encouraging the growth of another class of idle annuitants upon the land in addition to those which already cumber it. The Bill will undoubtedly enhance the value of occupancy rights which will command a good price in the market, and which will naturally be bought up right and left by the money-lending class. The net results of the Bill, Mr. Norman thinks, will therefore be the extinction of the present class of occupancy ryots and the transfer of the rights to the money-lenders.

Section 59.—The conference were of opinion that in case of a revenue officer refusing to register the contract, an appeal to the Commissioner and Board should be allowed. I do not myself see the necessity for the proposition. It is much more advisable that transactions of the kind provided for in these sections should be complete and final before the local officer making the investigation required under clause (2).

Section 62.—We were unanimous in thinking that the preparation of a table of rates was impracticable. As Mr. Norman has pointed out, these sections on the preparation of a table of rates and produce and of suits to enhance money rents where such a table is in force, contain a Procrustian scheme of enforcing uniformity in matters in which from the nature of things no uniformity exists. The rates in a village are about as numerous as the fields of the ryots, and cannot be classified without an arbitrary disregard of actual facts.

On the details of the procedure laid down in this and the following sections, Mr. Nolan has urged that the revenue officer is generally to fix rates for the different classes of land, leaving it to the civil courts to determine in what class each field is to be placed. This appears a cumbersome and inconvenient method of procedure. The object being to find what rent A, B, and C should pay, it would be best obtained by trusting the whole enquiry to one tribunal. Nothing is gained by compelling the parties to fight out before one court the question what rents are payable for lands of a specified class, and before another under what class the holdings should be entered. If the reveneue officer is to interfere at all, he had best proceed under Chapter XI, and fix the rents once for all. As a matter of fact, it was found in the experimental enquiries in this division, that to fix rates of rent, it was necessary first to classify each field. By bringing two distinct tribunals to bear on the one point, as proposed in the Bill there is danger of misapprehension.

Mr. Nolan does not think it would be impossible to fix rates in the abstract without first considering how much of the land will be subjected to each rate, but the adoption of such a course has never been heard of, and the practice would be slovenly and highly dangerous. The confusion would produce the worst results if we put the cart before the horse, and settle the rates in the abstract first, leaving the application to be made afterwards by a different and probably unsympathetic authority.

Section 64 (a).—We are unanimous in considering that "in vicinity" should be inserted after "occupancy ryots."

Section 66.—Under this section, the officer fixing rates is empowered to hear objections but parties concerned are at a disadvantage in framing objections, as the lands not having been classified, they will not know how the rates affect them. A ryot who considers his land of second quality may see no reason to question the rate fixed for land of the first quality and may let it pass unquestioned. When he finds that the moonsif is of a different opinion as to the classification of his holding, there will be no authority empowered to hear his objection to the rate.

Section 69.—Mr. Nolan points out with regard to the provision in this section for the publication of the rates in the Gazette, that they will be found rather to encumber that publication, as there are as many as 50 rates in one village.

Section 72.—It seems unfair to leave it open to make the ryots pay part of the cost of making table of rates, as such tables can only be used for their enquiry to enhance their rents, and are not admissible for the purpose of obtaining a reduction. With regard to the recovery of such expenses in the case of ryots, it would be advisable to recover arrears by the certificate procedure under the Public Demands Act.

Section 75(c).—Mr. Nolan brought to our notice, and it was thought advisible to note, that the rule as to dividing an increase on value of crop between zemindar and ryot in equal proportions can never possibly operate in any case, for if the old rent was less than half the value of the crop, then the landlord's share of the increase, under the rule of proprtion in the proviso would be less than a half, and if the old rent was more, then the landlord's share under clause (a) would be less than one-fifth. In connection with this section, we were also unanimously of opinion that temporary lessees should not be allowed to enhance.

Section 84 of Mr. Reynold's Bengal Rent Bill, which took away from thikadars the power of enhancing ryots' rents, has not been reproduced in this new Bill.

Mr. Henry rightly urged, that the section 84 was introduced on the earnest representation of the officials of Behar, and the arguments upon which their application was based

seemed so conclusive, that the local Government presumably was willing to incur the odium of initiating class legislation in view of the very grave interests at stake. The new Bill omits all reference to this proposal, though having regard to the circumstances of Behar it may be said that any law which does not modify the status of the thikadar or temporary lessee is defective. It is, as has been before represented by me, above all things necessary that the thikadar should be authoritatively relegated to his original position as a mere rent-collector on behalf of the zemindar, and not allowed to exercise any proprietary rights.

Section 79.—I am not altogether prepared to support the proposition made to us by Mr. Quinn in connection with this section, but I submit it for consideration. His suggestion was that an occupancy ryot should be entitled to claim abatement on the ground that his rent exceeds the limit prescribed by section 119. He states that the Legislature having admitted the right of an occupancy ryot to abatements is logically bound to reduce the rent when it exceeds the prescribed maximum rent allowed in cases of enhancement, but as the general principle is not to disturb existing rents, it may not be advisable to raise this point in favour of the ryots. An abatement, however, should, he thinks, be allowed where the rent exceeds the limit prescribed in sections 81 and 119.

Section 80(*b*).—We are unanimously of opinion that this section should be omitted. This sections assumes that the rent of pasture land may be raised on account of the increase in the value of the produce of neighbouring arable land, but not on account of a rise in the price of its own produce. This does not seem reasonable, nor is it clear why the rent of pasture land should be regulated otherwise than that of arable land, *viz.*, by the value of its outturn. For example, Mr. Nolan pointed out that the opening of the proposed railway from Dehri to Mogul Serai, if it raised the value of the grazing grounds on the Rhotas plateau by enabling the holders to send their produce more easily to Benares, would be a proper ground for enhancement. Under the bill, the grazing rents at Rhotas could not be raised on this account, but could be raised if the price of rice had risen, though they produce no rice.

Section 81 (*a*).—We are unanimous in the opinion that clause (*a*) should be modified in the following manner:—After the words "any contract" should be "and in the absence of any," the word "or" being expunged.

Sections 81 and 82 appear to be likely to bring about serious consequences to a large body of petty proprietors, more especially in the districts of Gya and Shahabad. The first section states that the maximum amount of rent in kind which can be claimed is limited to half the produce, and to this no exception can be taken. The result will be a general reduction of rents which are now and have been for years not objected to such as the $\frac{9}{16}$ ths of the landlord's share in kind all over Gya and in parts of Shahabad.

I observe that Mr. Reynolds in his speech in Council mentions with regard to this section that it is to be noticed that, though at present the landlord's share is in some cases $\frac{9}{16}$ths of the *grain*, the whole of the straw and chaff belong by custom to the tenant, and to give the landlord half the gross produce would therefore be giving him a larger share than he is entitled to. Most absurdly, if we interfere directly as proposed in this section, we shall bring about a total revolution in the nature of these tenures which will lead to much litigation between landlord and tenant. We are also unanimously of opinion that section 82 should be omitted, and that commutation should not be allowed except when agreed to by both parties, under a contract in writing approved of and registered by a revenue officer. The power which has been conferred upon the ryot by this Bill and denied to the zemindar of being able to get his rent in kind commuted to a money rent to be fixed at the discretion of the court will have the effect of reducing bhouli tenures at least 50 per cent—a reduction which in many cases may mean absolute ruin to the petty proprietors. With regard to Chumparun, Mr. Henry rightly, I think, observes, that having regard to the nature of these bhouli tenures, the circumstances under which they are as a rule created, and to the fact that this cultivation is taken up by the ryots as a speculation as something over and above the area of land upon which they depend for the food crops which are to keep them through the year, no sweeping provisions of this nature was required. In many places the petty proprietors are almost entirely dependent upon the proceeds of their bhouli rents, and the enforced commutation of these rents into a money payment, to be determined by the courts, will be felt by them as an intolerable hardship.

Section 87.—We are unanimous in thinking that this section should be omitted altogether as inapplicable to Behar.

Section 88, *chapter VIII*.—We disapprove of the term "ordinary" ryot, and we would prefer to call ryots treated of in this chapter simply as "ryots." This point has been taken up by Mr. Reynolds in his speech on the Bill.

Section 90.—I express the unanimous opinion of the conference, in saying that freedom of contract should not be withheld from a zemindar giving land to a new and possibly an unknown ryot, and we recommend therefore that in this section 90 the words "subject to" should be adopted instead of "notwithstanding."

It is of course understood that such contracts will not, under the provisions of the Bill, bar the accrual of a right of occupancy; also that on the understanding that freedom of contract is permitted, we have no objection to compensation for disturbance under Section 93 (*b*) which can now only take place in the absence of a contract to the contrary.

With regard to this section 93 (*b*) we are of opinion that in the absence of such a contract, compensation for disturbance should not be granted as a rule, but only left optional with the court up to a limited amount.

Section 100.—In connection with this section I have to submit a proposition made by Mr. Henry, which was approved of by us, *viz.*, that it was very necessary that the different classes of receipts should be on different coloured papers. In the majority of cases where the cultivators are illiterate, it is doubtful whether they will be able to ascertain for themselves whether the provisions of the law are being complied with. The proposal which would solve a practical difficulty in a practical way has however the disadvantage of being too obvious and rude and expedient to find a place in an elaborate Bill. But it seems desirable that it should be declared that receipts in full, which are known as "farkhatti," should be on paper of a particular colour, receipts in part being on paper of a different colour. The expedient would enable any man, however illiterate, to understand at once whether his receipt was in full or in part. It is an expedient that would remove a great deal of the friction which now exists, and would do much towards inducing the ryots to pay their rents. There are innumerable occasions when the ryots have been unwilling to pay their rents, because they had no confidence in the putwari, and dreaded that he would insert in the receipt an entry declaring that the payment received was partly due on account of arrears of previous years. If the ryot were in a position to say "give me a receipt on paper of a certain colour for a particular period, and I will pay you so much", the issue between the parties would be intelligible to both, and would form a basis upon which to effect a settlement. Under existing circumstances the receipt is to the ryot a scroll upon which are some mystic characters, which he has learnt by experience to know may very often be turned to his disadvantage in suits before a determining tribunal. To facilitate the use of such receipts, the forms might be sold at Government treasuries at cost price.

Section 101.—Sub-section (2).—We are unanimous in thinking that this sub-section should be omitted altogether, and as a necessary consequence, the words "or statement" in section 102 (3) should also be omitted. The necessity for a landlord retaining the counterpart of receipt in which under the Bill all details are to be recorded is obvious, but not so the requirement that a counterpart of the statement of account should be *retained* by the landlord under a penalty for failure. It should be optional with the landlord, for it can only be for the defence of his own interest on the contingency of a dispute that he would require to produce the counterpart of such a statement. It is to be noted also that there is no procedure given for adjudicating the fine, or stating what court is to do so.

Section 103 (*a*).—There was some discussion on the provisions of this section. The majority preferred to leave the section as it stands, but Mr. Henry and I concurring were of opinion that the section should be modified. We view with some apprehension the increased facilities which are afforded by the proposed Bill for the deposit of rents in public offices. Under the existing law a ryot can only deposit his rent under the sanction of a formal statement that he has tendered his rent to the landlord who refuses to accept it, but under the proposed law he can pay it into court practically whenever he feels disposed to do so, as receiving officer has no grounds upon which to test the correctness of the depositor's explanation.

It is possible to imagine the case of a large proprietor who happens to be on bad terms with his tenantry. Each tenant will, unless the expense of so doing is so large as to exercise a restraining effect, save himself the trouble of going to the zemindar's cutcherry, and at the same time gratify his own instincts of dislike of paying his rent into court. Under existing practice the withdrawal by zemindars of their rents is a tedious and expensive process, and one that throws great clerical labour on public officers. If these provisions are carried into law, special procedure rules should be passed simplifying the measures under which deposits can be withdrawn.

Imposition of any heavy stamp duty on applications for permission to deposit rents in court, would in practice nullify the provisions of the law, while at the same time if the process is made overcheap, ryots may resort to it in such numbers that the clerical work thrown on the public officers will be excessive. Under the best devised arrangements, this procedure must cause both trouble and expense to the smaller landlords who are not permanently represented at the public offices by muktears or agent.

Section 112.—We strongly approve of the provisions of this section.

Section 113.—Mr. Grierson pointed out that a difficulty would arise when there were a number of rival claimants to the title of either party, *e. g.*, when there was no doubt as to who was the ryot, but there were two rival claimants to the title of the landlord; or when the landlords consist of a number of shareholders disputing amongst themselves as to the amount of their shares. It was considered by us that the Collector might act also on the application of the Magistrate or the sub-divisional officer when a breach of the peace was apprehended. I would submit that a provision to this effect should be added.

Section 116.—In this section provision should be made for the use of the certificate procedure in the case of the ryot.

Section 117.—Messrs. Boxwell and Quinn approved of this section as it stands, and consider the provision essential to check existing abuses; but they would not object to the importation of a corresponding penalty on a ryot who removes a crop without giving the landlord the opportunity of having an appraisement or division made of it.

Messrs. Norman and Grierson consider that a remedy had already been given under section 112; at the same time they were not prepared to argue for the total omission of section 117. They would, however, be strongly against it unless the ryot was also punishable for cutting and carrying away the crop against the will, or without the knowledge, of the

landlord. They would either have both penal provisions, or neither. I am myself strongly opposed to the section as it stands, and consider that the present Bill affords the landlord no means of protecting his interest in bhaoli tenures in regard to the bhowli crop in the case of a dishonest tenant, and therefore the provisions of section 117 which make *any* interference on the landlord's part punishable as criminal trespass might, in many cases, prove to be very harsh.

In the present Bill a certain and speedy remedy is afforded to both parties in the case of any dispute arising in regard to the crop in these tenures, and I think that the landlord should have just as much opportunity afforded him of securing the safety of his interest in the crop without being liable to a criminal prosecution, as the ryot has in securing his. The very essence of the tenure is expressed in the vernacular word used for it "agawr bat'ai," or *watching* and *sharing*, meaning thereby, *each party keeping a watch over the fields that none of the crop be frudulently made away with.*

By this section the landlord will be precluded from the right even to *watch* the crop through his servants, and an immemorial custom will be needlessly interfered with. If both penal provisions be adopted, there will be a door opened for endless false charges and criminal prosecutions.

Section 118.—We are unanimous in thinking that the provisions of this section for the *danabundi* or appraisement papers to be deposited in the Collector's office, are not necessary and are objectionable. In the districts of Gya and Shahabad and in the greater part of Patna, the filing of these papers will involve the necessity for the entertainment of extra establishments in the offices of the Collectors, if not of additional building accommodation, and, when the papers have been lodged, will be as useless and cumbersome as the putwaris' papers, the filing of which in the same way had been ordered a few years ago, and which it has been since found necessary to countermand. In the provision in this section, there is no check on the filing of *false* danabundi papers, and there can be no check.

Section 119.—The limit prescribed by this section is not a fair and equitable limit on the case of special and valuable crops, such as indigo, tobacco, or sugarcane, which would not fall under the category of staple crops. Some of the Collectors do not think the section requires alteration. Mr. Quinn withdrew from the objection above-mentioned, in the case of settled ryots; but I am not prepared to go with him so far as this.

Section 138.—I object to their being any appeal in this matter, and certainly the appeal should not in an executive point of this kind be from the Collector to the Judge. In these days the Collector is likely to be an officer of greater experience than the Judge. The analogy of Magistrates and Judges does not hold, because Magistrates of districts do not usually try cases. The determination of the length of the standard used in a local measure is a question of simple local investigation, and the Collector's finding should be conclusive. It does not seem consistent that when the civil court makes a reference to the Collector for decision on a matter of this nature, the civil court should have the power to reverse the Collector's finding. It was suggested in the conference that the appeal should lie to the Commissioner, but I still adhere to my opinion that there should be no appeal. Such a procedure would only lengthen the proceedings uselessly, and prolong litigation upon a point which on the Collector's investigation should be clear and conclusive.

Section 139.—We consider that to prevent mistakes a special provision should be inserted that a ryot should not be allowed to surrender a portion only of his holding.

CHAPTER XI.

We would record our cordial approval of the provisions in this chapter, and also of those in Chapter XII.

CHAPTER XIII.

Section 167. Sub-section (2).—The charge here for an application for distraint, appears excessive. So heavy a court-fee being imposed, there will be the tendency on the part of zemindars to have recourse to illegal distraint as now. There should be an uniform fee of eight annas. This provision for distraint is the only summary procedure contained in the Bill which enables a landlord to recover his rents expeditiously.

CHAPTER XIV.

Section 188.—It has always been understood that opportunity would be taken of the revision of the tenancy law, to introduce a procedure which would enable suits between landlords and tenants rapidly disposed of. The Bengal Bill, sections 147, 148, &c., proposed to render the patni sale procedure applicable to certain occupancy holdings These holdings could then have been sold summarily without decree on the application of the landlord; notice of arrear being given to the Collector, the defaulter's village, and zemindar's office. The whole responsibility of setting this procedure in motion would have rested with the zemindar.

It would have conferred great relief on the zemindars, and would have enabled them to realize their rents quickly. But it has been lost sight of in the new Bill, which seems not to contain any provisions which will enable rent-suits to be rapidly disposed of. The existing procedure is no doubt abbreviated, the right of appeal curtailed, and to this extent the Bill is an improvement on the existing law; but it does not go far enough in the direction of giving relief to the zemindari class, who certainly may claim that some procedure should be introduced which will admit of their recovering their just rents without incurring delay or expense.

It is also very desirable that in a suit for arrears the landlord should be allowed to include in the same suit any number of ryots of the same class and occupying land in the same village.

Section 199.—We highly approve of the provisions in this section. None of the remaining sections of the Bill call for any remarks.

I must apologize for the delay in submitting this report, but the submission of it came when in this heavy division, I have had very much more than the usual demand on my time for the despatch of business, connected with the various annual reports due at this period of the year.

ENCLOSURE OF COMMISSIONER'S REPORT No. 484R, DATED 7TH JULY 1883.

Notes on the Bengal Tenancy Bill by the Committee of the Behar Landholder's Association.

PART I.

CHAPTER I.

Section 3 (5).—Why should not the words "he or his predecessors in interest came into possession of it for such purpose" be omitted altogether, and explanation modified thus:—"A holding through a bhagjote ryot will be a holding under this section,"—and, to this extent alone sub-letting allowed.

Should not payment of rent be also made an ingredient of the definition. As the definition stands at present, there is nothing to prevent a trespasser being included in it, if he holds the lands after the trespass for agricultural purposes. The definition should be: "A person shall not be deemed to be a ryot in respect of any land, or to hold that land as a ryot, unless he holds it for the purpose of agriculture, &c., and *pays rent for the same.*" The Rent Commission Bill defined "tenant" as a person liable to pay or deliver rent.

Section 3 (*6*).—"Under-ryot" means tenant holding land whether immediately or mediately below a ryot. Will not this definition bring in a large chain of under-ryots, and give some amount of legislative sanction to subletting by these people? The word "mediately" might better be omitted.

Section 3 (*9*).—Landlord means a person or a number of persons immediately under whom a tenant holds. A tenant, however, includes an under-ryot. Will not the occupancy ryot be thus a landlord with respect to his under-ryot?

Section 3, Clause (*14*).—Agricultural year, where the Fasli year prevails, commences, for purposes of agricultural settlements, &c., on the first day of Asardh. The Fasli year of course commences in Ashin.

CHAPTER II.

Section 5.—The principle on which this chapter seems to be based appears to be the assumption that there is a lasting distinction between the lands of a village, some being exclusively appropriated by the ryots and some by proprietors, under the name of *khamar* lands. It will be found that no such distinction exists under the present village custom.

All the waste lands belong to the malik, and he can at any time make them his *zeraat* lands, and the ryot can have nothing to say to this. Again, lands which have been abandoned by ryots, or have in any other way passed into the hands of the proprietors, can be converted into *zeraat.* There is no village custom forbidding this, and it would be an act of spoliation to deprive the proprietor of these rights. In this view a register once made cannot hold good for all time to come.

Section 5 (*1st and 2nd*).—After the word "proprietor" the words "his representative in interest" should be added.

Section 5 (*a*).—Assumes the existence of a village custom, which, it is feared, will be found to exist nowhere.

Section 5, 2nd (*a*) *and* (*b*).—The sentence "have been held as zeraat" is not clear. Will not holding through a ryot come within these words? Yet the provisions of section 49 would point the other way.

Sections 7-15—Provide for making a complete survey and record of existing *khamar* lands in order to preclude the possibility of future disputes. But where is the complaint on the part of ryots that they cannot obtain lands from the zemindars, the latter having absorbed the ryoti into *khamar* lands? One would have thought that the subject dealt with in this chapter was of sufficient importance to require that careful attention and elaboration which it has obtained, specially when the original idea, which would have necessitated such a classification, is not to be carried out. The fact is that, notwithstanding the provision for the non-accrual of the right of occupancy in *nij jote* land under section 6 of Act X of 1859, zemindars never think of shutting out their ryots from the right, on the ground that they farm their *nij jote* lands (witness the paucity of cases in which questions of this nature do arise). Even in Behar, in South Gangetic districts, dispute regarding *zeraats* is very rare. In North Gangetic districts, question of zeraat lands has doubtless some importance in estates held by indigo planters, or lands in the neighbourhood of estates held by them. To make a law which is specially intended to provide for a few cases may not be inexpedient; and if the operation of the law be confined to these few cases only, people may not have much to say; but it will be a serious matter indeed if, without regard to the importance of the subject in any given locality, the law is sought to be applied and register of *khamar* lands made. It would be, as it were, opening the eyes of people to a class of dispute with which they are not yet familiar,

and this enlightenment they can only gain at no small amount of expense and trouble to themselves. The survey, the letting in of a host of survey underlings, ameens, chainmen, *et hoc genus homines*, should not be lightly thought of, and thus driving people to appeals up to the Board of Revenue, and ultimately to Government, for evils which are more imaginary than real.

Perhaps it is not meant that all lands not in the occupation of ryots on the date when the survey party enters the village will be treated as *khamar* lands. The definition of *khamar* lands precludes such a supposition; yet the ryot will be a village Hampden indeed, fighting for the sake of principle, and spending money after such fight; who is expected to contest the landlord's demand of entry of such land in the *khamar* register. Even if such Hampdens there are, the legislature would do better than to invite them to fight. Litigation in this country means ruin; it entails much more than legitimate cost; and the legislature, whose only motive is the good of the people, should think twice before opening out a fresh flood-gate of litigation.

Then there is the question of cost. The executive machinery required by the law under this chapter will have to be paid by the zemindar and the ryots. The expenses in some cases of the survey, &c, will not be a trifle. On the score of expense alone, if not on any other ground, the enactment of this chapter appears inexpedient.

Do not the road cess returns now, to some extent, furnish the information required by this chapter?

Sections 10 and 11.—The period of one month provided for appeal to the Commissioner and the Board of Revenue under these sections, is rather short.

Section 12.—On what ground or grounds will the Local Government proceed under this section?

Section 13.—It is intended to give a stereotyped character to these registers, and this will trench against the zemindar's proprietary right and village custom, under which all the waste lands are his, lands abandoned by ryots are his, lands acquired by alluvion in many cases are his, and he is at liberty to make these lands his *zeraat* without any reference to the ryot or his right.

CHAPTER III.

The only class of tenure-holders who were allowed to hold at fixed rates were those istemrardars or mokararidars who had held their lands at a fixed rent for more than 12 years previous to the date of permanent settlement. Even they were not protected against a Government farmer. No other class of tenure-holders were entitled to hold at fixed rates. Act X of 1859 first made an innovation in this respect. Under that Act, the privilege of holding at fixed rate was given to tenure-holders who had held at a uniform rate from the date of the permanent settlement, and the presumption was to be made of uniform fixed rate if the tenure-holder could prove that he had paid at such fixed rate for 20 years before the commencement of the suit. Even now, when reference is made to the rights of parties as they existed at the date of the permanent settlement, and it is proposed to go beyond Act X of 1859, few zemindars would perhaps cry for the repeal of the privilege given under that Act to tenure-holders; but they have good reason to complain of the presumption which now, when strictness is observed in the matter of granting receipts, and greater strictness is to be provided for by the Bill, would place it in the power of every tenant to ask for such presumption in all cases, and thus to shift the onus of proof. Mr. Reynolds in his Bill proposed to carry back the ryot to proof of an uniform payment of rent to 20 years before 1859. The equitableness of this provision was undoubted.

The Bill now proposes to raise the presumption of proof of uniform payment of rent for *any* period of twenty years. A ryot is sued in 1883. He proves uniform payment of rent from 1840 to 1860, and does not go into proof of such uniform payment for the last 20 years before the commencement of the suit. The presumption as now proposed under the Bill will be against the ordinary rules of presumption in such a case.

Section 14.—Refers also to ryots with fixed rates of rent. Section 14 and section 18, and other sections in Chapter III, come together to apply to the same class or classes of persons. If section 18 applies to ryots, the grounds of enhancement in cases of a particular class of ryots holding from the time of the permanent settlement will be different from the grounds in cases of ryots described in Chapter V. This will be entirely new. In paragraph 13 of the Object and Reasons it is said that "the term tenure-holder, as used in the Bill, is defined in section 3 (3) and (4) to include what are commonly known as undertenure-holders—that is to say, darpatnidars, sepatnidars, darijaradars, and such like; and also tenants of the class hitherto known as ryots at fixed rates. The inclusion of tenants of this latter class in the definition is convenient from the draftsman's point of view, but is, it is believed, otherwise of little importance, inasmuch as the incidents which attached to their holdings place them to all practical interests and purposes on the same footing as tenure-holders." Again, in paragraph 20 the alterations which it is proposed to make in the existing law regarding tenures are not of great importance.

Section 14.—Converts the present ryots at fixed rates into tenure-holders, but as already explained, *supra* paragraph 13, the change is unimportant.

The change would be unimportant if section 18 would not apply. It may be said that as only ryots with fixed rates would be tenure-holders, ryots not with fixed rates would not be entitled to take advantage of the provisions of this chapter. The point, however, is not clear. It should be clearly stated that the provisions of section 18 will not apply to ryots.

The uncertainty noted above is to some extent attributable to the use of the term

'tenant,' 'tenure,' and 'tenure-holder.' Tenant is defined by a negative. It does not include any person who is not a tenure-holder, ryot, or under-ryot, or the tenant of a bastu land. It may include them, or some of them, and it may exclude some, as certainly section 14 does. The definition simply excludes people who are not of certain classes. The term 'tenure' includes an under-tenure, and the interest of every tenant of the class referred to in section 14; and tenure-holders mean a person or a number of persons owning a tenure.

Section 20.—The provisions of this section appear to be inconsistent with the declared policy of Government to better the condition of ryots. Why should not the benefit of section 14, and the presumption under section 15 be given to ryots in Government estates? Surely ryots in Government estates should not be placed at a disadvantage as compared with their neighbours living in zemindari estates.

Sections 22, 23, and 24.—Lands have been added to a tenure by alluvion. The alluviated lands will form a part of the original tenure, or will be a tenure by itself. Rent in such a case is nominal at first, but when the alluvial deposits are fully formed, and land acquires a greater degree of fertility, the rent payable and paid is fully equal to the degree of such fertility. The ryots, under the circumstances of the case, do not grudge to pay such full rates, notwithstanding it may be four or five times the nominal rent they had paid at first, and the increase is made all at once. The double limit, the gradual enhancement, and 10 years' rule will tell very hard in such cases, and this without there being any justifiable necessity for it.

These limits will also tell against the landlord's making any improvements in his estate. An estate yields only Rs. 500 at present; with improvements effected it can be made to yield Rs. 2,000. The improvements cost, we will suppose, Rs. 20,000 in five years. If the zemindar chooses to wait for the increase until the whole outlay has been made, he can get only Rs. 500; whereas interests at 5 per cent. on the rent of the outlay will be something like Rs. 1,000. If instead of waiting so long, he takes the increased rent from the first year, he debars himself from any future increase for 10 years.

Section 25.—Why should not a right of pre-emption be given to the proprietors in cases of sale of tenures?

Section 27.—Tenure does not include occupancy holdings. Evidently it is not intended that the transfer of an occupancy right should also require registration in the zemindar's sherista. Is there any reason why this should be so? These new rights proposed to be made transferable should not be placed on a better footing than tenures. If registration were to be made compulsory in this case also, the landlord might, on the application made for registry, either claim his right of pre-emption, or might choose to register on the receipt of the fee.

Section 28.—Appears unmeaning. It would be harassing to parties. Why should not the transferee of a tenure apply in the first instance to the landlord? The section should be omitted.

Section 34.—Or "*that of his agent*" should be added after the word 'his hand.'

Section 45.—As the intention appears to be to rehabilitate the *khudkast* ryots of old, residence should also be laid down as a condition for acquiring the status of a settled ryot. If this suggestion be adopted, perhaps it may be necessary to retain a section similar to Section 6 of the present Act, with respect to *piekast* ryots. Thus, while the resident settled ryots alone will have a right of occupancy in ryoti lands under Section 47, the same right will not accrue to *piekast* ryots, unless and until they have held such ryoti lands for 12 years.

"*Held land, as a ryot, ryoti lands.*"—Under Section 3, clause 5, "a person shall not be deemed to hold land as a ryot, unless he holds it for agriculture, horticulture, or pasture, or unless he or his predecessor in interest held it for such purpose."

A person shall be deemed to hold under this Section, though he may sublet it.

Why should not the words "he or his predecessors in interest came into possession of it for such purpose" be omitted, and the power of subletting restricted to such cases and to such places where it obtains now under custom, or where it is exercised only through a *bhag jote* system.

Either the power of subletting should be done away with, and the ryots confined to their legitimate occupation of agriculture, horticulture, &c., or the power to sublet being given, under-ryots should have all those advantages now proposed to be conferred on ryots. There is no reason why, by giving unlimited facility for the transfer of occupancy holdings and their accumulations in a few hands, the Legislature should create a class of petty zemindars who, in their relation to actual cultivators, can only prove worse than any greedy rack-renting zemindar that might have gone before them.

But it is more when Section 45 is taken in connection with Section 47, that we find greater need for the adoption of the suggestion noted above. A co-owner, an ijaradar of a part estate, can acquire a right of occupancy. These men, by the exercise of the influence of their position, may buy an occupancy right or otherwise acquire the status of a settled ryot; they will thereafter acquire right of occupancy in all ryoti lands of the village from the date of their holding. The European indigo-planter will acquire the status of a settled ryot after holding a bit of land in a village or estate for 12 years; and the dreaded ticadar is oftentimes even now a settled ryot of the village. These classes of people may buy or otherwise acquire a right of occupancy in the entire quantity of lands in a village, and then sublet these lands at pleasure. Yet it is not for the benefit of these classes of men that the changes are proposed. Again, any obnoxious ryot might be introduced in an estate against the zemindar's will under the power of subletting. The right of pre-emption will here be of no avail to the landlord, and subletting will be resorted to as a device to defeat pre-emption.

"*In any village or estate.*"—A large estate in a raj or big zemindari may comprise several hundreds of villages, and under the operation of the law, a ryot who has occupied a bit of land in any one of these villages for 12 years will acquire the status of a settled ryot in the estate, and come to have a right of occupancy with respect to the ryoti lands of all the villages comprised in such estate no sooner he will get into possession, of such ryoti lands.

"*Notwithstanding any contract to the contrary.*"—*Sections 45, 47, 49, 50.*—It is strange that when the ryot is considered *sui juris*, as respects his contracts and dealings with the world around, more than he ever was under the Indian laws, and this in his dealings with a part-owner of an estate, or an ijaradar of a share, he should be only considered in a state of pupilage in his dealings with the sole proprietor of an entire estate. There may be cases in which the ryots themselves may, for the sake of some advantage to themselves, choose to enter into a contract with their landlord against the provisions of the proposed Bill. The law will deprive them of the power of so doing. Why should not the words "*unless the contract be in writing registered*" be added after the words "notwithstanding any contract to the contrary" in these sections?

An ignorant ryot may be an object of protection of the Legislature, and it may be justified in denying him the power of contract; but is an ijaradar, an indigo-Planter, nay, a co-owner of an estate, the legitimate objects of such protection? Yet these classes of men can be settled ryots, come to have rights of occupancy with all its incidents, and the law will apply to them as to those who are now known as ryots.

Section 46.—Who will be responsible for the zemindar's rent during the period of vacant possession? During the year the zemindar will have no right to make a settlement with any other ryot, and thus the zemindar loses a year's rent. The fact that he comes by an occupancy holding does not signify much, for, on his settling the lands with a ryot, he can only do so on the fair rent fixed in accordance with the provisions of this Act, which, in Behar, means a reduction of at least half the previous rent paid.

Section 49.—Should be omitted altogether when it is intended to have a survey and register of *khamar* lands; or if it is retained, it should be modified as follows:—"Unless he has held it for any portion of that period under a lease for a term, or year by year."

Section 50(a).—The words are very vague, and will lead to litigation. The purposes of tenancy should be confined to agriculture, horticulture, and pasture, and should not be extended further.

(*c*) The question of fair and equitable rates have been discussed separately in so far as the present limitations affect the zemindar's right under the permanent settlement.

(*e*) Should be omitted altogether.

(*f*) The transfer at least should be restricted to *bonâ fide* cultivators, and this can only be done by preventing subletting. As regards the question of transferability, the Association, in addition to what they said in a separate note, beg simply to subjoin in this place what they stated in their note on the Bill of the Rent Commission:—

"In the vast mass of literature on rent law, collected together by the labour of the members of the Rent Commission, we do not find a single sentence authorizing the transfer of mere occupancy rights. On the contrary, the rulings under Act X of 1859 and Act VIII of 1869 (B.C.) are against it, and there is a significant passage in Harrington's Analysis, quoted at page 408 of the Rent Report, Vol. II, clearly shewing that the ryots had no such power of alienation even in good old days. The passage is to the following effect:—On the whole therefore *I do not think ryots can claim any right of alienating the lands rented by them by sale or other mode of transfer*, nor any right of holding them at a fixed rent except in the particular instances of *khudkast* ryots, who from *prescription* have a privilege of keeping possession as long as they pay the rent stipulated for by them." (Extract from Harrington's Analysis pages 269, 281, & 301.)

From the above passage we find that the ryots as a body, whether *khudkast* or *piekast* had not the right to alienate their holding by sale or other mode of transfer; that in the particular instance of *khudkast* ryots, who from *prescription* enjoyed certain rights, that right never extended beyond holding at pergunnah rates of rent, and their not being liable to be disturbed in their holding so long as they continued to pay such rent. It is said that the landholder can care for nothing so long as he gets his rents; it does not matter from whom. The very argument which Lord Cornwallis used against arbitrary eviction of ryots when rent was ordinarily rack-rent is now sought to be pressed in favour of purchasers of ryots' rights, under condition of things when rents happen to be no longer rack-rents. The present learned Chief Justice, in his valuable minute on the proposed new rent law, printed at page 380 of the Rent Report, Vol. II, thus disposes of this argument:—

"But assuming this to be the true view of the matter, what becomes of the justification for invading the landholder's rights, if the ryot is to be allowed, as soon as he has acquired his right of occupancy, to get rid of it altogether? If the equity to the landlord consisted in his being permanently secured a good tenant, what becomes of the equity if you allow the ryot to transfer his interest?

"It seems to me that this view of the zemindar's position is rather lost sight of in Mr. Field's note; and I think, moreover, that it is hardly fair to suggest that zemindars ought not to object to the transferability of ryot's tenures upon the ground that the measure would be merely unpleasant or injurious to themselves.

"It strikes me that this is just the ground upon which zemindars, or any other class of men, are perfectly justified in objecting to any public measure. And considering that in this instance the Legislature are dealing substantially with the two great branches of the agricultural interest—landlords on the one hand and tenants on the other—the former have at least a right

to insist that no measure ought to be passed which would be *unpleasant* or *injurious* to them, unless some solid advantage is to result from it to the general public."

It is positively injurious to the landlords, for, not to speak of the *unpleasantness* of having ryots installed against their will, they become losers to the extent by which the ryots gain; if instead of the ryot's selling his right of occupancy to a stranger, a zemindar could give the right to the same party with the ryot's *consent*, the zemindar would obtain a share of the money value of such right, the consent of both being necessary under the present law for a valid transfer.

Considering the question in a ryot's point of view, the learned Chief Justice says:—"I should have thought that the most effectual way of protecting such people and preventing them from wasting their substance would be to secure them a permanent interest in their property, by prohibiting the alienation of it in any shape or way." (Page 382, Vol. II, Rent Report.)

* * * * * * * *

It is now generally admitted that the poverty-stricken condition of the Deccan ryots, for whose special relief a law, which trenched against the rights of a class and which ignored all private contract, was enacted only last year, was owing, among other causes, to the transferable nature of their tenure. The following quotation is taken from a letter dated 29th February 1879, from the Secretary to the Government of India, to the Secretary, Government of Bombay, circulated along with other papers for opinion on the Deccan Ryot's Relief Bill:—

"(14) Satisfactory as this picture of progress is (and similar ones may be produced from all parts of India), there is undeniable evidence in the report before us that the very improvements introduced under our rules, such as fixity of tenure and lowering of the assessments, have been the principal causes of the great destitution which the Commissioners found to exist.

"(15) The saleable value of the land greatly increased the credit of the ryot, and encouraged beyond measure the national habit of borrowing, which I have before observed on. High prices led to extended cultivation, to more expensive modes of living, to larger outlay on the great stimulant to Hindu expenditure—marriage ceremonies. Recourse to the money-lender became the more frequent than before, and the class of money-lenders competing for custom increased in undue proportion."

It is said that the Bengal ryots are not to be judged by the standard of the ryots of Deccan or other parts of India, but whatever point of difference there may be between the ryots of Bengal Proper and the ryots elsewhere in India, and whatever advantage the former may have over the latter in their habit of prudence, the same can by no means be safely asserted with respect to the Beharis. With them, with landlords and tenants alike, there is unfortunately no lack of the great stimulant to Hindu expenditure—marriage ceremonies.

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If, again, Bengal ryots are not to be judged by the standard of ryots in other parts of India, they ought at least to be judged by the standard of those who are admittedly their betters. Not long ago, the following note by Mr. Hertslet, the Consul at Konigsberg, on the practical working of the German land system, went round the newspapers:—

"Landed estates can be sold, parcelled out into the smallest free-holds, and disposed of in any manner without any difficulty or expense beyond the contract stamp of 1 per cent. Renting of farms is almost unknown. Agriculturists buy the land, including barns and dwellings and dead inventories, at a price agreed on, pay usually a quarter or a third of the money down, and the rest is hypothecated on the estate, large or small: the hypothec banks generally advancing the money at 5 per cent., which cannot be demanded back, but may be gradually sunk or paid off by yearly instalments. But, notwithstanding the facility of buying or selling landed property, the agriculturists are always complaining, and it is understood that at least two-thirds of them are in money difficulties, and public sales by the courts of law are of constant occurrence. The most of the nominal proprietors have not sufficient capital to work or cultivate property, and most of them are in difficulties when the interest on the hypothecated debt is due. It is also remarkable that, with the exception of a very few estates which are entailed under the law of primogeniture by a small number of the higher nobility, hardly one estate has remained in the same hands or family for fifty consecutive years, and it appears to be hard on a proprietor to sink such capital in landed property which must in most cases be sold at his death."

Even Mr. Mill, who saw nothing but good in the system of peasant proprietorships, says: "Undue sub-division and excessive smallness of holdings are undoubtedly a prevalent evil in parts of Germany and Flanders." (Mill's Political Economy, Vol. I, p. 366).

But, however good the peasant proprietorships may be in countries where they are, so to say, indigenous to the soil, where the habit of the people favours such a system of land tenures, and where, as in Norway, Belgium, France, there are existing checks to an overgrowth of population imposed either by law or the salutary customs of the people, it does not follow that we could secure an equal amount of good by transplanting the same land system in Bengal and Behar, where over-population and sub-dividing are the prominent features in the economic condition of the peasantry.* Add to this the chronic indebtedness of our people, and the

* In the 24-Pergunnahs, which are now comprised in the district of Gya, the total number of estates in 1789 was 744, and the number of proprietors 1,160; in 1871 the number of estates was 4,411, and the number of registered proprietors 20,453. In 80 years, therefore, each estate has, on an average, been split up into six, and where there was formerly one proprietor, there are now 18. (Statistical Reporter, Vol. XII, p. 126.) In 1790 there were 1,232 separate estates on the rent-roll of the Patna district, as then constituted, held by 1,280 registered proprietors. Including a net total of 777 new estates obtained by transfer from the Gya district, the number of estates on the rent-roll of the district amounted in 1870-71 to 6,075. The number of registered proprietors had increased to 37,800. Allowing for the increase in the size of the district by the addition of the Behar sub division, the number of estates under the Patna collectorate had quadrupled since the original assessment in 1790; and where there was formerly one proprietor, there are now probably 20. (Statistical Reporter, Vol. XI, p. 187). In the district of Tirhoot, the figures are more marked. In 1790 there were 1,321 estates held by 1,989 registered proprietors. In 1871 the number of estates was 11,500, and the number of registered proprietors 73,416 (Statistical Reporter, Vol. XIII, p. 168.) So long ago as 1789, Mr. Shore remarked on the insignificant size of the Behar estates and the poverty of their owners. If sub-division has gone on thus rapidly with estates, it is hard to expect a different state of things in case of transferable occupancy holdings.

danger of the measure becomes at once manifest. While there is to be sub-division in one hand, there is every possibility of accumulation of these small holdings in the hands of capitalist mahajuns on the other, and side by side, with the present race of zemindars as annuitants on their land, there will spring up landed proprietorships of another kind with mahajuns as owners; thus the only good we derive from the measure is to sweep away the present race of our peasants.

It is noteworthy how, when the land question has been a burning one for centuries in Ireland, the introduction of the system of present proprietorships of Belgium and France into Ireland, has not been advocated by those who are best able to pass an opinion on the subject. Emile De Laveleye says:—

"In Flanders you do not find the land sub-divided in the way it is in Ireland, according to Lord Dufferin who has shewn the evils of the kind of sub division practised there. From his description, it appears that in Ireland, at the death of any holder, and often even during his lifetime, the children divided the lands among themselves, each of them building a cottage on it; or, if the tenant has no children, he sub-lets his lands to several small farmers, and allows them to settle on it, notwithstanding the stipulations of the lease. Such breaking up of the land must lead to the most wretched farming and to pauperism on the part of the tenants. As long as the Irish farmer has no better understanding than that of his own interest and of the requirements of a sound economical system, no agricultural policy, neither fixity of tenure, nor even ownership in fee-simple, could improve his condition. Although the population of Flanders is twice as dense as that of Ireland, a Flemish peasant would never think of dividing the farm he cultivates among his children; and the idea of allowing a stranger to settle and build house on it, and farm a portion of it, would appear altogether monstrous to him. On the contrary, he will submit to extraordinary sacrifices to give his farm the size and typical shape it should have.

"How is it that the Fleming and the Irishman hold such different points of view? I think it is partly due to the difference of race, and partly to circumstances. The Celt, being more sociable, thinks most of the requirements of the members of his family, whilst the Teuton thinks more of the requirements of the soil and of good cultivation.. ....But, supposing the Irishman to become the absolute owner of his farm, would he learn and comply with the requirements of the land. A Flemish farmer's son always wants to have a good farm of his own; he would not put up with a hovel improvised on a potato field. Could the Irishman but be brought to practise agriculture as an art, and not as a mere means of bringing a subsistence from the soil, he would soon abandon the miserable system of sub-division which he has adhered to so long. But how is this taste for agriculture as an art to be imparted to him? To extinguish the influence of instincts or tendencies, whether inherent in the race or the historical product of centuries, would it suffice to introduce an agrarian constitution in Ireland similar to that of Flanders, or, better still, Switzerland? These are questions which I confess myself not in a position to answer; but they are questions which those who have the Irish Land Question to solve ought to face when considering the land system of Flanders." (Cobden Club Essays.)

It is significant to observe that in enacting for the North-Western Provinces in 1873, the Supreme Council did not think it expedient to give a statutory right of transfer to 'right of occupancy'—the mere creation of Act X of 1859 in Bengal as well as in the North-West.

Section 9 of Act XVIII of 1873 (The North-Western Provinces Rent Act) runs as follows:—

"The rights of tenants at fixed rates shall be heritable and transferable.

"No other right of occupancy shall be transferable by grant, will, or otherwise, except as beween persons who have become by inheritance co-sharers in such right.

"When any person entitled to such last-mentioned right dies, the right shall devolve as if it were land, provided that no collateral relative of the deceased, who did not then share in the cultivation of his holding, shall be entitled to inherit under this section."

The tenants at fixed rates are thus defined in section 5:—

"All tenants in districts or portions of districts permanently settled, who hold lands at fixed rates of rent which have not been changed since the permanent settlement, shall have a right of occupancy at those rates, and shall be called 'tenants at fixed rates.'"

Thus occupancy right is not only not transferable, but not even heritable under the law as it prevails in the North-Western Provinces.

Is there any reason why incidents which are denied to occupancy holdings in the North-Western Provinces, either from a regard to expediency or from a regard to the existing rights in that province, shall be attached to occupancy rights in Bengal and Behar? If the ryots of the Lower Provinces are not to be judged by the standard of the ryots of the North-Western Provinces, it should also be borne in mind that the ryots of Behar are not to be judged by the standard of the ryots of the Lower Bengal, and that there would be fewer chances of mistakes if they were to be judged by the standard of the ryots of the North-West.

As regards Behar, the majority of the members of the Behar Rent Commission, who in one respect at least had the advantage over the members of the Rent Commission sitting in Calcutta, that they knew the people of this province better, were of opinion that it is not desirable to alter the existing law on the subject. On a further reference to the members by the President, after the sitting of the Commission was over, it appears that only 4 out of 15 members, being perhaps the original minority, were for unrestricted transfer. It is noteworthy to remark that two of these members are indigo-planters themselves, or persons interested in indigo-planting; the other two, Messrs. Worsley and Finucane, would not allow subletting if transferability of occupancy rights were to be recognized by law. Two other members would only allow transfer to *bonâ fide* cultivators; the other members, being the majority, remained opposed to such transferability.

Horticulture.—In Behar, fruit trees are planted by the ryots in lands for which they pay no rent. When the trees bear fruit, the produce (fruits) is divided under the *bhowli* system half and half. When the tree is sold, the zemindar takes half the price, and the ryot the other half; and the land being cleared, it again belongs to the zemindar, who has the option of settling it with whomsoever he likes, no right of occupancy accruing to the previous tenant in a case of this kind. Horticulture in the mode in which it is ordinarily carried on in this province does not require much labour or expense. Mango seeds are sown here and there, and in 10 years, during which the ryot pays no rents, we have a mango tope, and the ryot enjoys half the produce, *plus* as much more as he can keep away from the division. Sometimes, though of course his right to a share is undisputed, the zemindar does not care for a division; or even if a division be made, it is the village *amlahs* alone who enjoy the fruits, or they distribute them among the villagers, the zemindar living at considerable distance. A sale of fruits in a zemindari is a practice which has not yet generally recommended itself to the patriarchal instincts of the landlords of Behar. In the rearing of the mango tope, besides the initial labour of sowing the seed, the only other trouble to the ryot is to protect it from cattle; and no great amount of trouble is even entailed in this matter, for the seeds are abundant, and one seedling wasted, ten can take its place. This is the way, too, in which, besides large mango topes, other kind of fruit trees are reared and held. The tal (palm) is always the zemindar's own under-village custom. Annual settlements are made with pashis at the rate of 1 rupee or 8 annas per tree, and the tree, when cut, belongs exclusively to the zemindar. To allow right of occupancy in all such cases with respect to the trees, or the land on which they grow, would be at once depriving the zemindar of a very valuable property. To allow transferability in such cases, without any regard to the zemindar's right, would be quite contrary to custom. The point should be enquired into and provided for.

Section 51.—The word '*landlord*' is defined to mean a person or a number of persons immediately under whom a tenant holds Now the right of pre-emption under Section 51 is given to a landlord as defined above. Will the recorded proprietor of an estate be entitled to exercise this right when he has given his estate in ijara or tica? and yet this is the time when undoubtedly the exercise of the right will be of the greatest importance. The definition, however, would seem to preclude the proprietor's right in such a case.

Will one of several co-sharers of an estate be entitled to exercise this right? Will he be entitled to exercise this right against the wishes of his co-sharers? These points should be made clear.

Why should not a similar right of pre-emption be given to the resident ryots of the estate, exercisable only in case the landlord refuses to exercise his right.

Instead of the words 'landlord,' &c., "any person interested in the land of the estate may claim to purchase, &c., provided that the claim of the recorded proprietor shall be preferential to all other claims, and next to his, the claim of the person immediately under whom the ryot holds" would do much better. After all, the right of pre-emption given to the landlords will not serve the purpose of checking objectionable transfers. We have seen how, under the colour of subletting, transfers might be effected, and thus a claim of pre-emption defeated. Again, a neighbouring rich and powerful zemindar would find no difficulty whatever to collude with the tenants of a weak neighbour, and instigate them to sell their tenures simultaneously and *en masse*. Not having sufficient money at his command, he will have to allow the lands thus to pass to his hostile neighbour, who gains his ends in effecting the ruin of a weak neighbour by stopping payment of rent.

Sections 51, 53, and 54.—The word 'served' should be substituted for the word 'filed' as used in these sections, for the obvious reason that, though notices may be filed, they may be served too late. And yet the time within which the landlord is to seek for his right of pre-emption is one month from the date of filing of the notice.

Section 56.—The provisions of this section would render the right of pre-emption of no advantage to the zemindar. In cases of successive transfers by the ryots with whom the lands may be settled by the landlords, the zemindar, if he would choose to exercise his right of pre-emption, will simply have to pay very heavy fines for coming between the ryots and their transferrees each time such a transfer is made.

If the landlord be a part-owner only, and has the status of a settled ryot of the estate, the provision will not perhaps apply, nor will it perhaps apply in a case where the landlord has filed a declaration under Section 141. When the provision is thus of a very limited application only, why should it not be omitted altogether. If it stands as it is, it will simply lead to litigation, and prevent landlords from exercising a right which it may be necessary for them to exercise at times, to ward off the evil of having an obnoxious ryot (possibly an enemy) inducted in their estate against their will as a settled ryot.

"*If immediately before the acquisition of the right by the landlord, the rent of the land was a money rent, the ryot shall be entitled to hold at a money rent fixed in accordance with the provisions of this Act.*"

It will be found on enquiry, that in Behar in most cases the existing money rent bears a higher proportion to the annual value of the gross produce than one-fifth, as proposed by the Bill. In these cases, when in the exercise of his right of pre-emption, the proprietor has bought a right of occupancy, and settles it with a ryot, the new ryot thus installed will not only have right of occupancy, but will be entitled to hold at a money rent which must not

exceed, under the provisions of the law, one-fifth of the annual value of the estimated gross produce of the land. Thus, with every transfer of the occupancy rights, the existing rates in Behar will be reduced and brought to the level of the lower statutory rates proposed by the Bill. After the passing of the Bill, the ryots may successfully combine amongst themselves to bring down existing rates, and resort to fictitious sales. Not only will the interest of the zemindars suffer by this provision, but, it is seriously apprehended, the interest of the Government revenue as well. It is a fact which will be fully borne out on enquiry that the Government revenue, in cases of many estates recently settled, represents more than a fifth of the annual value of the produce. In the confiscated estates of Gavind Dehri, pergunnah Peru, zillah Shahabad, an area of 398 bigahs of land under cultivation, the whole amount of rental on which the assessment was determined was Rs. 800. The Government revenue, after the usual deductions for *gilandazi* and collections, has been fixed at Rs. 612, and the estate put up to auction. The auction-purchaser, to whom the estate was knocked down, paid Rs. 7,200 for the purchase. Besides the Government revenue, the purchaser will have also to pay the road cess, the dâk bheri, and public works cess. At the time of the settlement a great part of the land of the estate was held in *bhowli*, so that the rental of Rs. 800 represents half the annual value of the produce, and the Government revenue, including the cesses, more than 6 annas; and yet the Bill fixes the maximum rate at a fifth. Is it again just to the present body of ryots to fix a lower statutory rate than the rates prevalent? Not to speak of other and serious consequences, will it not at once diminish the value of their holdings? Why should a new class of ryots be favoured at the expense of the old? If the existing ryots were wise, they would be the first to protest against a measure thus seriously calculated to diminish the value of their holdings.

Section 56.—"Any person thereafter holding the land as a ryot." Is it intended to include cases other than that of letting the lands by the landlord?

Section 57.—The proviso to this section appears inconsistent with the provision of Section 47. Once the status of a settled ryot is acquired, the person having such status will acquire a right of occupancy in all ryoti lands held by him. And though he will come to have right of occupancy in all subsequently acquired ryoti lands, the proviso will bar such right in ryoti lands which have been longer in his possession.

CHAPTER VI.

Section 59.—Is it at all necessary or desirable that there should be so much restriction on the freedom of contract? If any contract is likely to prove prejudicial to the interest of the ryot, it may be fairly presumed that he will be the last person to enter into it. He is the best judge of his own interests, and if he is not, no amount of legislation can keep him out of danger. As to the limitation, the tabular statement appended will shew how, in many cases, the revenue payable to Government represents full six-sixteenths of the annual value of gross produce. And the zemindar has to pay the cesses in addition. An uniform maximum for Bengal and Behar, and even for the districts of the same province can only prove mischievous.

Is not the revenue officer an already hard-working official that he should have imposed on him this and other works in addition? The determination of the question as to whether the rate is fair and equitable requires some amount of judicial enquiry and some data to go by. Without any disparagement to the ability of our revenue officers, it may be urged that both these will be wanting in their case. Contracts will be registered or rejected according to the individual fancies of these officers.

No procedure is laid down for the registration under this section. But if the procedure be the same as that provided by the registration law, ryots will have to be moved *en masse* to the court of the revenue officer, possibly at some considerable distance from their residence, and they will have to dance attendance in the courts for a number of days, as in all matters the case is at present, before the registration of the contract can be taken up in hand by the revenue officer. The trouble and the cost of the proceeding should not be lost sight of.

The proposal for the compulsory registration of pottahs and kabuliats did not find much favour with the Behar Rent Commission, for the reasons stated above.

If the provisions for compulsory registration by a revenue officer are to be retained, the Legislature would do well to see whether the attendance of ryots *en masse* at the time of registration cannot be dispensed with; and if so, under what conditions.

Section 62.—Most of the objections noted under Section 59 as to the registration of contracts by the revenue officer will apply also to the preparation of table of rates. There are such a diversity of rates prevailing in any local area that the preparation of a table of rates will be found to be simply impracticable, and it will be found, after a great deal of unnecessary expense incurred, that it is unworkable. There will be a whole flood-gate of dispute opened regarding the classification of lands and the rates. If the truth were to be ascertained, it will be found that nothing impoverishes our people so much as these litigations to which they are driven by new laws like the one proposed.

Section 76.—Exception should be made in case of dearah lands. In these cases the amount of rent depends on the alluvial deposits, and if a trifling and nominal amount of rent is charged, so long as these alluvial deposits have not been formed, an amount of rent proportionate to the degree of fertility acquired is at once charged and readily paid no sooner the alluvial deposits have been fully formed. This amount is often more than double the old nominal amount charged. The same objection would apply to the provisions of Sections 77 and 78.

Section 78.—The period of 10 years during which no fresh enhancement is to be made after the rent has been once enhanced, appears rather long and unsuited to a variety of circumstances. Prices may enormously rise, the productive powers may increase without any expense or trouble on the part of ryots, and lands may acquire an additional degree of fertility, as in the case of dearah lands. The period should be shortened to five years.

Section 79.—A ryot who pays as rent half the annual value of the gross estimated average produce of land in staple crops, as all the *bhowli* tenants under the rate of commutation under Section 82 will do, and almost all the Behar ryots, who, under the existing rate of rent, certainly pay more than one-fifth of the annual value of gross produce as rent, will be, as regards the produce of these lands, readily undersold by ryots who under the provisions of the Act, will have their rents determined at not more than one-fifth of the annual value of the gross produce. The ryots who will be inducted in an estate after the passing of the Act, will all thus have an advantage over the old ryots whose existing rates are not to be touched at present. In so far as the amount of rent is an ingredient in determining prices, prices are calculated to fall with low rents, though it is possible that the counteracting effect of greater *demand* in years to come may not absolutely bring it down. If such a counteracting force of *greater demand* does not immediately come into operation, as under the existing condition of things it is not likely that it will for years to come, the effect will be the fall of prices, and the persons who will benefit will be the *consumers*. These consumers will, however, benefit at the expense of the landlords, the receivers of rent. For one effect of the falling of prices under these circumstances will be the reduction of existing rents of occupany ryots under clause (*b*), section 79; and thus, though the existing money rates may not be changed now, they will, under the operation of this clause and the economic condition of things, be changed hereafter and equalized with low rents around (*viz.*), to a rate not exceeding one-fifth of the annual value of the estimated average gross produce fixed under the present Act. Any maximum fixed, without reference to the existing rate of rent in a given locality, is thus calculated to bring down these existing rates to its own standard (*i.e.*), to an equality with itself.

The section also interferes with freedom of contracts. Unlike the provisions in enhancement cases, there will be no limitation to reduction of rent, either as to time or to the amount.

Section 80.—Pasture lands are either the uncultivated lands of an estate, on which grass only grows, or lands in the occupation of ryot, on which other crops not growing in a year, fodder for cattle is grown. In the fiast case, the lands belong to the proprietor of the estate. The ryots are allowed to graze their cattle on it by sufferance; no rents are charged, and the proprietor can at any time bring these lands under cultivation. There is nothing like commons in the estates of Behar. If such commons had existed at one time, when the village community flourished in all its pristine vigour, traces of these are now lost. At the settlement all the lands of an estate were included in the malguzary lands, and the zemindar had vested in him the fullest domain in these lands, where they were not in the actual occupation of ryots. The old settlement khusrah papers make no mention of grazing commons. In the second case, when the pasture lands are in the occupation of ryot, on which other crops not growing in a year, fodder is grown for cattle, the pasture lands are not separate from the other portion of the ryot's holding, but forms part and parcel of the same.

In most of the years, no portion of the holding is used as pasture lands, and it will lead to much complication if any attempt be made to separate them. The provisions of section 80 would be perfectly unnecessary, if the intention is to provide for these classes of lands. There is scarcely any land in Behar which the ryot holds separately as pasture lands. Greatest hardship to landlords would be the consequence, if any right of occupancy was to be given to ryots with respect to such uncultivated lands, on which the ryot has been hitherto allowed to graze his cattle on sufferance. There is also another class of land on which the ryot grazes his cattle, and these are the dearah lands, wherever they exist on their first formation. In this case, grass or other fodder which has grown, or has been allowed to grow, belongs exclusively to landlords. Ryots are allowed either to graze their cattle, or cut and take them home for purposes of fodder at so much per bigah. The rate in these cases is always settled under contract, and in fact the grass or fodder is bought and sold just like other marketable commodities The provisions of section 80 ought surely not to apply to such cases as these. The provision of this section will only be unnecessary and vexatious.

Section 81.—The limitation of landlord's claim to not more than half the gross produce or its value, in cases where an occupancy ryot pays in kind, or pays as rent, the value of a certain share of the actual gross produce, will touch the existing rates of rent in *bhowli* tenures in Behar. In most cases the landlord's share is now 9 annas out of 16 annas of the produce There are many estates in the districts of Gya and Patna in which all the lands are held in *bhowli* tenures, and, as far as the settlement papers show, were so held at the date of the permanent settlement. The assessment of revenue in fact was made on the amount of gross rental estimated at this rate. The effect of the limitation proposed by section 81 would be to reduce the income of the zemindars in these cases by a full sixteenth. Where recent investment has been made on the basis of this share in the purchase of zemindaris, and more than the fullest value paid, greatest hardships will be the inevitable consequence.

Section 82.—With reference to this section, the Committee of the Behar Landholders' Association in their note on the report on the Behar Rent Commission said:—

The provisions for the commutation of *bhowli* into *nukdi* rental in cases of occupancy

holders at the option of either the zemindar or the ryot will be a death-blow to the *bhowli* tenure. In some year, it will be the interest of the zemindar to seek for such commutation; in other years, it will serve the ryot's interest better; but it is to be feared that the interest of both will suffer in the long run by such commutation. Payment of rent in kind may not chime in with civilized notions of things; but, nevertheless, a custom which has survived change of ages, and has been handed down from generation to generation, being acquiesced in both by landlords and tenants, must undoubtedly have its uses.*

Year before last was a year of prosperity for Behar and Bengal, but a bumper crop had brought on low prices, and the effect of this was that the ryots paying money rent were unable in many cases to meet the landlord's demand of rent, and the landlords had to borrow on account of the ryots' default to pay the Government dues. Not being able to pay their *nukdi* rents, the ryots of whole villages sought and obtained from considerate landlords the conversion of *nukdi* into *bhowli*. There were many estates in which this happened, and it was this conversion alone which in several instances saved the ryots. Yet the cry is against the *bhowli* system of Behar.

With reference to the *bhowli* tenures, the Committee in their last year's note said:—

The system of ryoti tenures in Behar is very simple and well suited to the peculiar circumstance of this province, where a large portion of the land is entirely dependent on rain for its fertility. In good seasons it yields heavy crops, in bad ones next to nothing; and bad and indifferent seasons are more common than good ones. The ryots having no capital, and being an improvident race, would be ruined by one or two bad seasons, if they had to pay fixed money rents. There is again the method of storing rain-water and its economical use by means of *ahars* (reservoirs), *alangs* (embankments), *pynes* (water channels), and *bunds*, which are peculiar to Behar. Some crops are raised entirely by means of artificial irrigation. It is essential therefore that the landlord who alone has the means and power to keep a proper supply of water for the village cultivation, should have a joint interest with the ryot in the improvement of the soil. The ryoti tenures, which are peculiar to this province, seem to have originated in this circumstance. It may be that the nature of these tenures makes the ryot a little too dependent on the good-will of the landlord, but the landlord also is dependent in a great measure on the honest exertion of the ryot for the security of his rents. The interest of both are bound up together by the circumstances of the case and the nature of the tenures, and there does not appear to be anything intrinsically wrong in the system. The peculiar advantages which recommend it to the people of this province have to be only set off against any fancied evils, and it will be readily seen that customs which have originated in the necessities of the people, and which have prevailed from generation to generation, should not be hastily condemned or done away with 'by a stroke of the pen.'

The Commissioner of Patna, writing to the Secretary to the Board of Revenue on the 21st August 1858, said:—

"It may very probably be thought by those who have had no experience in this part of the country that payment in kind or the mixed payments which form the peculiarity of the *bhowli* tenures should be discouraged as much as possible, and should not be sanctioned by the legislature; but this would be a very great error. A large portion of the land of this province is entirely dependent on rain for its fertility. In good seasons it yields heavy crops, in bad ones next to nothing; and bad and indifferent seasons are more common than good ones. The ryots having no capital, and being an improvident race, would be ruined by one or two bad seasons, if they had to pay fixed money rents. Under a *bhowli* or *batai* system on the contrary, where the rent is proportioned to the produce, they can always rub on, and if they have not much opportunity of making money, they are tolerably secure from ruin. These tenures are therefore very popular, and when the landlord is a just man, are perfectly satisfactory to all parties. Any attempt to abolish them would create great discontent."

CHAPTER VII.

Sections 83—86.—Chapter VII is doubtless an improvement on the corresponding chapter of the Rent Commission Bill. Yet its provisions are objectionable on the ground that they disregard the existing customs in Behar. The habitable portion of a Behar agricultural village consists of the houses of cultivating ryots and the houses of one or two artizans or shop-keepers. The village site forms no portion of the ryots' holdings, and the cultivating ryots pay no rent for their homestead lands. Their houses in many cases are the property of the landlords, by whom they have been built, though they are repaired at the ryots' expense and labour during the period of their occupation. Neither agriculturists who pay no ground rent,

* One argument against a Metayer tenancy, is that in this case the Metayer's interest for 'improvement' is only half as much as that of a peasant proprietor; but if the interest of the *bhowli* tenant could be thus measured, there is that of the *bhowli* landlord which should also be taken into account; and in the interest of cultivation of Behar, it is a serious matter for consideration whether the landlord's interest should or should not be diminished. Mr. Mill thus replies to the arguments for commutation:—"If this transformation were effected, and no other change made in the Metayer's condition—if preserving all the other rights which usage ensures to him, he merely got rid of the landlord's claim to half the produce paying in lieu of it a moderate fixed rent,—he would be so far in a better position than at present, as the whole instead of only half the fruits of any improvement he made would now belong to himself; but even so, the benefit would not be without alloy; for a Metayer, though not himself a capitalist, has a capitalist for his partner, and has the use, in Italy at least, of a considerable capital, as is proved by the excellence of the farm buildings; and it is not probable that the land-owners would any longer consent to peril their movable property on the hazards of agricultural enterprise, when assured of a fixed money income without it." The remark would apply *verbatim*, if we were to substitute Behar for Italy and the *excellence of the gilandazi system* for the excellence of *farm buildings*.

nor the non-agriculturists who pay only a nominal rent, are ejected out of their homesteads which they occupy from generation to generation. This is the custom in Behar—a custom which doubtless originated at a time when the present body of ryots were hired labourers working for the proprietory body. By changed circumstances of the times the hired labourers of the village have now acquired the status of ryots, and occupy a site in the village for a home by sufferance, but are never ejected out of the same. It would indeed be pretty hard to give them a transferable right in lands which they only hold through *sufferance.* The section also interferes with the right of contract.

CHAPTER VIII.

Sections 88—95.—The Committee have already shown that the effect of the provisions of this chapter will be to vest the right of occupancy in all the ryoti lands of a village in any person who may choose to hold it for agriculture or horticulture. A ryot once installed will be a ryot for all time to come. Holding ryoti land as a ryot has been defined. That definition does exclude a forcible inception of a tenancy against the landlord's will. Will a squatter, if he afterwards signifies his willingness to attorn to the landlord for rent, be a ryot under this chapter?

Section 89.—The limitation of five-sixteenths as the maximum of rent for the ordinary ryot as proposed by section 19 has been shown elsewhere to trench against the rights vested in the zemindar under permanent settlement. In Behar as well as in Bengal, as will be found on enquiry, the existing money rent in cases of long-standing tenancy is in many places more than a third. Now, when on the passing of the Bill, an ordinary ryot will be entitled to hold at this privileged rate of five-sixteenths, it may not be absurd to suppose that the old tenants will prefer relinquishing their holdings on the passing of the Bill, and taking as an ordinary ryot. A great disturbance of the economic condition of the village will thus be the consequence.

Section 91.—Why should the service of the notice be made at least six months before the expiry of the year? In lands producing only rubbi and bhadoi crops, the notice in this case, if the agricultural Fasli year be held to commence in Ashin, will have to be served before the agricultural prospects of the year are known. In Bengal, the year commencing in Bysakh, this would have to be done before either the khariff or rubbi has been reaped. Will not a notice of three months before the expiry of the year be sufficient? How is the service of notice to be made in this and other cases? Section 194 refers to summons in suits, and does not refer to notice.

Section 93.—" If in any suit instituted under Section 92, the defendant appears and agrees to pay the enhanced *rent demanded, his agreement shall be recorded, &c.,* and he shall be liable to pay from the commencement of the agricultural year next following the *date of the agreement.*" In this case the ryot who does not appear till after a suit has been instituted against him, will have the advantage over one who comes forward and agrees to an enhancement without suit under Section 92; for if the court cannot take up the case instituted only 10 weeks before the expiry of the year, or the summons cannot be served, and the agreement cannot thus be recorded before the end of the year, the ryot will have to pay the enhanced rent from the year next following the date of the agreement, whereas in the other case, the ryot will have to pay such enhanced rent a year earlier.

Section 93 (2) (a) and (b).—It should be taken into consideration that ten times the yearly increase of rent demanded *plus* such sum (if any) as may be declared by the decree to be payable to the ryot as compensation for improvement which is of no value to the landlord, and which in 99 cases out of 100 will not make any perceptible difference in the letting value of the land, will be more than the capitalized value of such increase.

Sections 93, 94, and 95.—The provisions of these sections will have the effect of vesting a right of occupancy in ordinary ryots in all ryoti lands in their holding. Perhaps it will be replied that these provisions are intended to have that effect.

Chapter IX, Section 96.—A ryot holding at fixed rate is a tenure-holder under clause (4), Section 3. Why should a deduction of thirty per cent. be made in his case. The deduction allowed under Section 21 in cases of enhancement of rent of tenure-holders is a profit not more than 30 per centum or less than 10 per centum of the balance which remains after deducting from the gross rents payable to him the expenses of collecting their rents. Why should an absolute deduction of 30 per centum be allowed in cases of alluvion. The principle on which the deduction is made in both the cases is the same, and the rule should be the same also.

Section 100.—When a separate statement of account shall have to be given to the ryots at the end of the year under Section 101, it is not very necessary that the receipt given with every item of payment of rent should contain all the particulars mentioned in Section 100. With a stupid village patwari, who can scarcely be induced to move out of his traditionary groove, and whom, under law, the landlord is unable to remove, the introduction of such details for every item of receipt will simply hamper collections, while it will make the landlord liable to heavy fines and penalties for the omission of his village servants.

Section 100 (4) and Section 102 (2).—Why should there be a double penalty for one and the same offence.

Section 103 (c).—This sub-section is substantially the same as it was originally drafted by the Rent Commission. In their Note on the Bill of the Rent Commission the Committee of the Behar Landholders' Association said :—" The Bill provides that a tenant who entertains a *boná fide* doubt as to who is entitled to the rent payable by him may deposit such rent in the collectorate. The provision appears at first sight to be equitable, but it will ultimately lead to

endless complications. It makes the ryots the arbiters of all disputes regarding proprietary possession. One of the members of the Behar Rent Commission justly observes: "It would be practically placing the landlords at the mercy of their ryots. Some party, whether rightly or wrongly, must always be in possession, and the ryots are bound to pay him rent. By such payment they are also exonerated for all time to come, and the rightful claimants can only recover mesne profits from the person in possession to whom the ryots have paid. A dispute as regards the zemindari title is thus never prejudicial to the ryots' interest; it is sometimes advantageous to them. Greater indulgence is not required to be shown to them by the necessities of the case. It is positively mischievous with respect to the zemindars, for under this proposal, even in case of secure possession, the ryots, specially those inimically inclined or gained over by the zemindars' enemies, may trump out a dispute and cease to pay rent under the protection of law, thus possibly bringing on a sale of the zemindar's property, and his ultimate ruin." The Committee see no reason to change their opinion on the point.

Section 117.—Under custom, the landlord appoints *agoras* (watchmen) in *agarbattia* tenures (which literally means *watch* and *divide*) to watch the crops and his own interest in his share of the crops. One part of the *agora's* duty is to see that the ryots do not clandestinely take away the crops or any portion thereof to their own house without dividing it with the landlord. Will the appointment of the *agora* be an interference under this section? In *agarbattia* tenure no appraisement is made; but the landlord receives his share by actual division after the crop is harvested and reaped. If the ryot removes the crops, or a portion thereof, to his own house without paying the landlord's share, the landlord loses, and unless it is intended that in all cases of *agarbattia*, the landlord is to seek the assistance of the Collector under Section 112, even though the ryot might not have shown any disinclination to divide before the actual harvesting and reaping, surely some power ought to be left in him to watch his own interests. and he ought to be allowed to do this without making himself liable, on the complaint of the ryot, to the offence of criminal trespass. The property in the *battia* crops is under present custom as much in the zemindars as in ryots, though of course, under the definition of rent as given in the Bill, the landlord's share of the *battia* crops will be rent payable in kind by the tenant.

The present custom is that the ryot reaps and gathers the produce in the *khalihan* (threshing floor) where the division is made. Up to this point the *agoras* watch the landlord's interest, and the ryot cannot take the crops to his home or anywhere else, excepting to this *khalihan* (threshing floor). The complaint of so-called abuse of the power of distraint in Behar will be found in the main founded on a misconception of this custom—a custom which allows the landlord the exercise of certain right in defence of what he, under custom and may be under a rough notion of things, knows to be his property. If the concensus of opinion of the ryots could be taken, it would be found that of the two *danabundi* and *agarbatti*, the ryot likes the *agarbatti* best; and if Section 117 be allowed to stand as it is without some provision allowing the landlord to watch his own interests, the *agarbatti* will soon be a thing of the past.

It should at least be provided that this section will not apply to the landlords watching his interests through the *agora* (watch), and that the harvesting refers to the gathering of the crops in the *khalihan*.

Section 118.—Who is to be responsible for the safe custody of these *danabundi* papers? It has to be noted that some years ago, *jummabundis* used to be periodically lodged in the Collector's office in the Behar district These were big bundles of papers, ordinarily kept in the custody of some petty collectorate clerk (mohurir). Some cases of tampering came to light, and the whole of the papers were very properly burnt.

The provision would doubtless be unobjectionable if, at the same time with its enactment, some administrative reforms be introduced in the Collector's office giving protection to the zemindars against the systematic annoyances to which they and their people are subjected by the official underlings, when they have anything to do with them.

Section 119.—This section has been already commented on along with Section 89. In many cases, just as in the case of the confiscated estates of Shahabad sold in 1862-63, after a reassessment and at full price, Government revenue alone represents something like six-sixteenths of the actual produce. The zemindar has over and above this to pay cesses, collection charges, and *gilandazi* expenses. Where is all this to come from?

Section 121.—The same remark applies as to Section 20. The Collector here will override private contracts, not as in the other sections, for the protection of an ignorant ryot, but for the protection of the Government revenue as affected by a contract which is undoubtedly advantageous to the ryot.

CHAPTER X.

At present, agricultural improvements in a village are all effected by the proprietor. He pays for the *gilandazi* (earthworks) of a village, he constructs *bunds*, excavates *pynes*, makes arrangements for the storage of water in *ahars* (reservoirs), buys water for the rice crop where it is necessary to do so, digs tanks and wells, and keeps the old ones in repair, pays for the construction and periodical repair of the field and village channels, and also for all arrangements for the proper drainage of the land. He has frequent dispute with the neighbouring proprietors with respect to some one or other of these matters, and the cost of the litigation is entirely his. The annual expenditure on these heads is not inconsiderable. The sections of this chapter do not take all these existing facts into consideration, and appear to be intended to provide for circumstances which have not yet arisen. Cursory enquiry will satisfy that the improvements noted above, which are of the highest importance to the agricultural prosperity

of a Behar village, are not and cannot be effected by ryots. In the first place, they have not the means wherewith to carry on these improvements; in the second place, they are more or less of a *general* nature, affecting the agricultural prospects of a whole village; and the execution of works of this kind cannot be entrusted to individual interest of ryots. In thus providing for agricultural improvements by ryots in future, the Legislature forgets that it will materially discourage works of improvement on the part of landlords who alone have hitherto carried them on, and who alone have the ability and the means to carry them on.

With reference to the corresponding section, being Section 29 of the Rent Commission Bill, the Committee noted "Section 29, not being exhaustive, leaves to the option of every munsiff to say, what is improvement in each individual case. The determination of what is improvement in each individual case, and the amount of compensation to be awarded, will lead to bitter and harassing litigations." The same remark applies in all its force to the provisions of this section.

Section 126 (2).—In what portion of a holding will the dwelling-house and out-offices be erected? If a ryot choose to think that the whole of his holding should be converted to that purpose, will not the provision, as it stands at present, justify him in dong so? How can the erection of a dwelling-house be said to be an agricultural improvement?

Section 126 (3).—We will suppose that, contrary to their present method of proceeding, the ryots of a village combine and make a water excavation, called a *pyne*, at a cost of 500 rupees. The expenses when distributed among 50 of them will be 10 rupees a head, yet the benefit reaped with respect to each holding is to the extent of the full outlay of rupees 500: the work shall be, with respect to each of them under this sub-section, an improvement; but it is an improvement which, while if it were carried out for the individual holding, would cost 500 rupees, but when carried out for the benefit of a number of holdings costs each rupees 10. Rupees 10 ought therefore to be the measure of such improvement, yet if the sub-section stands as it is, the measure of improvement would be 500 rupees.

Section 127 (1) (2).—Nothing could be more mischievous than to make the landlords dependent on the good-will of the ryots in the matter of improvement of their village. The lands of a whole village can be converted by the judicious construction of *gilandazi* (earthworks) from *rabijar* (*rabbi* producing lands) into *salijar* (paddy-producing lands). A village can be saved from the effect of periodical droughts by the opening of a water channel (pyne). These are works of general utility to the agricultural population of the whole village, and while ultimately relating to, and benefiting individual holdings benefit the whole village. At present the landlords carry on these works at their own expense in lands for which they get no rents, and which do not form a part of ryot's holding. The proposed law will make the permission of the ryot necessary for the landlord executing works of this kind, and the reason of the rule as stated elsewhere is that the ryot having a greater interest in the improvement of the land should have a preferential right to make such improvements. Undoubtedly the proposed Bill, when passed into law, will make the ryot's interests in his individual holding greater; but after all it will be nothing as compared with the interest of the landlord as the rent receiver of the entire village; yet even in respect of improvement, the interest of the rent receiver of an entire estate, possibly comprising a number of villages, is sought to be subordinated to the interest of an occupancy ryot, the holder, say, of a few bigahs of lands. Provisions of this kind will doubtless tend to diminish the prestige of the zemindars in the eyes of the people; but effects of that kind may not be desirable on the score of other interests than that of the zemindar alone.

Section 128.—Is there any reason to allow an ordinary ryot, possibly a mere squatter, to build a house on a part of his holding, nay in the whole, without the landlord's permission except it be to give him a hold on the lands which he had come to cultivate for a year or so? The provisions of this section, and generally of the other sections of this chapter will simply serve to irritate the feelings of the landlords without conferring any corresponding benefit on the ryot or anybody. In the case referred to in this section, it will generally happen that the holding will be situate in a part of the village where it is not possible to erect a dwelling-house. In Behar, the only habitable part of a village, as has been noted before, is the village Dhi which does not form a part of the holding of any ryot.

Section 129 (4).—Cases of improvements of this nature will be scarcely found; yet the Act will have an objectionally retrospective effect. But though improvements by ryots have been, as a matter of fact, *nil*, false claims for compensations will, we may rest assured, be not few.

Section 133.—In a country where even between two neighbouring zemindaries the boundary mark is a mere ridge of earth, and when the field demarcations are periodically destroyed after each flood, the limit of 10 years before a fresh measurement of the lands of an estate can be made, appears to be unnecessarily long.

Encroachments are brought to light by measurements of this kind, and after a lapse of years a good claim is barred as against a trespasser.

It is necessary again to measure, almost annually, the alluvial accretions to an estate, if there be any, and to determine in what quantity of the accreted lands alluvial deposits have been formed. If 10 years' limit of enhancement is not to be made applicable to cases of this nature, it will be necessary also to give a right of measurement to landlords in such cases oftener than once in every 10 years. The circumstances of the case would clearly demand this.

Section 141.—Is not this section inconsistent with the provisions of Section 56? Under this section if a landlord buys an occupancy holding, the occupancy holding shall be presumed to be merged in the interest of the landlord and extinguished during the period of 3 months

mentioned in sub-section (2) unless the landlord proves that he has not intended it to be merged, and after the expiration of that period, be deemed to be so merged and extinguished, unless within that period the person executes an instrument declaring his intention that a merger shall not take place, &c. Now, if nothing of the kind be done, the interest of the tenant shall be effectually merged and extinguished in that of the landlord, to wit, in the case supposed, the occupancy right shall cease to exist; yet Section 56 provides that any person thereafter, *i.e.* (after the merger and extinguishment have once effectually taken place), holding the land as a ryot shall have a right of occupancy in respect of it.

Section 142.—With reference to the similar provision of the Bill of the Rent Commission, Babu Peary Mohan Mukerjee, one of the Commissioners, wrote as follows:—

"The necessity for investing the district courts with the power of appointing a manager for the management of an estate or tenure held by two or more co-parceners, when even a single ryot, or the owner of an infinitesimal share, chooses to apply for such an appointment, has not been made out. The decision recently passed by a full bench of the High Court, recognizing the power of every co-parcener to have his share of the rent apportioned by a suit in court, will remove all sources of annoyances to the ryots of joint estates and tenures, and of disputes among the co-parceners themselves. The proposal for appointment of managers by court is therefore uncalled for. A similar proposition started at the time of Sir George Campbell was looked upon with disfavour by the executive and judicial officers who were consulted about it, and it was abandoned after a thorough discussion of its merits and demerits. It is certainly not desirable that the mediæval passion for superseding the independent conduct of every man's affair by officious legislation in matters relating to land should be revived."

The Committee of the Behar Landholders' Association in their note said:—

"It is to be feared that in districts where the Judges may like to exercise a little patronage by appointing managers, the management of estates will in most cases in such districts pass out of the hands of their lawful owners."

Sections 65, 66, and 67.—The effect of these provisions will be to reduce the real owners to the position of mere annuitants upon their estates. The managers cannot have that interest in the management and improvement of the estates which those personally interested can have; and as it is very essential to the agricultural prospects of this province, specially in estates where *bhowli* tenure abounds, and where it is necessary at seasons for landlords to advance money out of their pockets to the ryots for the successful prosecution of agricultural industry, that such personal interest should be taken, it is to be feared that agriculture would suffer. Nor is it very likely that the managers appointed by the district courts will prove better men than the zemindari village amlahs; the salary which could be given is not likely to tempt a first class set of men, and the men that would ordinarily be appointed as managers carrying with them the authority of the district courts, will, when venal, be not satisfied with the paltry douceurs now received by the patwaris from the ryots There will again be no check to their corruption and rapacity on the spot, as they will be placed above the control of the landlords, and will be only removeable by the orders of the district courts.

Are not the words (*a*) "inconvenience to the public," or (*b*) "injury to private right" very vague? If the section is to be retained at all, some attempt ought to be made to specify the circumstances which would come under these general and vague expressions.

CHAPTER XI.

There is no reference to existing rates of rent—not a single section in the chapter under which the revenue officer is enjoined to determine the rates paid, and to make this the basis of his settlement. There will be nothing to prevent revenue officers in exercise of the extraordinary powers given to them under this chapter, to reduce existing rates, and thus the rent-roll of a whole village. As such the provisions of this chapter are very dangerous to the interest of the zemindars. If the chapter is to be retained at all, it should be distinctly laid down that the Collector should in no case reduce the existing jummabandi of a village.

CHAPTER XII.

Perhaps the objections noted to the preceding chapter will apply in a greater degree to the provisions of Chapter XII. Whole estates will be in a ferment of litigation after one of these proceedings, and the result will be the impoverishment and possibly the utter ruin o both landlords and tenants.

CHAPTER XIII.

Section 166.—It is sought to make distraint somewhat of the nature of attachment before judgment, and as such the power of distraint will lose all its value. The power has been exercised by the zemindars from time immemorial. It is not, as some suppose, an offshoot of the English law, but rather an offshoot of the power which under the Hindu law, creditors exercised to compel their debtors to make payment of their dues. Even now, the power prevails in the native State of Nepal, thus clearly indicating that it is not one of foreign, but of native origin. The earlier regulations recognized this power, and it is the only one yet remaining in the hands of zemindars to compel payment of rent. The limiting it in the way proposed appears to the Committee to be open to the following objections:—

1st.—The power of distraint is only valuable because its action is prompt and swift, Recourse to a distant court for taking the initiative in distraint cases reduces the power to *nil.*

2nd.—Distraint thus becomes mere attachment before judgment, leaving to the ryot the power of taking away all his crops before the distraint order reaches the village.

3rd.—As a matter of fact, the power is very seldom exercised; but its existence in the present form serves as an incentive to the ryots to make payments of rents with due promptness.

Section 167 (2).—The procedure under Section 168 is a very short one; and why should applications for distraint in ordinary cases require the court-fee payable in a suit instituted for the recovery of the arrear therein claimed? The proceeding will assume the form of a regular suit only in cases of contest, and a court-fee may be required with some show of reason in a distraint proceeding when the case has assumed that complexion. It is respectfully submitted here in connection with this matter, that the incidence of equality is not a prominent feature of the court-fee law. The proprietor has to pay an *ad valorem* fee of 7½ per cent. on the valuation of an estate at ten times the Government revenue when he has to sue for possession. The tenure-holder or the occupancy tenant will have to pay this *ad valorem* fee on a year's rent when he brings a suit against the landlord for possession of his holding, and the landlord has to pay the same *ad valorem* fee when he sues for a year's rent.

Section 166 (1).—Will a petition under Section 166 be allowed by a part-owner of an estate, the extent of whose interest in respect of which the arrear is due has been registered under the provision of the Bengal Land Registration Act, 1876? If so, provision ought to be made for the protection of the interest of the other proprietors.

Section 186.—If the section be allowed to stand as it is, it will make the life of a zemindar one of constant peril. When the offence is one of simple omission or of passive acquiescence in certain proceedings of another, the imposition of a fine alone ought to be held sufficient. In the cognate case under Section 155 of the Indian Penal Code, fine is the only punishment provided.

Section 187.—The circumstances under which the local Government would be empowered to suspend the provisions of Sections 166 to 184 in any local area should be clearly laid down by the Legislature.

Section 191.—Sections 121 to 127 (both inclusive), 191 to 194 (both inclusive), of the Civil Procedure Code shorten procedure, and there is no reason why they shall not apply in rent suits, specially in suits to recover possession of the land either by the landlords or the tenant.

Section 198 (*b*).—As finality is to be given to decrees and orders (which doubtless will include decrees and orders in appeal) of Judges and Subordinate Judges as in suits in which the amount does not exceed Rs. 100, it is not very necessary or desirable that finality should also be given to the decrees or orders of Munsiffs in suits in which the amount claimed does not exceed Rs. 50.

Section 199.—It will be indeed very hard if, having instituted a suit for his rent, the landlord is driven to another suit by the nature of the ryot's defence. Yet Section 169, clause (3), read together with the provisions of Section 166, would point to this. In place of clause (3) the provisions should be as follows:—"When a deposit has been made under clause (2), a summons shall be served on the person who, the ryot alleges, is entitled to the rent, and if he appears and contests plaintiff's right to the receipt of the rent, the court shall proceed to try the suit as one between him and the plaintiff, and if he does not appear when summoned, the amount of deposit shall be made over to the plaintiff.

There shall be a further decree for costs as against the defendant."

Section 201.—"The agricultural year next following" and "agricultural year next but one following" are perhaps intended to mean "agricultural year" following the date of the institution of the suit, and not the agricultural year following the date of the decree. Under the old law notice of a month or so before the end of the agricultural year was sufficient to entitle the plaintiff to enhanced rent from the beginning of the year, if he instituted his suit for enhanced rent within four months from the commencement of the year. There is no reason why the rule should be otherwise now.

Section 201 (*clause 2*).—Why should discretion be again left to the court to fix the date from which any such decree shall take effect. Is not the time fixed by clause 1 long enough during which the landlord will be deprived of his just dues? It would to some extent be better if clause 1 was omitted, and the matter left entirely to the discretion of the court; but when such discretion is thus meant to be fettered and restricted on behalf of the ryot, its exercise should not be allowed to the prejudice of the landlord.

Section 202.—Is entirely new. What will be 'the reasonable time' under this section? When it is proposed to vest in courts the power of not allowing a forfeiture, but to decree compensation in lieu, why should a request within a reasonable time to the ryot, on the part of the landlord, to remedy the wrong, be again made a condition precedent to the entertainment of the suit. Our courts were apt to be technical in the matter of the notice in enhancement suits, and it is seriously to be apprehended that they would be very technical in the matter of 'request' and 'reasonable time' also. It is at best a matter to be looked into in awarding costs of the suit.

Section 202 (*3*).—It is proposed to vest, by this clause, in the court executing the decree the power to change the nature of the decree. When will the decree become final?

Sections 203 & 204.—Is there any reason, why, when the landlord has made out a proper case for ejectment, the tenant should be treated better than a trespasser or a wrong-doer? The wrong-doer is not entitled to take away the growing crops, but is liable to make good to the party entitled to possession for all mesne profits of the period during which he has kept the rightful owner out of possession.

CHAPTER XV

Does not seem to provide for a case, when the decree for rent has been obtained by a part-owner of an estate, collecting the rent separately for his share with the ryot's consent. There

is no provision in the Bill forbidding a suit of the kind, or a decree being obtained under it. In execution of a decree of this kind, will the part-proprietor be entitled to put up to sale the whole tenure, or holding, and, if so, what steps will be taken to protect the interest of the other co-sharers? Section 216 should provide for a case of the kind, and the sale proceeds should not be allowed to pass out of the hands of the court until the other co-sharers receive notice, and they have been paid out all their dues.

PART II.

(1) In this part of the note the Committee proposes to examine the changes made by the Bill with respect to the three main questions of fixity of tenure, fair rent, and freedom of sale, showing by the way how they are inconsistent with the rights of zemindars, as guaranteed to them by the permanent settlement.

(2) To begin with the question of fair rent. It is proposed to limit the enhancement of money rent to one-fifth of the estimated annual value of the produce of land in staple crops in cases of occupancy holdings; to five-sixteenths of such value in cases of ordinary ryot, *i.e.*, ryots not having rights of occupancy; and to one-half the produce in cases of *bhowli* tenures. Viewed in the interests of the ryots, these changes are calculated to do them good; but the objections against these limitations are, that they are so much taken away from the sum of zemindari rights to be given away to ryots.

(3) If one was to examine the point in the light of the earlier regulations, he would find that the zemindars are at least entitled to receive their rents on the pergunnah rates, and this pergunnah rate, if it had been settled from time to time on the principle on which alone the pergunnah rates were determined at the date of the permanent settlement, instead of being, as some suppose, lower than the rates prevalen now, would have been considerably higher.

(4) It is admitted on all hands that, previous to the permanent settlement, the produce of every bigah of land used to be divided in certain shares between the State, the zemindar, and the actual cultivator. The State and the zemindar were entitled to their share no sooner a bigah of land came under cultivation.

(5) One effect of the permanent settlement was to transfer absolutely and for ever, in consideration of a fixed money rent or revenue, the State share of the produce to the zemindars who from that time became entitled to the State share *plus* his own share of the produce of every bigah of land.

(6) The pergunnah rate referred to in the regulations cannot therefore be less than a rate that would adequately represent the State share of the produce, *plus* the zemindar's own before the date of the permanent settlement.

(7) It will be found from the 5th Report, page 16, that this State share of the produce at or about the date of the permanent settlement was three-fifths, the ryot getting only two-fifths.

There are other authorities to show that the State share alone was never, for some centuries preceding the permanent settlement, less than half. The authorities are given below for easy reference—

"In the extensive plains of India, a large proportion, estimated, in the Company's provinces, at one-third by Lord Cornwallis at one-half by others, and by some at two-thirds, of lands capable of cultivation lies waste, and probably was never otherwise. It became, therefore, of importance to native Governments, whose principal financial resource was the land revenue, to provide that, as the population and cultivation should increase, the State might derive its proportion of advantages resulting from this progressive augmentation. * * * This rule is traceable as a general principle through every part of the empire which has yet come under the British dominion, and undoubtedly had its origin in times anterior to the entry of the Mahomedans in India. By this rule the produce of the land, whether taken in kind or estimated in money, was understood to be shared in distinct proportions between the cultivators and Government. The shares varied when the land was recently cleared, and required extraordinary labour; but when it was fully settled and productive, the cultivator had about two-fifths and Government the remainder." (5th Report, page 16.)

"The assessment of Akbar is estimated by Abul Fazal at one-third, and by other authorities at one-fourth of the gross produce; but it was undoubtedly higher than either of these rates, for, had it not been so, enough would have remained to the ryot after defraying all expenses to render the land private property; and as this did not take place, we may be certain that the nominal one-third or one-fourth was nearly one-half. This seems to have been the opinion of Aurungzebe, for he directs that no more than one-half of the crop shall be taken from the ryot; when the crop has suffered injury, such remission shall be made as may have been one-half of what the crop might have been: and that when one ryot dies, and another occupies his land, the rent should be reduced, if more than one-half of the produce, and raised, if less than a third. It is evident, therefore, that Aurungzebe thought that one-half was in general enough for the ryot, and that he ought in no case to have two-thirds." (Minute of Sir Thomas Munro, dated 15th August 1807, quoted in the Zemindari Settlement, Vol. I, page 99.)

"Sir George Campbell says the State, before British rule, took from one-fourth to one-half of the gross produce—one-third and one-fifth being the most common proportions. The 5th Report puts the State proportion at three-fifths in fully settled land, leaving the cultivator two-fifths. * * * Mr. Shore gives two different opinions. His earlier opinion is that Government took one-third; but his later opinion puts the Government share at from one-half to three-fifths. Mr. Elphinstone says that one-third is a moderate assessment, and that the full share is one-half." (Tagore Law Lectures for 1874-75, pages 185-86). Sir Thomas Munro, in the minute quoted above, speaking of ceded districts and of the Deccan, says:— "The mode of assessment in the ceded districts and in the Deccan still limits the share of the ryots to those proportions (two-thirds), but makes it commonly much nearer to one-half than

(8) In *bhowli* tenure, the rate even at the present day is never less than half, but it sometimes is 9 annas out of 16 annas of the produce. At the time of the permanent settlement, it appears that, in the district of Sarun at least, the share was 1 maund 22½ seers out of an estimated produce of two maunds (*vide* Statistical Reporter, vol. XI, page 301.)

(9) To limit the zemindar's rent to anything less than the State share of the produce, *plus* the share which the zemindar claimed as his own before the permanent settlement, whether these shares be three-fifths or any other proportion of the produce, would be not only arbitrary but unjust, and, it is respectfully submitted, an infringement of the permanent settlement.

(10) It will be perhaps said that these limitations proposed do not touch existing rates, and leave the zemindars in the enjoyment of his present profits. It is clear, however, that the existing rates are not respected in all cases. When the maximum of rent paid in kind is fixed at one-half (*vide* Section 81), it proposes to reduce the zemindar's existing rate in *bhowli* tenures from nine-sixteenths to one-half. Nine annas out of 16 annas in both *danabundi* and *agarbattia* tenures is a very common rate in the districts of Behar, and the proposed law, by reducing such rates, will at once bring down the amount of zemindari profit in such cases. There are vast estates, both in the districts of Gya and Patna, where these kinds of tenures prevail, and the enforcement of the law will at once bring down the profits by a full sixteenth.

(11) Nor is it sufficient to say that these limitations do not touch existing rates, or bring down existing profits, but that they will only apply in future to cases when the rates are exorbitantly high. It is clear from what has been submitted before that no rates can be legally said to be exorbitant, so long as it is lower than the State share of the produce, *plus* the zemindar's share. The rights guaranteed to the zemindars by the permanent settlement were not to last for a century, but for all time to come, and it is a clear interference with such rights to limit them to their present income for all time to come, when, if the limits were not thus imposed, they would be entitled to more.

(12) The reservation of power to enact laws for the protection and welfare of ryots cannot, it is respectfully submitted, cover a case where the object is to curtail a part of the zemindars' rights to be given away to ryots. If a measure like this is required for the welfare of the ryots, it should not be carried out at the expense of the zemindars alone. They should at least get proper compensation for what is thus taken away from them. The selling value of zemindari lands, in Behar, is 25 to 33 years' purchase, *i.e.*, investment in lands is dearer than in Government securities. Such investments are then only made in hopes of prospective increase. It need not be said that the limits proposed will be at once ruinous to the individuals who have thus invested; and their number cannot be small.

(13) It will again be perhaps urged that, though theoretically the zemindars were entitled to the State share, *plus* their own share, the total which could not be less than *three-fifths* of the produce of every bigah of land, they have always practically contented themselves with a smaller share. This, which in the face of a growing demand for land, should be taken as an indication of the good-will of the zemindars to their ryots, ought not surely to be pressed as an argument against them. The fact shows further that it were better to leave things to themselves than to try to regulate them by law.

(14) One other objection will perhaps be raised. It will be said that at the date of the permanent settlement, the State share had been commuted to money. But the question is—how was this commutation made? Was it not on a consideration of the actual produce of the land? and is it not a fact that in several Behar zemindaris, at the date of the permanent settlement, rent used to be collected in kind? and it was with reference to the gross produce thus collected that the assessment was made.

(15) Next as to the question of fixity of tenure. Lands are classed under the Bill as ryoti and *khamar*, and occupancy rights are proposed to be given to all settled ryots with respect to all ryoti lands under their cultivation. A settled ryot is defined to be a ryot who has held ryoti lands in a village or estate for 12 years. The ryot will get occupancy rights with respect to khamar lands also, if he holds them for 12 years. (*Vide* Sections 45, 17, and 49 of the Bengal Tenancy Bill.) The ryot will not contract himself out of occupancy rights, nor will any such contract be binding.

These sections will doubtless benefit ryots, as it would doubtless benefit them if the Government were to pay them 500 rupees a-piece out of the Government treasury. As between the zemindar and the ryots, the law is entirely one-sided and in favour of the ryots.

(16) It is needless to recapitulate the arguments showing how this trenches upon the rights of zemindars as guaranteed to them by the permanent settlement. It confers occupancy rights upon all the existing ryots—*piekast* and *khodkast* alike. Whereas the restrictions, *as regards ryots*, with respect to the landlord's power of letting out lands to whomsoever he pleased, as vested in him by Section 52 of Regulation VIII of 1793, referred only to *khodkast* ryots (Section 60), and to certain existing leases, till the expiry of the term of these leases.

(17) It is plain, however, from the express wording of Section 60, which protects the right of *khodkast* ryot, that its provisions were not made applicable to Behar.

(18) The proposed Bill, however, following the precedent set before by Act X of 1859, does not observe any such distinction between *khodkast* and *piekast* (Dains and Pahis of Behar), though of course the enactment of Act X of 1859 has been found fault with on the ground that it did a great wrong to the general body of *khodkast* ryots.

(19) The introduction in an extensive scale of a great body of *piekast* ryots, who will naturally be under the influence of men in whose estates they live, and these men, sometimes the landlord's enemies, will be a source of immense deal of trouble to the landlord in whose estates these *piekast* ryots will come to have a transferable right of occupancy by the operation of the law.

(20) The landlord has nothing to gain by ejecting a good ryot, from whom he punctually gets his rents, yet he can for good reasons complain of an unwarrantable extension of occupancy rights, as it proposed to be done by the Bill.

(21) It is thought that occupancy rights, even as they were under Act X of 1859, were valuable properties, and any law which would at once vest in the mass of ryots the occupancy right proposed to be made much more valuable under the Bill, will be depriving the landlords of the letting value of such occupancy rights.

(22) No statistics are available to show to what extent occupancy rights have accrued to ryots; reliance was made in the course of debate on some guesses. Bnt whatever may be the probative force of such guesses, it cannot be denied that a great body of ryots, from whatever circumstances this may be owing, are yet tenants-at-will, while others are so, if not with respect to all, but a part of their present holdings; and the effect of the change will be to vest at once to these ryots a right of occupancy.

(23) Some vague and indefinite customs are referred to in justification of this extension of occupancy rights, but what this custom is, nobody has yet cared to define, and if it points to anything, it points to residence in a village, to membership in a village community, as conditions for the acquisition of certain privileges.

(24) Both these points are lost sight of in the present attempt to extend occupancy rights, and it may be doubted whether in this unwarrantable extension of occupancy rights, the Legislature in 1883 is not perpetrating in a stronger degree the injustice and wrong alleged to have been done to the *khodkast* ryots in 1859.

(25) It is not true that the extension of the right of occupancy deprives the landlord merely of his power of eviction, but, as we have seen, deprives him of the letting value of such occupancy rights. Even a power of eviction, though not of much use in itself, has a value in another way. Acting as a *terrorem*, it induces the most unpunctual of ryots to make punctual payments of their rents.

(26) If fixity of tenure, as proposed by the Bill, is calculated to tell against the interest of the zemindars, it is this fixity of tenure, coupled with its incidence of freedom of sale, that it is to be feared, will tell strongly against the interest of the landlords and tenants alike, more specially of the unthrifty tenants of Behar.

(27) It is the fashion to ridicule prophecies of this kind. The unthriftiness of some classes of Behar ryots is, however, a fact; the extravagant scale of their marriage expenses is also a fact; and with a valuable right in their right of occupancy, mahajuns will be found in their neighbourhood too ready to supply them the money wherewith to make an extra show. It is easy to divine that the ryots sold out of their holdings and homes will be the result of the care now bestowed on them.

(28) Under the Bill, the zemindars, with regard to new tenancies, will only be a threeanna proprietor of the land, the ryots thirteen-anna proprietor of the same, and with an ignorant class of men, to whom knowledge of laws and benefits conferred on them by these laws permeate only, if it permeates at all, years after the laws have been in force, speculators will not be wanting who will think it a nice investment to go about villages to induce them to sell their rights, and thus instal themselves in a thirteen-anna pucka zemindari, the creation of the law of 1883 as distinct from the zemindaris of 1793.

(29) In these newly-created zemindaries, for the present at least, all sorts of protection will be denied to under-ryots; no rights of occupancy will accrue to them, the veritable cultivators, and no restrictions will be imposed on the freedom of contract of those who will be their landlords.

(30) If thicadari system is an evil in Behar, this occupancy right ryot zemindari system will be worse.

(31) It will be perhaps replied that if it comes to this pass, the Legislature will again interfere to prevent the growth of the evil. This is true, but does it behove an enlightened and well-meaning Legislature to take all this risk for some possible good to the ryots? An experiment at least might very well be tried, and fixity of tenure coupled with freedom of sale granted to ryots of khas mehal estates, and the working watched for a few years before it is thought expedient to extend such rights *en masse* to the present body of Bengal ryots.

(32) Perhaps it will be said that transferability of occupancy rights is growing day by day more general. The statistics are not available to the public. Such of them as were published in the Rent Commission report do not all appear to relate to occupancy rights, and stray cases here and there do not prove or establish a general custom. If such a custom has grown up, we may rest assured that it will take care of itself; the Indians are very tenacious of their customs.

(33) As to the right of pre-emption given to the zemindars, it is to be observed that they will have to pay for the fancy of choosing their ryots. Sometimes this choosing is of absolute necessity to ward off an evil, but it will be an evil to which the zemindars will be made subject under the Bill proposed, and it is somewhat in the nature of a double injury to bring on him an evil, and then to tell him to ward it off by paying for the purchase of a right which is of no possible advantage to himself, excepting it be that, contrary to their present habit and mode of management, the zemindars in time to come think of introducing the English system of farming in such bought-up occupancy rights of ryots which comes to him under the pre-emption clauses. Whether this again will be for the good of ryots is a point that has yet to be seen.

As the Bill stands at present, no sooner after his purchase, the zemindar inducts a ryot in such bought-up tenure, such ryot will have a right of occupancy accruing to him in the land.

Statement of the confiscated estates of late Koer Singh in Zillah Shahabad.

1	2				3					4		5
NAME OF THE MOUZAHS	THE AREA AND AVERAGE RATE, AND THE JUMMA ASSESSED BY THE DEPUTY COLLECTOR, UNDER SECTION 12, REGULATION VII OF 1822, FOUND BY JUMMABUNDI PAPERS.				PROCEEDINGS HELD UNDER SECTION 5 OF REGULATION VII OF 1822.					PROCEEDINGS OF SALE.		REMARKS.
	Classification of land.	Area	Average rate	Jumma	Collection according to the jumma assessed	Deduction of [illegible] expenses calculated at the rate of [illegible] per cent.		Deduction of gilandazi expenses and re-collection expenses calculated at the rate of 15 per cent.	Balance showing the Government revenue.	Date of sale	Purchase money.	
		B C. S.	R a p.	R a p	R a p	R a p	R a. p	R a. p.	R a p.		R a. p.	
Gobind Debri, pergunnah Pero, zillah Shahabad.	Nukdi	66 9 4	2 12 3	193 10 9	900 14 1	90 1 4	720 12 9	108 1 9	622 11 0	7-4-62	7,100 0 0	Government revenue, excluding cesses, is Rs. 622-11 only.
	Bhowli	314 19 17	1 13 7	682 2 9								
	Parti jadid (new)	35 1 5	0 8 0	17 8 9								
	Garden	7 9 14	1 0 0	7 7 10								
		423 19 1		900 14 1								
Guburooa, pergunnah Pero.	Nukdi	78 12 12	3 1 8	237 14 0	1,043 4 3	104 5 0	938 15 3	140 13 3	798 2 0	5-5-63	6,500 0 0	Government revenue, including cesses, Rs. 810.
	Bhowli	372 15 11	2 1 1	770 13 0								
	Parti (old)	57 4 4	0 2 0	7 2 3								
	Garden	27 8 12	1 0 0	27 7 0								
		533 18 19		1,043 4 3								
	Lakhraj	8 19 11										
	Gair momkin, unculturable	93 17 18										
		636 16 8										
Mah[illegible]ary, pergunnah Pero	Cultivated land	318 9 8	2 0 0	636 1[illegible] 0	73[illegible] 4 8	73 13 3	664 7 5	99 10 8	564 12 9	25-6-61	1,100 0 0	Government revenue, including cesses, Rs. 630 only.
	Nukdi and Bhowli parti, new	126 18 6	0 12 0	95 3 0								
	Parti, old, culturable	24 13 5	0 4 0	6 2 8								
		470 0 19		738 4 8								
	Lakhraj	4 18 5										
		474 19 4										
Khore Dibro, pergunnah Pero.	Nukdi	450 3 15	1 9 6	717 6 9	951 12 9	95 2 9	856 10 0	128 6 0	728 4 0	7-4-62	7,250 0 0	Government revenue, including cesses, Rs. 737.
	Bhowli	256 1 15	0 13 2	201 2 9								
	Old parti	121 17 5	0 2 0	15 3 8								
	Garden	16 16 2	1 0 0	16 13 0								
	Parti, new	1 3 5	1 0 0	1 2 7								
		846 2 4		951 12 9								
	Gair momkin (unculturable)	45 14 6¾										
	Lakhraj	4 0 18¼										
		895 17 9										

1	2				3					4		5
Name of the Mouzahs.	The area and average rate, and the jumma assessed by the Deputy Collector, under Section 12, Regulation VII of 1822, found jummabundi papers.				Proceedings held under Section 5 of Regulation VII of 1822.					Proceedings of sale.		Remarks.
	Classification of land.	Area.	Average rate.	Jumma.	Collection according to the jumma assessed.	Deduction of village expenses calculated at the rate of 10 per cent	Balance.	Deduction of gilandazi expenses and re-collection expenses calculated at the rate of 15 per cent.	Balance showing the Government revenue.	Date of sale.	Purchase money.	
		B C. S	R a. p.	R a. p.	R a p.	R a. p.	R a. p.	R a. p.	R a. p		R a. p.	
Dhadia, pergunnah Pero.	Nukdi	108 1 11	1 11 0	182 2 3	474 10 0	47 8 0	427 2 0	64 2 0	363 0 0	20-5-64	400 0 0	Government revenue, including cesses, Rs. 375.
	Bhowli	161 13 9	1 11 0	272 13 3								
		269 15 1		454 15 6								
	Parti, new	7 12 9	1 0 0	7 10 0								
	Parti, kadim	96 4 3	0 2 0	12 0 6								
		373 11 13		474 10 0								
	Lakraj	3 0 2½										
	Gair moomkin	9 2 16										
		385 14 11½										
Kasmaria, pergunnah Pero	Mateor	316 6 1½	2 0 0	632 11 0	1,001 0 0	10 0 0	900 0 0	135 0 0	766 0 0	7-11-62	11,100 0 0	Government revenue, including cesses, Rs. 776.
	Dorus	219 1 15	1 8 0	328 10 0								
	Jadid parti	23 18 14	0 8 0	12 0 0								
	Parti, kadim	110 12 11½	0 4 0	27 11 0								
		669 19 2		1,001 0 0								
	Jageer goraits	3 6 1½										
		673 5 3½										
Dhamama, pergunnah Pero.	Nukdi	379 5 17	2 3 10	849 7 6	895 1 3	89 8 2	805 9 1	120 13 11	684 11 2	20-5-64	12,800 0 0	Government revenue Rs 725, including sarak and dâk cesses.
	Bhowli	64 4 2	0 11 4	45 9 9								
		443 9 19		895 1 3								
Karma, pergunnah Pero	Nukdi	861 8 14	1 12 0	1,495 4 3	2,389 12 0	238 15 7	2,150 12 5	322 9 10	1,828 2 7	7-3-63	12,500 0 0	Government revenue, including cesses, Rs. 1,828-2.
	Bhowli	562 5 11	1 4 0	702 13 6								
	Garden	70 19 8	2 0 0	141 15 0								
	Jungle	164 10 0	0 4 0	41 2 0								
	Parti, jadid	10 14 19	0 4 0	2 11 0								
	Parti, kadim, culturable	47 3 10	0 2 0	5 14 3								
		1,770 2 2		2,389 12 0								
Umroha, pergunnah Pero.	Nukdi	91 8 15	2 3 8	203 5 3	531 9 9	53 2 7	478 7 2	71 12 2	406 11 0			
	Bhowli	307 7 1	1 0 9	322 9 6								
	Parti, old	7 17 9	0 2 0	0 15 9								
	Garden	9 9 10	0 8 0	4 11 3								
		416 2 10		531 9 9								
	Lakhraj	9 18 6										
	Gair momkin	59 17 7										
		485 18 9										

APPENDIX.

Proceedings of an extraordinary meeting of the Behar Landholders' Association to consider the Bengal Tenancy Bill.

An influential meeting of the landholders of Behar was held at the Sujjubaug House of His Highness the Maharajah of Durbhangah at 6 P. M. on the 28th May 1882. There were present :—H. H. the Maharajah of Durbhangah, H. H. the Maharajah of Doomraon, H. H. the Maharajah of Hutwa, Syed Lutf Ali Khan, C. I. E., the Agent of Her Highness the Maharani of Tikari, the agent of Babu Run Bahadur Sinha of Tikari, Syed Fuzlul Rahaman, Kazi Reza Hossein, Syed Fuzul Imam, Rai Jai Prokash Lal Bahadur, the Hon'ble Hurbanas Sahai, the agent of Rai Mahabir Prashad of Dildargunge, Chupra, the agent of Babu Deo Kumar Sinha, the Dewan of Surajpura Wahid Ali Khan of Durbhangah, Syed Bahadur Ali Khan, Barh, Babu Saligram Sinha, Shahabad, Moulvi Mahomed Hossein, Patna, Shah Mehdi Hossein, Barh, Babus Harpat Narain, Patna, Jagdev Sinha, Patna, Sunow Lal, Patna, Syed Willayet Hossein *alias* Medhi Newab, Babu Bhuboneshwar Dutta, Maharaj Kuor Narendra Protap Sahi of Hutwa, Babu Sheo Protap Narain Lal, Chupra, Usuf Hossein Khan, Patna, Moulvi Mahomed Ishak, Durbhangah, Babu Govind Narain, Bhagulpore, Moulvi Mazhar Imam, Gya, Munshi Janki Sahai, Patna, Babus Mohesh Narain, Bhagulpore, Badri Narain, Bhagulpore, Hardayal Sinha, Buxar Sub-Division, Babu Ram Sarun Sinha, Patna, Shaikh Rasol Ullah, Mooktear, Zillah Sarun, Babus Deo Kumar Sinha, Sarun, Bishun Sinha, Shahabad, Shaikh Jean (for himself) and for Wali-ul Hossein, Patna and Gya, Moulvi Amir Haidar, Patna, Babus Sooraz Koomar, Patna, Kali Charan Sinha, Patna, Gajadhar Pershad, Patna, Moulvi Athar Hossein, Patna and Gya, Moulvi Zeauldin, Patna and Monghyr, Shaikh, Alahi Baksh, Patna and Gya, Moulvi Hamid Ashref, Patna, Gya and Shahabad, Moulvi Mahomed Taki Khan, Patna, Monghyr, Mozufferpore, and Bhagulpore, Babus Kuldip Shahai, Patna, Sree Kishen Lal, Patna, Nawab Sarfray Hossein, Patna, Peari Saheb, Patna, Hakim Mahomed Amir, Patna, Moulvi Abdul Kadir, Patna, Shaik Faridnddin Ahmed, Patna, Har Shankar Lal, Patna, Syed Geas Uddin Ahmed, Patna and Gya, Moulvi Ahson Saheb, Patna, Giridhar Chaubai, Patna, Rai Iswari Persad, Patna, Babus Jai Narain Bajpai, Patna, Narain Pershad, Patna, Makundi Lal, Patna, Sheve Narain, Patna, Shah Ahmed Nazir, Patna, Shaik Fazal Hossein, Patna, Babus Gouri Shankar, Sarun, Jengal Pershad, Sarun, Shaikh Mazhar Hossein, Patna, Shaikh Hameed, Patna ; Syed Zahoor Hossein, Patna, Gya and Tirhut, Syed Badrul Hassan, Patna, Syed Zafar Imam, Patna, Babus Darshun Sinha, Patna and Monghyr, Inderdew Narain, Patna and Monghyr, Babus Gopal Sinha, Patna, Bhawani Persad, Patna, Mahomed Ismael, Patna, Shaikh Turab Ali, Patna, Shaik Ameer Ali, Patna, Shaikh Janat Hossein, Patna, Shaikh Wahidulhak, Patna, Rai Doorga Pershad, Gya and Monghyr (for Rai Sultan Bahadur), Syed Abdul Hossein, Sarun, Syed Nehad Hossein, Patna, Syed Saif Uddin, Patna, Moulvi Abdul Guni, Patna, Shaikh Mahomed Rahim, Patna, Babus Jevan Chundra Mookerji, Poorno Chunder, Pleader, Patna, Moulvi Sham Shul Hoda of Patna, Badsha Nawab, Patna, &c., &c., &c.

His Highness the Maharajah of Durbhangah, in opening the proceedings, said :—

Maharajahs and Gentlemen,—You have been called here to-day for, as you all know, the purpose of considering the Bengal Tenancy Bill, and of expressing the views you hold on its provisions. In opening the proceedings to-day, I do not propose to make a speech, but to hear your views on the subject—views which I shall deem it my pleasing duty to convey to His Excellency the Viceroy in Council. You may rest assured that if you can shew that any provisions of the Bill trenches against the rights guaranteed to you by the permanent settlement, those rights will not be taken away from you. What these rights are it is not for me to say. The question has been dealt with by far abler men than myself, by, in short, the highest legal functionaries in the country—amongst them his Lordship the Chief Justice and the learned Advocate-General. You are probably aware what the views of the Chief Justice are. He thinks that if the Tenancy Bill passes into law, it will, without doubt, trench on our rights; and the learned Advocate-General, who has not published his opinion, holds, as I learnt from a conversation I had with him, as also from other sources, precisely the same views. These, gentlemen, are the independent views of the two highest legal functionaries of the country. Of course, there are people who try to make out that the provisions of the Tenancy Bill do not trench on the vested rights of zemindars; but, after reading and hearing the views of the gentlemen I have named, I must confess that I believe that the provisions of the Bill *do trench* on our vested rights. I will admit that on such an intricate subject as this, I am not competent to pass a judgment as I am not a lawyer myself, but the Government have the views of two of their very highest legal officers on the subject, and I think every one will admit that they, at least, are competent to pass an opinion. I may state that on this subject Lord Cornwallis held that the property in this soil was vested in the zemindars who were entitled to enjoy the fruits of their own management: and again it was stated in the Regulations of 1793 that the Government revenue being fixed, the zemindar was to enjoy for ever the difference between the value of the State share of the produce of every bigah of land now in cultivation or hereafter to come into cultivation, and this fixed money revenue. Furthermore, it was laid down that the zemindar was to let out the land of his estate with certain restrictions to whomever he pleased and in whatever manner he pleased. These, then, were, and are, your rights; and it is for you to say whether or not the value of your property will be deteriorated by the passing of the new Act. Older men than myself, with far greater experience than any to which I can lay claim, will be

able to give a weightier expression of opinion on the subject than I can. I can only say that if freedom of contract is done away with, the value of landed property must decline. You know that a special section of the proposed Bill debars the ryot from contracting against his rights of occupancy. Such contracts as you know are seldom made. But there are occasions when it is necessary that such contracts should be made. A piece of land may be situate at or about the dwelling-house of a zemindar, and though he may not have occasion for its immediate use, he may require it hereafter. He lets it out—but lets it out on condition that no right of occupancy shall accrue therein. It is chiefly in such cases where contracts are made, and is the zemindar to be prevented for ever from using his land? Then the ryot may wish to enter into a special contract, and is he not to be in a position to do so? What I mean to say is, that a ryot understands his own interests a great deal better than anybody else, and it is useless for the legislature to think that it can protect his interests better than the ryot can himself. My own opinion is that the Government, in proposing to legislate after this fashion, seems to think that the ryot is a child, and the zemindar a monster. Then again, the primary object with which a change in the law of landlord and tenant was contemplated was to give to the zemindars further facilities for the collection and enhancement of rents: in fact Sir Richard Temple first drafted a Bill on these lines; and if such a Bill had been passed it would have been much better indeed, though I may state that we, Beharis, never asked for such a Bill. The provisions of the present Bill, however, seem rather to go to the other way. The most speedy and best way of realising rent is in the power of distraint, and this power is now to be taken away from us. Some authorities contend that the power of distraint is an off-shoot of the English law, and it should therefore be abolished. Well, I admit that the members of the Rent Commission have given more time to this subject than any of us have; but there is one little fact which they have not explained, and which completely upsets their theory. You are probably well aware that some of the southern districts of Nepal are adjacent to the districts of Northern Behar; and if any one really wishes to find out what was the custom of the country previous to the Permanent Settlement he ought to go to Nepal, where he would discover a system of distraint which has been in force for hundreds of years—in fact from time immemorial. This little fact clearly proves to my mind that the theory of the Rent Commission—that the power of distraint is an off-shoot of the English law—is not the true theory. But they also seem to think that the power of distraint has only been introduced since the time of the permanent settlement, and therefore that there are sufficient grounds for abolishing it. In fact they proposed to abolish it altogether, and in this view the Government have effected a compromise, but I am confident that the proposed mode of distraint which is now only had recourse to as a speedy mode of realising rent, by making an initiative proceeding in a distant court necessary, will only frustrate the object in view. Then, again, the Commission and the Government are very desirous to put down oppression which, they say, is practised by the zemindars, and to restore the old custom of the country. But one of the greatest oppressions committed—and this, mind you, is a legal oppression—is the heavy taxes which we have to pay for justice. They have proposed to do away with the power of distraint and to appoint managers in ijmali estates, but no provisions have, I see, been made to do away with court-fee stamps, or to reduce their value (hear, hear and cheers). When they desire to do away with distraint they speak of the old customs of the country, but they are silent as to the customs of the country on the subject of court-fee stamps. As far as Oriental natives are concerned, the imposition of a tax on justice is viewed with feelings of repugnance, for they think that it is the duty of the Government to mete out justice. But as people get civilised their ideas change, and it may therefore be that there is not such a repugnance to a tax on justice among a more educated community. However, the fact remains that the tax on justice is a heavy one, and if that, at least, was done away with or reduced, the Government might be credited with the intention of giving us some cheap mode of realising our dues, and at the same time, reverting to our ancient Hindoo mode of doing the duty of a king As it stands, however, while the process for realisation of rent has been lengthened, nothing whatever has been done towards lessening the expenses. It is therefore that I say that the Government has in this matter of the rent law gone decidedly against the intention of Sir Richard Temple, whose object was to give facilities for the collection of rent. While, therefore, the power of distraint has been removed, nothing has been done to diminish the costs. As far as the enhancement of rent is concerned, I think the provisions of the Tenancy Bill are most monstrous. The Bill proposes fixing a table of rates for each pergunnah. Pergunnah rates, as you know, vary in each village. I have known many pergunnahs where the rates are Rs. 5 per bigha in one village; while the rates for similar lands in another village are only eight annas per bigha. Therefore I think that instead of fixing a table of rates for each pergunnah, the Bill ought to fix a certain proportion of the gross produce as the zemindar's rent. But the Government proposes to fix the maximum at one-fifth of the gross produce; whereas, as a matter of fact, in some parts of the country the prevalent customary share of the zemindar in *bhaoli* tenure is not less than half at the present date, and the State share of the produce, which was transferred to the zemindars in 1793, was never less than half. It is in fact proposed to introduce land courts similar to Irish land courts only in a different name. These are the only two points, gentlemen, on which I intend to say anything just now. I would like to have spoken more, but then I alone would be monopolising all your time and attention. The primary object, you will please to remember, was to give to the zemindars further facilities for the

realisation and enhancement of rent, and I hope I have shown to you, to the best of my abilities, that the proposed Bill will actually give us no such facilities; but, on the contrary, if it unhappily passes into law, it will have the effect of narrowing our powers to a great extent in securing even our undisputed dues. The other sections of the Bill refer to tenants in particular. I would like to have discussed the subject more fully, but as I am confident that it will be treated by other members who are older than myself and who possess a great deal more experience than myself in by far an abler manner, I shall not trouble you any longer with what I have to say. (Loud cheers.)

In moving the first resolution His Highness the Maharajah of Hutwa said :—" Gentlemen, you have been called here to-day to consider the Bengal Tenancy Bill. As you are aware, under that title a Bill to consolidate and amend the present law of landlord and tenant was presented to the Council of the Government of India by the Law Member on the 5th March, and, discussion having taken place on it on a subsequent sitting of the Council, the Bill has been referred to a Select Committee, which will meet after the Council meets again in Calcutta in November next. In the meantime the public have been invited to place before Government an expression of their opinion on the Bill, and the Bengal Government circular asks us to give our opinion by the 15th June at the latest. The Government translation of the Bill is only just out, but the Behar Landholders' Association have thought it their duty under the circumstances to publish ere long a vernacular synopsis embodying the most important changes proposed to be made by the Bill. That synopsis is now in your hands. You will be able to judge therefrom what momentous changes are going to be effected in your right by the proposed Bill. Gentlemen, it is said that all these changes are absolutely necessary, because here in Behar we are rack-renters and oppressors of our ryots. Now that is a charge which you have to answer. The charge implies one of these three things: *1st*, that the law does not afford sufficient protection to the ryots; *2nd*, that the administrative machinery is weak and powerless to enforce the laws; *3rd*, that the people, the subject of oppression, are ignorant of their rights or powerless to assert them. Now the first two of these suppositions cannot be correct, because the same law which admittedly makes the ryots of Bengal the masters of their landlords, prevails in this province, and the administrative machinery which affords them protection and redress against wrongs in Bengal is ready to afford them protection and redress in Behar as well. There remains the last of these suppositions, and the question is whether it is a fact that our ryots are ignorant of their rights and powerless to assert them. Now, gentlemen, agriculture in this province is not, as you are aware, confined, as in Bengal, amongst the lower orders of Mahomedans and Hindoos. We have here amongst our ryots the veritable cultivators of the soil, Brahmins, Rajputs, Babhons, Kyasts, Coiris, Kurmis, Gowalas, in fact all castes of Hindoos represented; and we have also a class of Mahomedan ryots, not so low and despised as the Mussalman ryots of Bengal. Now, are these people ignorant and powerless to defend themselves? They are certainly not more ignorant than the landlords to whom they pay rent. Gentlemen, we have heard ever and anon stories of the depressed condition of the Behar peasantry. There is no question that sometimes the pressure of population, the excessive sub-division of lands, proprietory and ryoti, which is the consequence of our law of inheritance—nay their extravagance in foolish displays on occasions of marriages and so forth, the luxury of litigation which they have come to indulge in with all the administrative conveniences at their very door, are telling hardly against our people in general; but I doubt whether it is a fact that our agricultural people are worse off than the same class of people in lower Bengal. Whether money rent is higher or lower here than in Bengal is a question to which I do not enter at present, but granting that the money rent is higher, is it not a fact that while our peasants here make two and sometimes three harvests out of their holdings, in Bengal they get only one? Have we not in our midst numerous instances in which from the position of a mere cultivator, our Koiris, our Kurmis, our Gowalas have risen to be thikadars and ultimately the zemindars of their mouzahs? How many instances of this kind can Bengal show? Before they vilify us, let our vilifiers at least make enquiries into these points. Let them satisfy also us to whether it was not a fact that here in Behar, at the date of the permanent settlement, the rate at which assessment was made was or was not something like three-fourths of the produce in kind of every bigha of land, and whether these rates have not been reduced by the zemindars themselves in the interest of their ryots. Let them satisfy also whether it is or it is not a fact that the rate which the zemindars now receive from the ryots is much lower than the rate which they are entitled to demand as the pergunnah rate. Now if other facts were wanting, would not these facts at once show that the Behar zemindars are not the tyrants, the harpies, and the rack-renters they are represented to be? Does this not show that in the face of a growing population and an increasing demand for land, the Behar zemindars have not been wanting in their good will towards the ryots? Gentlemen, it was only year before last that Sir Ashley Eden, in replying to a deputation of the Behar Landholders' Association, said: " I can assure you that nothing has given me greater pleasure than to notice, as I have had ample opportunities of doing, the extraordinary improvement in the condition of the people. It is made manifest in a hundred ways daily, even to the most casual observer. I hear the same story from all classes, official and non-official, and it is a matter for general congratulation.

" This improvement is due to various causes—first and foremost, to several succeeding harvests, plentiful almost beyond the recollection of the present generation, and these full harvests followed years of trial and famine. Next there has been, with growing prosperity,

and an increase in the value of land, a *general awaking* of the cultivating classes, and an improved knowledge of their legal rights and privileges, and this has, I hope, been accompanied by a stricter administration of the law. Then there has been a greater readiness on the part of landlords to recognize and affirm the rights of cultivators, and I hope that this may to some extent be due to the influence of your association." Does this testimony, coming from such a high quarter, show that our ryots are yet ignorant, and that our zemindars are unwilling to recognize their rights? If this is not so, and even if this were so, where would be the justification of the violent changes about to be introduced—changes which would sweep away half our rights! Gentlemen, you have heard of the fable of Jupiter and the little frogs. The little frogs expressed themselves dissatisfied with their king-log, and asked Jupiter to send them one better, and Jupiter sent them the king-stork. Our fate is much the same. If not we, our brethren of Bengal, complained that Act of 1859 did not afford them sufficient facilities for realizing their rents, and they have gone on complaining till we and they have been all alarmed by the Bengal Tenancy Bill. The development of the Bill in its present form illustrates the fable in a very marked manner. The Behar Rent Commission assembled at Sonepore in 1879, but before they could submit their report, a short Bill was introduced in the Bengal Council by Mr. Mackenzie. This dwarf Bill had only two objects: to make occupancy rights transferable, and to make a short procedure for the realization of rents. It also, by the way, defined occupancy rights so as to make it to some extent more restricted than it was under Act X of 1859. This was was thought a sufficient *penacea* for the ryots' bills. Well, we protested, as we thought it our duty to protest, both in the interest of the landholders and tenants. The Bill was referred to a Select Committee, and on the recommendation of this Select Committee, instead of taking up the rent law piecemeal, it was resolved to face the whole question once for all. This was the origin of the Rent Commission. In the meantime, the recommendations of the Behar Rent Commission were submitted to Government, and the Rent Commission having been appointed, the whole question of rent law together with the recommendations of the Behar Rent Commission, was referred to that body. The Rent Commission drafted a Bill, the provisions again trenched on our rights, and it trenched against some of the rights of the ryots also, the Rent Commission, according to their report, having offered them by way of compensation to the zemindars. Now we memorialized again against these provisions. Without adopting the Bill of the Rent Commission in its entirety, the Bengal Government commissioned Mr. Reynolds to draft a Bill, and ultimately it sent up a Bill of its own to Government of India, and this Bill, notwithstanding a pledge given by the Government of Bengal in a letter to the British Indian Association that it was to be published for the information of those *interested*, was never published. The Government of India, having consulted Her Majesty's Government, have determined on the main features and general principles of the Bill, and the result is the Tenancy Bill before you. Now, gentlemen, if you would simply compare the provisions of these various Bills, as regards the three main questions of fair rent, fixity of tenure, and freedom of sale, you will find a perfect illustration of the fable I have quoted above; you will find how the dwarf has developed itself into the monster which threatens your existence. Mr. Mackenzie's first Bill did not tough on the question of fair rent at all, nor was it alleged at the time that in the interests of the ryots that question was at all necessary to be touched; it did certainly restrict occupancy rights to a greater extent than before, and it prescribed a summary procedure for realization of rent which, if not exactly summary, would have compensated the unscrupulous amongst the zemindars for many a loss of his rights. In return it granted a free transferability to occupancy rights. This was its salient point. The Behar Rent Commission report, which had been put forward as an excuse for some of these violent changes, did not recommend any change at all with respect to the three main questions alluded to above. The Rent Commission certainly recommended many changes, but as regards occupancy rights, the Bill left the law as it is; only its numerous explanations and illustrations would have made the right more difficult of acquisition. It restricted ryoti rights to actual cultivation. It fettered transferability by providing against mortgages, and it limited fair rent to a fourth of the estimated average annual produce of land in staple-crops. Only it attempted to create a new class of ryots with three years' occupancy to whom it gave certain rights. Now the Tenancy Bill deals with these questions in a more summary way. It gives occupancy rights to all *settled* ryots, with respect to all ryoti lands they may come in possession of irrespective of the time of occupation; it makes transferability unrestricted, except that it gives the landlord a right of pre-emption—a right which he would never choose to exercise if he were wise, and it limits fair rent to a fifth of the estimated average annual produce of land in staple-crops in cases of occupancy rights; while as regards ordinary ryots, the tendency of the provision will be to give occupancy rights to a ryot no sooner he will get into possession of a piece of land. The doctrine "once a tenant always a tenant" will have meaning of its own under the Bengal Tenancy Bill.

Now, gentlemen, instead of troubling you with the details of all the changes made under the Bill, I will confine myself to the most important ones I have indicated above. I will show you how all these changes tell against the rights vested in us by the permanent settlement. Take for instance the question of fair rent and its limitation to a maximum of a fifth of the estimated annual produce of land in staple crops as regards occupancy ryots, to five-sixteenths in cases of ordinary ryots, and to half in cases of *bhaoli* tenures.

These limitations touch the very principle on which the permanent settlement is based. That settlement as you all know, though dictated by the kindliest of policy towards a subject

race, was in the nature of a contract, under which Government, for the consideration of a fixed money rent or revenue, parted with its rights with respect to a share of the produce to every bigah of land in favour of the zemindars. It was something like a perpetual lease under which the Government for all times to come leased out its share of the produce of land to zemindars for a permanent rent or revenue, which the latter agreed to discharge for all time to come without making any application or claim for remission on ground of drought, inundation or famines. Now, gentlemen, in India the produce of the land had been at all times divided between the State, the zemindar, and the actual cultivator. The zemindar under the permanent settlement is now entitled to the first two shares, and any limitation which would be determined without due regard or enquiry as to what was this share or shares would go certainly against the principles of the permanent settlement. The zemindar does not certainly like to touch the share of the ryots. The rights of ryots could not be and were not indeed touched by the permanent settlement, because they were no parties to that settlement; but the zemindars are certainly entitled to ask to be protected in their rights (*i.e.*) to their own share of the produce and the State share which was transferred to them in 1793. What was then the State share of the produce at or about 1793, is the question. It is a question which, notwithstanding its importance, has been left undetermined during the present discussions. But, as it appears to me, it has been fully determined ere long. In 1812, a parliamentary committee sat on the affairs of India, and in one of their reports called the fifth report they make the following statement :—

"In the extensive plains of India a large proportion, estimated in the Company's provinces, at one-third by Lord Cornwallis, at one-half by others, and by some at two-thirds, of lands capable of cultivation lies waste and probably was never otherwise. It became, therefore, of importance to Native Governments, whose principal financial resource was the land revenue, to provide that as the population and cultivation should increase, the State might derive its proportion of advantages resulting from their progressive augmentation. * * * This rule is traceable as a general principle through every part of the empire which has yet come under the British dominion, and undoubtedly had its origin in times anterior to the entry of the Mahomedans in India. By this rule, the produce of the land, whether taken in kind or estimated in money, was understood to be shared in distinct proportions between the cultivators and Government. This share varied when the land was recently cleared and required extraordinary labour; but when it was fully settled and productive, the cultivator had about two-fifths, and Government the remainder." During the early days of the Hindoos, the State share was certainly smaller. We find from Manu that the King's share was from one-twelfth to one-sixth. But even, during the last days of the Hindoos, the share had come up to a fourth. Akbar fixed it at a third, but there is evidence to show that even during his reign, the share actually taken was half. It had certainly come up to a higher proportion during the days of Aurangzebe and the last days of the Mahomedans, and when the British Government obtained the Dewany, and on the date of the permanent settlement, this share, on which the public assessments were made, had not been certainly reduced.

Now this was the share on which the permanent settlement was based. The share was not only due with respect to lands actually in cultivation, but became due, as we find from the quotation given above, no sooner a bigah of land came into cultivation. Three questions will perhaps be asked. *1st*, it will be said that though theoretically the State share was three-fifths, the money assessment was lower. True it is that Akbar commuted his one-third into a money rubbeh; but many abwabs had been added up to his rubbeh and at the date of the permanent settlement, there is good evidence to shew that money assessment wherever, as in Behar, not actually based on an actual proportion of the produce, was based on a money rent that bore a higher proportion to the gross produce than the rubbeh of Akbar; *secondly*, it will be said that though the zemindars were actually entitled to the State share of the produce *plus* their own share, that is to pergunnah rate of rent, in practice they never keep up to this high figure in the pergunnah. There can be no question that the so-called pergunnah rate, at which the assessment was fixed, pressed very heavily on the ryots then, and the only way the zemindars could relieve them of this high pressure, and at the same time keep their estates from sale, notwithstanding the high amount of revenue which they had to pay, was by doing their best to develope the resources of their estate (*i.e.*) by actually bringing waste lands into cultivation. Many could not do this, and their estates were brought to sale. Well, gentlemen, the permanent settlement was not an immediate boon to the zemindars with whom the settlement was made. Many of these could not discharge the high amount of revenue which had been assessed on their estates, and as a great historian of India says—"The selling of the zemindaris immediately began and proceeded with a rapid pace. In the year 1796, the land advertized for sale comprehended a rent roll of 287,000 sicca rupees, which, according to the total assessment, was nearly one-tenth of the whole of Bengal, Behar and Orissa in a single year. By the progress of this operation the whole class of the ancient zemindaris, instead of being erected into an aristocracy, was speedily destroyed;" *thirdly*, it will be said that this limitation does not touch existing rates, that the zemindars will not be disturbed in the enjoyment of his present rent, and that it only stops enhancement where the rates are already exorbitantly high. Well, gentlemen, it is not absolutely true that the limitation will not touch existing rates.

In *bhaoli*, a rate of 9 annas share of the produce out of the 16 annas is not uncommon now in Behar. In this case, immediately on the passing of the Act, the rate will be

reduced to 8 annas, and a zemindari, the present income of which is Rs. 9,000 under *bhoali* tenures, will not have its income reduced to Rs. 8,000. Then again, as I have already told you, the limitation touches the very principle on which the permanent settlement was founded. That settlement was not made for a day or for one hundred years. It would be as much an infringement of that settlement contract if the zemindars or their successors are hereafter to be debarred from the rights which were given to them in 1793.

Take then the question of fixity of tenure and freedom of sale. At the date of the permanent settlement, lands were under the occupation of the zemindars as his *nij jote*, in the occupation of middlemen, or in those of actual cultivators, khudkast and others. A great part of the land was, however, waste. *Nij jote* lands, here in Behar malikana lands, which the zemindars had previously held whether they entered into settlement or not, were amalgamated with the malguzari lands under the permanent settlement. There cannot be any question that at least with respect to these lands the zemindars had full proprietory right, and could do with it just as they pleased; historically it can be proved that this bit of land descended to a *Gram Adhikari* (zemindar) from the time of Manu. It is now proposed to fetter the zemindar's power with respect to this class of land also. They will be only nominally his, if he had been imprudent enough to settle it with a ryot, and the ryot had been in possession for 12 years. The next class of lands, those in the occupation of middlemen, does not much concern us here, as sub-infeudation in the province has been till now very rare.

As to the lands in the occupation of ryots, *khudkast*, or otherwise, the limitations fixed were that the pattahs of *khudkast* ryots were not to be cancelled, unless they paid less than the pergunnah rates, and for some reason or other which does not concern our present purpose, this provision was not made applicable to Behar. It was also stipulated that the existing lease of other ryots were not cancelled during the term for which such pattahs had been granted. With these reservations the zemindar was given the full power of letting out the lands to whomsoever he pleased and in whatever manner he pleased. This was in 1793. We are told now in 1883 that we must not do whatever we pleased with the lands which we have brought into cultivation at a very heavy expense to ourselves. Then that not only every squatter is to get occupancy rights with respect to these lands at a rent nor exceeding a fifth of the estimated annual value of the produce, but that he will have a transferable right too. Now, gentlemen, whatever might have been the rights of the *khudkast* ryots of old, a class of ryots entirely forgotten by the provisions of the Bill, no one pretends to say that they had a saleable right at the date of the permanent settlement. I leave others to tell you how these provisions of fixity of tenure and freedom of sale are calculated to disturb the existing rural and agricultural system in these provinces; how if these provisions were to stand just as they are in the Bill without any let or hinderance to the power of subletting of occupancy ryots, while you, gentlemen, all will be reduced to a three-anna zemindar, a new kind of 13-anna zemindari will spring up, the creation of the Tenancy Act, with men as proprietors who will be nominally known as ryots.

Gentlemen, I have been so long in shewing you how the provisions are calculated to trench on our rights as vested in us by the permanent settlement. The reservations of power in the hands of Government to enact laws for the protection and welfare of ryots do not mean that vested rights should be taken away to be given to others. Gentlemen, the permanent settlement is the "Magna Charta" of our rights as also of the rights of our ryots; far be it from our thought to usurp the rights of our ryots, far be it from our thought to raise obstacles in the way of Government enacting law for their protection and welfare, far be it from our thought to object to the benevolent intention of Government to ameliorate their condition. I am sure you will all co-operate in a body to improve the condition of your countrymen. The charge of apathy, of want of public spirit, can be fortunately no longer brought home to your doors; but I am sure, as you will do justice, you will expect justice to be done to you in return. No gentlemen, I am sure, under Her Majesty's benign Government, which is established on the solid rock of justice, in which the rights of even the meanest are protected, your rights will not be taken away if you will only loyally, firmly and constitutionally represent your case to Her Majesty's noble representative in India. The Government of our Excellent Viceroy Lord Ripon, which has already done so much for our people, cannot do a conscious injustice to that important class to which you belong, and if you can only show that the changes contemplated by the proposed Tenancy Bill trench against our rights as guaranteed to us by the permanent settlement, you can rest assured that you will get full justice done to these rights.

His Highness the Maharaja of Doomraon seconded the motion. He said that he agreed with all that has just fallen from His Highness the Maharajah of Hutwa, that he has said in full what he had to say on this question, at the meeting of the zemindars at Shahabad, and he does not like to detain you with another speech here.

The Hon'ble Hurbans Sahai, in supporting the Resolution, said that the substance of the Resolution was that certain rights had been guaranteed to the zemindars by the permanent settlement, which rights, it was understood, could not be taken away. The reservation of power for protection and welfare of the ryots did not mean that the rights of the zemindars should be taken away to be given to the ryots. It was asserted that the zemindars were in the habit of rack-renting and oppressing the ryots. If the meeting bore with him, he would show them how the Government protected its ryots. He held in his hands authenticated copies of certain pottahs given to ryots in khas mehals, and he would read to them some of the

conditions of those pottas.—"Whereas in accordance with the order dated 29th July 1879, 25 bighas of land numbered below, situate in mehal Diora Khowaspur, pergunnah Arrah, property of the Government, were let out with us at the rate of Rs. 6 per bigha, the annual jumma of which being Rs. 150 exclusive of cesses for one year. Therefore we write the kabuliut that we may cultivate the land and appropriate its produce, that we may pay the rent of the land to the Government *kist* by *kist* and year by year, that in case of default and if we do not deposit the Government rent in the treasury within the time allowed, and if any part of the rent is not paid by us, the Government servants have power to eject us from the land without having any assistance of the civil courts, and will not wait for completion and expiration of the year; and they have also power to realize the rents with interest thereon at the rate of 12 annas per cent. calculated from the date when it became due by sale of our moveable and immoveable property whatever could be found without procuring any assistance of the civil courts, and we ourselves, our heirs and representatives cannot have any objection to those proceedings; and if they have any, that will be disallowed and rejected. If any damage is done to the land by our fault we will be held responsible for it and we will, without any objection of dryness of season, or the produce of land being watered and washed away or any unexpected damage to the crops, pay the rent assessed; and if we put forward such objection that will be rejected, and that if we die within the time of settlement mentioned in this kabuliut, the Government servants are at liberty to settle this land with any other they like, or they may settle it with our heirs till the period of settlement expires. If any order of the Collector be passed, we will not anyhow disobey the order, or if we do so by negligence or idleness on our part, we shall be liable to any penalty and punishment given under the provisions of the law in force. If after the term of settlement expires, the Government has power to allow the present settlement to remain, or to annul this settlement and let out the land with any other person whom they may think fit; and in this new settlement neither we nor our heirs have or will have any objection; and if they have any, it is not allowable. And we are not anyhow authorised under the terms of this kabuliut to transfer the interest in land without the permission of the Government servant or give any pottah (lease) to any other person, or make any other person partner; and if we do anything inconsistent with the terms mentioned in the kabuliut, the servants of the Government are at liberty to make the kabuliut void without any assistance of the court. And if the Government has any necessity of taking the land, we will without any objection relinquish it. And be it known we will never acquire our gezushta right in this land; and without any order we will not plant any trees or bamboos in the land, and therefore we have written this kabuliut that it may work at any time of necessity."

The Hon'ble gentleman then commented on the provisions of the Bill, section by section, as follows:—The condition of the Government khas mehal ryot is worse than that of his brother in a private zemindary. The Bill, in the first instance, should have been applicable in his case, as the rate of rent in khas mehals is fixed according to the whims and fancies of the settlement officers, and sanctioned by the higher revenue authorities. The tenant incurs the expense of coming into court as plaintiff against the Government; while the Government enjoys the privilege of recovering rents summarily. Is not the position of the most oppressed ryots of a private landlord enviable in comparison with that of the most happy of the khas mehals? Those who know to what an alarming extent enhancement of rent has taken place in khas mehals, and to what dreadful oppressions and hardships the ryots there are subject, will not hesitate to answer in the affirmative. Should it not, therefore, be made in keeping with the generous and liberal profession of the Government to give as much protection to the ryots of its own estates as to those of private zemindaries? Indeed, the anxious solicitude for the welfare of the dumb and oppressed millions comes with a very bad grace from the Government, when it does not hesitate to treat our own ryots so ungenerously and illiberally as is generally done in khas mehals.

The ryots, partly on the false belief that there is no remedy against the officers of the Government, simply submit to their lot without the least murmur of complaint. Let the Government, therefore, if it really wishes to improve the condition and status of the ryots, extend the boon to its own tenants. Let it itself set a noble and pious example to the oppressive zemindars that they may be ashamed of their inhuman and unpatriotic conduct, and may follow after the footsteps of the Government. The Government as a zemindar has been so long setting a bad example to other landlords, that it is high time that it should now find its own mistake and correct accordingly. The provision of the Bill does not affect the powers of the settlement officers, the reason being that it will not interfere with their powers of fixing the rates at the time of settlement in temporarily settled estates. Do not the ryots of such estates deserve as much protection as the ryots of the permanently settled estates? The zemindar is a much-abused creature; vials of wrath have been poured upon his head. Much has been said about his oppression, greediness, and unmitigated selfishness. In short, he has been represented as a vulture intent only on falling upon his prey, the ryot, and the Government has offered itself as his protector. But such conduct on its own part does not seem to be in keeping with its own profession. The second chapter of the Bill deals with the khamar and ryoti lands. It provides that the existing stock of khamar lands cannot be hereafter increased, and further that all land shall be deemed as ryoti land. Why should such a presumption be made in favour of the land being ryoti? Hitherto the practice of the court and the custom of the country has been just the reverse. If a ryot claim against the zemindar or a landlord as a ryoti, the onus of proof lies upon him. It may be that in a village there has been no custom established before the commencement of the Act with regard to the recognition of zerait land. Why should not a zemindar treat such land as zerait?

Section 6.—Now in some villages there are waste lands and land unreclaimed and lands under water. These lands ought to be comprised within khamar lands: lands from which no rents have been realised cannot be called ryoti lands. It has not been correctly represented that the zemindars of Behar always make persistent efforts to increase the extent of khamar or, as it is termed, their zerait land, whereas it is true only in the cases of their lessees or some small landowners.

Section 9.—What is the Collector to do in a village where there is no custom established before the commencement of this Act for recognition as zerait, where the Collector finds that some lands have been newly purchased by the zemindars, or some lands have been relinquished by the ryot, and is in the possession of the zemindar? This section makes it a matter of necessity to amend the definition of *khamar* land.

Section 10.—One month's time of appeal will not be sufficient for big zemindars.

Section 13.—Why should not a zemindar be allowed to acquire ryoti land after the approval of a register of *khamar* land by the local Government? For instance the register has been approved of by the Government in the month of May 1883, and a ryot holding a certain jote relinquishes his jote, or a zemindar reclaims certain waste land in the month of June following. Why should not lands of this description be recognized as *khamar*? Thus it will be necessary for the Government to revise the register annually.

CHAPTER III.

Section 15.—The presumption that the land, the rent of which has not been changed for 20 years, will be considered that it has been held at that rent from the time of the permanent settlement, is very objectionable.

It may be modified, and at least "twenty years from the time of Act VIII of 1869" should be substituted for it, otherwise it will prove very hard to the zemindars.

Section 20.—The ryots of the estate not permanently settled deserve as much protection as those of the permanently settled estates. The Government has saved to the settlement officer a right to raise the rent, simply because it will affect its own revenue.

Section 22.—The provision that the rent of the tenure-holder cannot be enhanced under Section 21 to more than double the rent previously payable is objectionable, for the fair and equitable rent may in some cases be more than double the amount previously payable.

Section 23—The restrictions as to the progressive enhancement to rent is altogether unnecessary. If the enhancement be considered just and equitable, why should it not be introduced at once?

Section 47.—The principle of section 47 cannot be defended. According to the present law, a ryot who has cultivated different lands in a village has no right of occupancy in the land so held by him. The zemindars consider that they can oust him at any time; but should it be declared that his ryot has right of occupancy in all the lands held by him on the second March 1883, they will be taken by surprise.

Section 49.—The section should be modified as follows: "unless he has held on lease for a term, or year by year."

Sections 50-56.—The Bill does not at all benefit the actual cultivators of the soil. The middle class cultivators who will be profited by it, are not after all the actual cultivators of the soil. The provision of giving the right of sub-letting the land will not at all do any good to the actual cultivator, who under its provision will not be allowed the rights of occupancy. This is certainly anomalous and its inevitable effect will be to put the actual cultivators at the mercy of grasping middle-class tenure-holders. The actual cultivators will not feel any permanent interest in the land, and they are therefore not likely to increase the value thereof. It will unnecessarily multiply subordinate tenures which will prove prejudicial to the interest of agriculture. The Bill interferes with the freedom of contract. It provides very unjustly for a right of occupancy against any contract to the contrary. It will defeat the very object of the Bill—the interest of the ryot The ryot may of his own accord give up his legal right in order to secure some personal benefit, but in case the provisions of the Bill are carried out, no chance of benefiting himself will be left to him. It will also be remembered that the ryots have now-a-days to deal with large landowners who are more lenient than the class of middle-class tenants, who are now going to be created by the provisions of the Bill.

Section 51.—As regards the right of pre-emption, though it is true that the zemindars have been allowed this privilege, still they are not allowed to buy on the same conditions as the ryots. The ryot does not lose his right of occupancy by leasing it to any other person, if he does not wish to cultivate himself, but no such provision has been made in the case of the zemindar. He has not been allowed even the right of an ordinary purchaser; all this injustice is going to be done to him simply because he has the misfortune of being the owner of the land. What can be a better proof of the one-sided character of the Bill than this? The tenants will be raised, to all intents and purposes, to the commanding position of proprietor, while the real proprietor will be reduced to an accountant.

The right of pre-emption will not serve the purpose of checking objectionable transfers. A neighbouring rich and powerful zemindar would find no difficulty whatever to collude with the tenants of another weak neighbour, and to instigate them to sell their tenures simultaneously and *en masse.* Having not sufficient money at his command, his land would pass into the hands of the unfriendly zamindar, who would harass his weak neighbour by stopping payment. It is clear that by the powers of transferring and subletting which the Bill recognizes, the great bulk of the actual cultivators would not be occupancy

tenants. The law does not afford any protection whatever to them; so from a ryot and zemindar's view both the provisions are very objectionable. It does not benefit the ryots and at the same time does not guard against objectionable transfers. The zamindar will find it difficult to cultivate the land himself, and thus will be obliged to lease the land, and will gain no advantage. The moment a zamindar who purchases an occupancy right in his own land lets that land to another ryot, he loses his occupancy right. Can there be anything more unjust than this? He will have to pay a large sum of purchase-money, but he will not be allowed to enjoy the benefit thereof. Nothing can be more objectionable than such arbitrary legislation. As regards the ryots' powers of transferring and subletting, the Government proposes to make in future provision for complications that may arise thereof; but it is better not to create complications than first to create and correct them afterwards.

CHAPTER VI.

Deals with the subject of rents payable by occupancy ryots. Under the provisions of this chapter, the ryot has not been allowed to act as a free agent. It will interfere obnoxiously with the freedom of the parties, and it will prove much prejudicial to the interests of the ryot himself.

Section 59.—The ryot himself is the best judge of his own interests. The approval of any written contract by the revenue officer is wholly unnecessary.

Section 61.—Moreover, the revenue officer has been virtually debarred from registering any contract by which a ryot engages to pay a rent more than one-fifth of the estimated annual value of the gross produce of the land. Even from a ryot's point of view it is very objectionable, as it will inflict much hardship in many cases, inasmuch as the ryot will not be able to gain any personal advantage by giving up his legal right. So it will be seen that liabilities of the zemindars nearly amount to seven-sixteenths, but he will get only one-fifth. So he will be a loser by seventeen-eighteenths of the gross produce of the land. The sections for enhancement cannot be worked properly, and they will become dead-letters, and it will become worse than the present provision for enhancement of rent. The only result will be that the zamindars and the ryots will have to pay from their own pocket the necessary expenses for investigation, &c., and there will be frequent disputes about the correctness of the classification of lands, which will be a fruitful source of endless and ruinous litigation.

Sections 76 to 79.—The provisions as to enhancement not beyond double rent previously payable, as to powers to order progressive enhancement are very objectionable, as already noticed. The Bill lays down a uniform proportion with respect to the rates of rent in all the districts, but it ought to be remembered that the facilities for cultivation, the capital and labour employed, are not the same with respect to all lands in all districts.

[*The remarks relating to sections 81 to 118 will be found on pages 177 to 180 of the appendix.*]

It has to be noted that some years will be some fifty years hence; they will require all that help which the State can give them if they by that time do not learn how to help themselves. Are they rack-renting and are the ryots rack-rented? The Beharees are indeed poor, but I deny that the system of tenure which prevails in the province, the sort of relation which subsists between the zamindars and the tenants in this province, make them poor. The great populousness of the Behar districts and the consequent low rate of wages serve to make the great landless classes poor. To these causes you have to add their want of thrifty habits; but are the agricultural classes poorer than the corresponding class even in Lower Bengal? This is to be seriously apprehended that a great national calamity will ensue, if agriculture continue to be our only national pursuit. Already there is a great sub-division of lands among the proprietory body, and the transfers of ryoti rights and their heritable nature will make agricultural holdings smaller and smaller year by year. Government should therefore, when it would further the interests of the poor, instead of proceeding on a false assumption that the zamindari system is the cause of the poverty of our ryot, try to find out the real cause, and apply the true remedy. The population of neither Behar nor Bengal will prosper by demolishing the zamindars, but drawing the attention of the people to other than agricultural pursuits, setting up industries, and industrial schools will go a great way in that direction.

Gentlemen, when Act X of 1859 was enacted, it was thought that the Government had sufficiently redeemed its pledge of affording protection to the ryots. Sir Frederick Halliday said:—" A heavy obligation towards the raiyat long unfulfilled by our legislature has now been fulfilled by enacting Act X of 1859. Two successive Chief Justices of the High Court of Judicature of this country condemned the new right of occupancy given under that law to ryots as an invasion of the zamindars' rights and as inconsistent with such rights; but Act X was passed, and the zamindars and ryots had been content to abide by its provisions for the last 25 years. Gentlemen, it is now thought that Act X of 1859 had not done enough, and the legislature now thinks of going beyond what had ever been thought of by the most radical members of the Government when enacting Act X of 1859. If the provisions of the proposed Bill are allowed to pass, the permanent settlement under which you hold will be a mere dead-letter; you will be, as the Maharaja of Hutwa has very well expressed it, a 3-anna proprietor in your zamindari, while the 13-anna rental proprietor will be an occupancy-right ryot, mind, not the ryot of the present day, the actual cultivator, whom the Government thinks it its bounden duty to support, but some designing speculator who will come in his place.

Gentlemen, I am not much accustomed to public speaking, but it is a time when all should speak. None of you, I am sure, deny to your ryot rights which properly belong to him. Though you are stigmatised in the highest places, one and all, as rack-renters and

oppressors of your ryots, I am sure you all are fully alive to your duty to ryots. But while you will do justice to others you will doubtless expect to have justice done to you. You will certainly claim the right of being protected in those rights which have been guaranteed to you under the permanent settlement.

Seconded by Rai Joi Prukash Lal Bahadur.

3rd Resolution.

That the provisions regarding the survey and register of khamar lands, those relating to improvements and record of rights, will lead to unnecessary and costly litigation, the effect of which will be the impoverishment and, nay, sometimes the utter ruin of both the landlords and tenants.

Moved by Maharaj Kumar Narendra Narain Pratab Sahai Bahadur of Hutwa.

Seconded by Babu Saligram Sinha of Mednipur, Shahabad.

Supported by the Agent of the Maharani of Tikari and Babu Gajudhur Pershad.

4th Resolution.

That it is unwise to unsettle customary laws and tenures which have been prevalent from time immemorial, and the Behar zemindars look with serious apprehension to the special provisions for the commutation of bhaoli tenures into nakdi, as calculated to affect seriously the interest of agriculture in this province.

Moved by Syed Usuf Hossein Khan.

Seconded by Syed Willayet Hossein *alias* Mehdi Nawab.

5th Resolution.

That the advantages offered by the Bill to the tenants are substantial and new, while those offered to the zamindars are *nil*; that the Bill in fact proposes re-distribution of property between landholders and tenants for what is taken away from some of his rights, and the provisions of the Bill do not fall within the power reserved to the Governor-General at the time of the permanent settlement, to enact laws for the protection and welfare of dependent taluqdars and ryots.

Moved by Moulvi Fazlul Rahman.

Seconded by Kazi Reza Ausein.

6th Resolution.

That a sub-committee of the following gentlemen, with power to add to their number, be formed to draw up a memorial stating all the objections to the provisions of the Tenancy Bill, and it be submitted to Government through Behar Landholders' Association.

Moved by Munshi Bahadur Ali Khan.

Seconded by Agent of Tikari.

Supported by Mahomed Ali Khan of Durbhangah.

After a vote of thanks to the chair, proposed by Mir Shamshul Hoda and carried by acclamation, the meeting dispersed.

No. 188 R.L., dated Calcutta, the 2nd July 1883.

From—J. Monro, Esq., Commissioner of the Presidency Division,

To—The Secretary to the Board of Revenue, Lower Provinces.

With reference to your letter No. 351A, dated the 29th March 1883, I have the honour to submit the report on the Bengal Tenancy Bill, therein called for.

2. I have found it impossible to hold a conference with district officers, as the adoption of such a course would have involved their absence from their districts for several days, at a specially busy season of the year. The reports which I have received I forward herewith.

3. I have had many conversations on the subject with officials, zemindars, and others, and have omitted no opportunity of ascertaining the feeling of the people generally in connection with this important measure.

4. As was to be expected, the landholding class is most strenuously opposed to the Bill, and there is no doubt that a most uncompromising resistance to its provisions will be manifested. There is a general feeling amongst members of the landholding class that zemindars will practically be effaced and reduced to the position of annuitants or partners with their ryots in the profits of land, and that the Bill, with its manifold provisions in favour of the ryots, constitutes a distinct infringement of the rights which they conceive were guaranteed under the terms of the permanent settlement, and which they have certainly exercised without dispute for nearly a century.

5. It is rather curious to notice the different views of the effect of the Bill as taken by the planters of Lower Bengal and of Behar. The majority of indigo planters in Lower Bengal, who are often landholders themselves, are opposed to the Bill, although some of them do not think that much harm will be done, specially with reference to the enhancement clauses. In Behar, again, I have noticed a decided feeling arising that the interests of the planters, hitherto identified with those of the landlords in consequence of the tikadari system, will now be found to be on the side of the ryots.

6. The ryots themselves are as usual ignorantly apathetic on the subject. They have heard some rumours of impending changes, and, in some instances, agitators have made them believe that the millennium of the ryots is at hand, when they will pay only nominal rents for, and reap all profits from, their land, but as a rule they have no intelligent idea on the subject, and it is difficult to define any feeling which they may have on the matter. Had the seasons of late years been unfavourable, no doubt we should have found them in a more complaining mood, but with good harvests they are not disposed to repine, and only wish for

scarcity to show itself in some district other than their own, that they may reap the benefit of increased prices of their crops. Under any circumstances it would be very difficult to convey to the mind of any ryot an accurate impression, or to create in it any definite idea, of the meaning of the proposed alterations in the law, with reference to compensation for improvements, compensation for disturbance or the doctrine of Merger.

7. I have to apologize for the hurried style in which my notes upon the Bill have been made. At this time of year when officers are overwhelmed with annual reports of all kinds, it is simply impossible for any one to find time for a leisurely discussion of such an important subject as a complete change in the relations between landlord and tenant. I have therefore been compelled to make notes on the Bill as I could find time amid the pressure of exceptionally heavy current work. It is not open to me now to discuss the principle of the Bill. Upon that question, as connected with the rights of the zemindars under the permanent settlement, I have already expressed an opinion, and, after the authoritative declaration of the Government of India of their views upon that point, it is not for me to re-open the discussion. There is, however, one point on which I venture to think I may still be permitted to make a remark. The Bill is framed for the purpose of carrying out a pledge given by the Government with regard to the rights of ryots, at the time of the permanent settlement. And in pursuance of the effort to fulfil this pledge it is now proposed to give the ryots fixity of tenure, fair rent, and freedom of sale of their holdings.

8. How far these privileges or rights were guaranteed under the terms of the settlement has been disputed; how far the ryot requires fixity of tenure which he has, in Lower Bengal, practically got, is also a question upon which there have been differences of opinion: whether freedom of sale will in reality confer on the ryots the boon which it is intended to give them, is also an open question; but there is and can be no difference of opinion as to the ryot being required to pay a fair rent for any holding which he possesses.

9. Many provisions have been laid down for the purpose of ensuring to the ryot exemption from demands of unfair rent, and the pledge given at the time of the settlement has been frequently referred to as the justification for the enactment of such provisions. Whether the terms of the pledge then given justify the provisions of the law which it is proposed to introduce, has been, and will be, hotly contested by the zemindars. But there is one portion of the pledge given by the framers of the settlement, as to the interpretation of the terms to which there is no uncertainty, and yet I find no proposal made as to any intention being entertained of effectively fulfilling our promises—I mean the pledge as to the absolute abolition of illegal cesses.

10. It seems to me that this question is of the most vital importance in considering the point of fairness of rent, and it appears almost a mockery to devise a multitude of provisions for regulating the exact amount of money to be paid by the ryot under the name of rent, while we leave unlimited and unchecked (for the declaration in sections 123 and 124 practically impose no greater check than exists now) the demand on the part of rent receivers of every degree, with reference to illegal cesses. How can we with propriety call any rent *fair*, which is to be supplemented by practically unlimited illegal demands of cesses, which, although abolished by law, the representative of the zemindar in council describes as the "moral adjustment of enhanced rent."

11. There can be no doubt as to the meaning of our ancient pledges in this respect, there can be no doubt as to the absolute non-existence of any right on the part of zemindars to realize such cesses, and there can be no doubt as to one having for nearly a century permitted the ryots to be unwarrantly oppressed, without giving them any substantial relief against the illegal and extortionate demands made upon them by zemindars and other rent receivers.

12. It seems to me that it is our bounden duty, when talking of the force of pledges given nearly a century ago, to put an effectual stop to illegal oppression before regulating legal demands. Especially do I think so, when I believe, as I do, that the summary and stern repression of such illegal oppression by zemindars, will do more to ensure to the ryot the payment of a fair rent than many elaborate restrictions and provisions, such as are contained in the present Bill.

13. It is notorious that such illegal cesses are levied in almost every zemindari in the country, although all such irregular demands have been by law abolished. It is equally notorious that such demands are paid by tenants, although they press very heavily on the ryots, and raise their contributions to their zemindars far beyond the standard of moderate enhancement. It must be also clear why such irregular payments are paid by ryots, who are not ordinarily liberal in the discharge of their duties to the landlord. The reason simply is, that the ryot submits to these exactions rather than have his rent enhanced by order of Court, because he has no security that, after such legal enhancement, the demand for illegal cesses will in any way be relaxed or diminished, and because he has no practical protection under the law against the illegal exactions of his zemindar with regard to such cesses.

14. It seems to me a disgrace to our administration that we should admit our incapacity to deal with such universal and flagrant breaches of the law, and the ryots, it appears to me, can hardly be expected to attach much value to our professions of legislative interest in their welfare, when we fail to devise effectual means to protect them against demands of their zemindars, which are admittedly illegal, which are undoubtedly oppressive, and which will continue to render any rent unfair, although its fairness may be secured by many provisions in a Tenancy Bill.

15. If the ryot were first of all secured against, what I would term an immoral "adjustment of enhanced rent," in the shape of illegal cesses, and if the zemindars were rigorously

punished for such undoubted infractions of the laws of the land, we should then have made the first step to secure fairness of rent, and should have removed the chief objection of the ryot to legitimate enhancement of his dues to his landlord. Till that is done, (and if there is any meaning in promises, we are pledged to do it), I cannot believe that any real progress will have been made in rendering payment of rents by ryots *fair*.

16. I come now to consider the details of the Bill, and here I find myself in a peculiar position. Holding the views which I have previously and on another occasion expressed, I cannot consider many of the provisions of the Bill as fair to the zemindar, with reference to the rights, which they have enjoyed for a century, and yet I am precluded from calling in question the principle upon which the Bill is founded. My remarks must therefore be more general than if I were supporter of the Bill suggesting modifications in details based upon a principle which I thoroughly endorsed.

17. Before going on to consider the more important provisions of the Bill generally, I have a few remarks to make regarding khamar land as dealt with in Chapter II. So far as regards Lower Bengal, there is no such extensive recognition of the difference between *khamar* and *ryoti* land, as exists in Behar with reference to *zerat*. I question very much whether many zemindars in Lower Bengal could tell accurately how much khamar and how much ryoti land is included in their jummabundis, when they possess such documents, and still fewer landlords would be able to file any documentary evidence as to lands having been held as khamar. For example, all *utbundi* lands are considered to be khas lands, but yet I never heard of zemindars calling them khamar. Similarly, all *nakshan* holdings revert to the possession of the zemindar, and lands in churs and alluvial formations are undoubtedly in his exclusive possession.

18. If the definition given in section 5 of khamar land is not extended, so as to cover *utbundi* and *nakshan* lands, the inclusion of such lands under *ryoti* will be most unjust to the zemindar.

19. Further, if the register which is now to be prepared is never to be amended, how will chur lands coming subsequently into the possession of a zemindar be shown?

20. I am bound to say that I have not seen in Lower Bengal any manifestation of any tendency on the part of zemindars to bring ryoti into the category of khamar lands. This tendency undoubtedly exists in Behar, and for Behar this chapter is chiefly framed. I have, however, seen indications of a tendency on the part of ryots to filch khamar land when they got a chance, and call it ryoti.

21. It seems to me that acting upon the presumption that all land is ryoti, until the contrary is shown, the zemindars will have, under the circumstances of Lower Bengal, great difficulty in establishing their rights to what really is khamar. When the time comes for a field survey of the province (and until this is done we shall never have any really satisfactory determination of the questions at issue between landlords and tenants), it would be fair to mark off as ryoti the amount of land held by each ryot as ryoti according to jummabundi, leaving the surplus to be adjudicated either as khamar or ryoti according to proof adduced. In many cases, I have no doubt that such surplus would represent much khamar land that had originally been filched from the zemindar, owing, I admit, to his own laches by the ryots.

22. With reference to the provisions of section III, there is not much to be said. I am bound to say that the extension in section 15 of the presumption from twenty years holding at unchanged rent, is in my opinion going too far. I much prefer the previous proposal of limiting the proof required to 20 years' unchanged rent before 1859.

23. Is the provision in section 20 to have retrospective effect with reference to the thousands of temporarily settled estates in Bengal?

24. I have no special objection to the provisions for enhancement of rent of tenures.

25. Why should not the right of pre-emption be given to the landlord in the case of transfer of tenures? It is of quite as much importance to him to keep out an objectionable transferee of a tenure as of an occupancy holding.

26. With reference to registration of tenures, I see no reason for the provisions of section 28. It is advisable to restrict such transactions to the parties themselves, and not to bring in the aid of the courts or revenue officers on every occasion. The landlord can always be brought to account for refusal to register as provided in section 32.

27. With reference to occupancy ryots, and the provisions of the Bill regarding them, I object to the extension of the provisions of Act X of 1859, specially with reference to the definition of a settled ryot in section 45.

2nd.—With reference to what seems to me the unjust provisions of section 47.

3rd.—With reference to transferability of the tenure.

4th.—With reference to sub-letting.

5th.—With reference to the abolition of freedom of contract.

6th.—With reference to the provisions of sections 59 and 61 of Chapter VI. With reference to enhancement of rents by contract, other limit of money rent payable by a settled ryot taking a new holding.

28. I have nothing new to add to the arguments of those who object to the extension of occupancy rights proposed by the Bill. It seems to me as to them unjust that the element of *residence* should not be an essential feature of the status of a settled ryot. I see no reason why a settled ryot having a right of occupancy in certain lands should, as a matter of right, have the same status in lands, which may be miles away from his village, although within the same estate, and the accrual of a right of occupancy to a settled ryot, in any lands subsequently acquired by virtue of his tenancy of lands at the time of his becoming a settled ryot, seems to

me an unjust extension of occupancy right. I do not object to the tenures of occupancy ryots being made transferable subject to the consent of the landlord, or even without such consent because as a matter of fact such transfers of tenures have become a matter of custom (although it may be remarked in passing that the customary exercise of rights *by zemindars* for a century is not admitted by the framers of the Bill, as a valid argument for arrogating such rights), but I question very much whether this power of transfer will be such a boon as is represented to the ryot. It will undoubtedly enable him to raise money for the purpose of spending it, but that it will, with his improvident habits, convert him into a thrifty peasant, I have very grave doubts.

29. There is no doubt that this unfettered power of transfer will encourage the disputes and faction quarrels which have always been a prominent feature in native families, and if in addition to this power of transfer is given the privilege of sub-letting, without consent of the landlord, the latter will very soon find his estate full of occupancy ryots or their dependents in the shape of his bitterest enemies.

30. The right of pre-emption on the part of the landlord is good so far as it goes, but the condition of being obliged to let the land as an occupancy holding does away with much of the protection which the right of pre-emption affords.

31. If the tenure is allowed to be transferable, I would, on no account, permit sub-letting, which will simply encourage ryots to let out their tenures, and prey upon the sub-tenants. Such a system will in the end lead to sub-tenants or ordinary ryots under occupancy holders being much more rack-rented than they are now.

32. As to the abolition of freedom of contract, I altogether fail to see the justice of the provision. I do not find anything of the kind in any of the settlement regulations, and I fail to see how the ryot is ever to learn how to stand alone, if he is to be rigidly protected against himself. The ryot is to be allowed freedom in every respect, except when he enters into an agreement with his landlord. If this is not setting class against class, and teaching the ryot to look upon the landlord as his natural enemy, words have no meaning. I would certainly leave the parties to contract as they please, and the courts should not, in my opinion, refuse to recognize such contracts. Denial of the right of contract has a distinct tendency to make the landlord resort to illegal cesses, and the ryot acquiesce in such improper exactions. For, if the tenant is in need or wishes in any way to propitiate his landlord, he will agree to pay a *mangan* without much hesitation, seeing that the right to make a legitimate agreement with his zemindar is denied to him. I must confess that, according to my experience, the ryot of Lower Bengal is not such a down-trodden or helpless creature, with reference to his own interests, as he is represented to be. I notice that the case of Backergunge is cited as an instance of exceptional prosperity amongst ryots, brought about apparently by the existence of a large number of peasant-proprietors in that district. I am not prepared to attribute the prosperity of Backergunge to this cause, but if peaseant-proprietorship in that district has caused prosperity, it is undeniable that such a system of land tenure has also brought with it a development of turbulence unknown in any other district. But leaving Backergunge out of the question, I can point to the majority of ryots having occupancy rights in Dacca, Tipperah, Chittagong, Jessore, Noakhally, and other districts, as being men who are eminently calculated to look after their own interests. It seems to me hardly consistent to inculcate upon the people by one enactment their fitness to govern themselves, and in another to provide them with a means of protection against their own acts. To give them power to vote with reference to matters about which they express little concern, and to deny them a right to contract with regard to their rent, about which they are supremely interested.

33. With reference to the provisions for enhancement, it seems to me that, considering the difficulties of the subject, the proposals embodied in the Bill are on the whole fair. It might be simpler to eliminate the standard as regards rate of one-fifth of the average annual value of the gross produce of the land, and lay down the principle that the enhanced rent should not exceed so many annas in the rupee of rent, but I am not prepared to suggest any better provisions than those laid down. The general provisions as to the enhanced rent not being more than double the previous rent paid, that it may be ordered to take effect gradually, and that no re-enhancement shall take place for ten years, are in my opinion salutary. I do not see that zemindars have any reason to complain of these provisions, and I quite admit the necessity for giving the ryot protection against the ever recurring threats of enhancement which have embittered the relations between landlords and tenants.

34. I am not of opinion that it will be practicable to frame tables of rates such as are proposed, without an amount of harassment and expense to both landlords and tenants, which would be ruinous to them, and, even when prepared, I question very much whether it would be fair to either party to keep them in force for even ten years. Whether, when we have a field survey, it may be possible to frame such tables of rates with less expense, is another question.

35. With reference to the provisions regarding bhaoli rents, I must admit that my service having been almost entirely in Lower Bengal, where this system is not so prevalent as in Behar, I am not in a position to give any opinion derived from practical experience.

36. With regard to ordinary ryots, the provisions of the Bill militate against all previous practice under which a tenant-at-will was allowed to hold land in accordance with agreement entered into between him and his landlord. I think it unwise that such a practice should be disturbed, and am not prepared to support those provisions which fix a maximum of rent to

be demanded, and which introduce the entirely new system of compensation, for the disturbance of tenancy of a man who has no right to such tenancy except under agreement with his landlord.

37. Throughout Lower Bengal there is no necessity for recognizing any other principle than that of mutual interest between landlords and tenants, in determining the relations which should exist on the part of landholders to tenants-at-will. No landholder in his senses will now aim at extravagant enhancements, for such a policy will very soon relieve him of his ryots. Most landlords are now anxious to get ryots to settle, and eviction, even of tenants-at-will, is a procedure which is, I imagine, more sparingly resorted to in Lower Bengal than in any country that I know of. The relations, therefore, between landlords and tenants-at-will may safely be left to determine themselves according to the economic laws of supply and demand.

38. Instalments of rent should, in my opinion, be payable according either to custom or contract. Interference, such as is contemplated in section 98, is not desired by either ryots or zemindars, and does not appear to me to be desirable.

39. It is very proper that receipts should be given as laid down in section 100, and I have no doubt that these provisions will do much to stop the forgery, which prevails to such a lamentable extent in connection with rent receipts. I do not, however, see that the ryot should be entitled to have such a statement of account as is specified in section 101, without paying a fee for the same. Such a statement is entirely unusual, and in a large zemindari will involve considerable expense on the landlord, in the way of keeping up clerical establishments. The rent receipt is sufficient protection to the ryot, and if he wishes to have a further safe guard, he should, in my opinion, pay for it.

40. The provision as regards deposit of rent are unobjectionable, except that in 103 (a). The ryot should not be allowed to deposit simply *when he has reason to believe* that rent will not be received or a receipt given. He should first make the tender as at present, and, after refusal made, should be at liberty to deposit.

41. The chapter upon compensation for improvements seems to me to be based upon an entirely mistaken theory as to the wishes and acts of Bengal ryots with regard to improvements. It seems to be assumed that every ryot who has a holding is wishful to improve it, and that he only requires fixity of tenure to invest capital in developing the latent resources of his land. Hitherto he has been afraid to invest money owing to the uncertainty of his tenure and the oppressions of his landlord. Once fix the former and restrain the latter, and it is assumed that the ryot will have courage to improve his land, which has hitherto remained less productive than it should have been.

42. Now there have been for centuries, and are now, millions of ryots who have had fixity of tenure, and to whom the provisions of the Bill on the subject of the existence of tenant right are no novelty. Have these ryots shown any inclination to invest capital in improving their land; have they evinced any desire to increase the productive powers of the land, even by the elementary process of manuring it; have they done anything under the influence of fixity of tenure in the way of constructing for the benefit of their lands any of the numerous works specified in section 26 as agricultural improvements?

43. I do not know what may be the condition of affairs in this respect in other parts of the province, but in Lower Bengal the ryots with rights of occupancy or fixity of tenure have done nothing to improve their lands, and although, if, as is proposed, an opportunity of demanding compensation for improvements is given them, they will be only too ready to advance false claims for mythical expenditure in this respect, I say, without hesitation, that ryots with fixity of tenure have evinced no desire to benefit their land or expend any portion of their supposed savings in developing its resources. Any such improvements as have been made have, so far as my experience goes, been carried out by landlords, and not by ryots, and I see no reason to believe that the ryots, when they have more capital, will change their nature or their habits as regards expenditure, which they think ought to be incurred by their zemindar.

44. If by fixity of tenure the ryot manages to save, he certainly does not spend his profits on his land. He may add to his house, which hardly can be called an agricultural improvement, buy cattle, increase his wife's stock of ornaments, spend somewhat more at marriages and village festivals, but it will not occur to him to improve the land, which, in his opinion, ought to improve itself, which has for ages yielded crops without expenditure on his part on agricultural improvements and which ought to continue so to do.

45. The ryot, so far as my experience goes, does not want to improve his land or be improved himself, he wants to be let alone, and this chapter on agricultural improvements introduces a system which is perfectly new in the bucolic history of Bengal, which is certainly not needed with reference to the acts or wants of ryots at present, and which will infallibly lead to litigation and false claims of every description, such a system will also most certainly lead to landlords declining to undertake or give any assistance to villagers in undertaking village improvements, and when villagers with, as is the case in most instances, opposing interests are left to themselves to carry out so called improvements, the result may be easily imagined.

46. I would not object to seeing the whole chapter excised from the Bill, but if it is to be retained, I am not in favour of giving even the occupancy ryot any right to make improvements for which at some time the landlord may be called upon to pay compensation, unless such improvements have been sanctioned by the landlord. It might be left open to the tenant to compel such consent, if, after application made, the landlord refused to allow any reasonable improvement to be carried out.

47. With reference to tenants-at-will, I would allow no improvements to be made by them without the landlord's consent.

48. The doctrine of merger contained in paragraph 141, is, so far as I am aware, unknown to Indian law, and I find nothing in the papers connected with the Bill which shows me that the application of such a principle is in any way required either by ryots or landlords.

49. The appointment of a common manager in the case of zemindars who are quarrelling is a provision which is very necessary in the interests both of the public peace and private rights. I do not see anything objectionable in the provisions of the Bill on this point. It has been objected that, under the provisions of section 142, any discontented ryot may cause his zemindars much trouble. I do not, however, take this to be the meaning of the words "any one interested in the estate or tenure" in section? If by these words is included *any ryots*, then I think that it should not be within the power of one tenant to set the law in motion. I would not say that the majority of tenants only should have such power, but would leave indefinite the number of ryots having interest in the estate, upon whose application the civil court should take action, unless, "a large proportion (*vide* section 164*a*) of tenants applied," I do not think the civil courts should act.

50. I am quite prepared to admit that, if the provisions of sections XI and XII can be successfully carried out, and, if we can have a record-of-rights made, and rents ascertained, great progress will have been made in reaching a solution of many of the vexed questions at issue between landlords and tenants. The expense of such proceedings as are contemplated under these two chapters will be enormous, and I suspect ruinous to both parties. Before making these provisions of universal application under the order of Government in the cases specified in section 151, Government should, in my opinion, try the experiment thoroughly in Crown Estates. We have not yet, in the similar operations which have been carried on in settlements, sufficient data to work upon, and I much fear that the amount of litigation which would be at once excited by the application of these provisions generally, would be very injurious to both ryots and landlords, who might wish to make use of them. At the same time, I believe, that, if the system can be carried out without involving too much outlay, the principle of ascertaining and recording rights and rents paid (I am not quite prepared to go the length of *fixing* rents as proposed) will go a great way towards settling disputes, and facilitate the realization of rents.

51. As to the provisions for recovery of rent which was the beginning of the legislation which has found its outcome in the present Bill, I am afraid that landlords will hardly feel satisfied as to the relief which has been given them. Distraint has been practically abolished, for very few landlords will avail themselves of the provisions of the Bill, which enable them to apply to a Court for permission to distrain as laid down in the Bill. If a landlord has first to pay fees as for a suit, file an elaborate application duly verified and supported by documentary evidence and then finds that when he comes to execute his process, that pending operations at court, the crop sought to be distrained has been removed, as it almost certainly will be, such landlord will not be much encouraged to repeat the experiment in many instances.

52. So far as Lower Bengal is concerned, the existing provisions of the law as regards distraint may be safely maintained. I have no objections to illegal distraint being sternly put down, and I would visit abetment of such offences even with the punishment provided in *section* 186. Such a punishment, however, as I have already pointed out, is much more severe than that provided by the code for practical abetment or connivance at a riot involving perhaps loss of life on the part of a zemindar. If the lighter punishment for such abetment of a serious offence is to be maintained, it seems all arc at one that connivance at an act of illegal distraint should be considered of so aggravated a nature as to demand such severe repression.

53. The further provisions for the speedy realization of rent go some way towards simplifying present procedure for recovery of rent, and, so far as they go, must be accepted by the zemindars as provisions in their favour. I am bound to say that *on the principles on which the Bill is drawn*, the zemindars could not expect further relief. I suspect, however, that they expected, and I am not prepared to say that they had not a good right to expect very much more substantial relief as the outcome of their applications for a summary method of realizing rents preferred during the last 12 years.

54. Generally, while I am prepared to accept the provisions of the Bill with reference to enhancement, as on the whole such as landlords under present circumstances cannot complain of, I am bound to say that I consider the provisions of the Bill in most respects unfair to zemindars, and one-sided in favour of ryots. This I hold to be the case with reference to (*a*) the immense extension of the rights of occupancy; (*b*) the bestowal of large rights on tenants-at-will; (*c*) the withdrawal of freedom of contract; (*d*) the provisions with reference to improvements; (*e*) the introduction of the system of compensation for disturbance; (*f*) the practical abolition of distraint, while insufficient relief is given in the way of a summary procedure for realization of rents.

55. Under such circumstances, I cannot convince myself that the Bill, if passed into law, will render practicable a satisfactory solution of the difficulties attending the disposal of the questions at issue; on the contrary, I feel constrained to believe that the application of the various provisions of the Bill must result in endless litigation, active hostility between landlords and tenants, and injury to the property of both.

No. 349G, dated Jessore, the 31st May, 1883.

From—E. J. Barton, Esq., Collector of Jessore,
To—The Commissioner of the Presidency Division.

I have the honour to reply to your circular No. 3RL of 9th April, 1883, requiring my opinion on the Bengal Tenancy Bill.

2. I beg to premise that my remarks are limited to the applicability of the Bill to Lower Bengal, more especially to my own district of Jessore, and that I do not think I am required to refer to the provisions which relate to Behar.

3. I have to inform you that I have doubts if it would be expedient to pass the Bill in its present shape. *I think that a more speedy and a cheaper means of realizing rent is desirable, and that a Bill which secures this would do all that is really necessary.* So far as the Bill endeavours to secure a speedier and cheaper recovery of rents, I am in favour of it.

4. The parts of the Bill which, I think, are open to objection, and which still require mature consideration and modification are those which introduce changes into the respective rights of landlord and tenant, and raise the tenant into the position of a co-partner at the expense of the landlord, without giving the latter any compensation for the property of which he is deprived.

5. I doubt if it is expedient to introduce the drastic and serious changes which the Bill proposes in the substantive law, which at present regulates the respective rights of landlord and tenant. Constant changes in legislation are greatly to be deprecated in this country, and should only be made when a clear and undoubted necessity arises. In the present case, I do not think that any such necessity has arisen. Of course I here speak of Lower Bengal, and of the district of Jessore more particularly. The Bill gives to all ordinary ryots facilities for acquiring the status of settled ryots *against the will of the landlord*, and gives occupancy rights to settled ryots in respect to all ryoti land, *see* sections 88 to 90. It makes occupancy rights transferable, *see* section 50, and limits the maximum of the zemindar's claim to one-fifth gross annual produce in all occupancy tenancies, *see* section 61. The Bill, in important matters, deprives a landlord of liberty of contract with his ryots. I consider that the whole of the above provisions require careful reconsideration and modification, and that some of them, instead of conferring a benefit upon cultivating ryots as they are intended to do, will injure them. I consider that the Legislature should interfere with liberty of contract only in cases of the most pressing necessity, and that no case of this kind has been established so far as the landlords and tenants of Lower Bengal are concerned. I am far from maintaining that the condition of the ryots in Lower Bengal is what it should be, or that their landlords' treatment of them had been such as the Government had a right to expect in accordance with the terms of the permanent settlement. I merely express an opinion that this Bill will not improve matters in either respect, and there is grave reason to fear that it will aggravate the evils which it professes to remedy.

6. With regard to the question how far it is expedient to allow contracts providing against the acquisition of the right of occupancy, I think it is perhaps better to leave the parties to contract for themselves. The in-coming tenant might, in the generality of cases, be prevailed upon to accept the terms offered to him by his landlord, but it is neither fair nor sound upon judicial principles to place a restriction on the freedom of parties to contract as they will. The argument which may be raised in favour of restricting the right of landlords to choose their own terms in letting out their lands to tenants may, with equal force, be applied to all kinds of contracts, and I do not see why landlords should be deprived of their right in a particular class of contracts only.

7. The Bill, in many important particulars, reduces the zemindars to the position of annuitants, deprives them of incentives to improve their estate and the condition of their ryots, and vests important rights over their property in the ryot's rights, which the zemindars have enjoyed for many years, and of which, in my opinion, the present state of the country does not justify the forfeiture without compensation.

8. The opinions of the gentlemen named below are herewith enclosed, in original, for your information :—

Names.	Profession.	Opinion whether for or against the Bill.
Mr. W. G. Deare	Sub-Divisional Officer, Jhenida	For the Bill.
" Tweedie	Indigo-planter and zemindar	Against.
" Oatts	Ditto ditto	Ditto.
" Shirreff	Ditto ditto	Ditto.
Moulvie Moazzim Hossein	Small Cause Court Judge and zemindar	Ditto.
Pramatha Bhusana Deva Raya, Raja of Naldanga.	Zemindar	Ditto.
Babu Shyamadhaba Roy	Deputy Collector	For the Bill.

Memo. No. 40, dated Jhenidah, the 1st May, 1883.

From—W. G. DRAKE, Esq., Deputy Collector,
To—The Collector of Jessore.

Refers to the Collector's No. 78G., dated the 14th April, 1883.

As far as my individual opinion is concerned, it seems to me the Government, in the exercise of an inherent right, have, with much care, labour and research, drafted a Bill which, if it becomes law, will very largely improve the condition of the ryots and subordinate landlords. It will raise the inferior occupants of the soil from the position of serfs, and give them a real interest in their holdings, for they will learn that, so long as they act legally, they will be in a position to assert and maintain certain rights, and be no longer at the mercy and caprice of a landlord. In my opinion the Government are acting justly and in the interests of humanity in legislating for the benefit of a people very largely agricultural. Of course, certain provisions of the Bill are very distasteful to the zemindars, but the Government are considering and dealing with the interests of those who, from their situation, are dependant and helpless and at the mercy of the landlords, whose one aim is gain at the expense of tenants. The Government are not exceeding their authority in limiting the privileges of a rich and powerful, but small, class of landed proprietors, whose interests are also very fairly protected by the Bill.

One landlord's opinion respecting the Bill is, that it is one-sided and calculated to increase difficulties between landlords and their tenants. It is arbitrary and unjust, and the frequency of the expression "notwithstanding any contract to the contrary" shows a total disregard for engagements legally entered into and duly registered, the cancelling of which cannot fail to be disastrous in its effects upon zemindars. But I fear enquiry may disclose that the landlord, taking advantage of his power and influence and of the ignorance and helplessness of the ryot, has bound them under engagements largely beneficial to himself and probably injurious to the ryots. They are bound hand and foot by engagements unprofitable to themselves, and cannot cast off the yoke and improve their circumstances. The Government have a right to step in, and declare that such one-sided engagements shall no longer be recognized, but that the ryot shall have a fair field for his industry.

Such is my opinion. There is great need for legislation, if the ryot is to be emancipated from serfdom and to be allowed to take up a position as a free man, able to turn his industry to the best advantage to himself, to improve his holding, and secure a safe and permanent dwelling, without, in the first place, having to purchase the landlord's permission at a runious cost, so long as he acts legally and pays a fair rent. The Bill in its present form will, it seems to me, meet every requirement.

I append a report drafted by the Sub-Deputy Collector, showing the opinion of local Native landholders regarding certain portions of the Bill.

Draft Report by BABU NOGENDRA LAL MITTRA, *Sub-Deputy Collector.*

A public meeting was convened, and the opinion of the respectable inhabitants and pleaders of the sub-division was consulted, and they one and all consider that a slight modification in the Bill would be well for the interest of landlord and tenant, both classes alike.

It seems to me the points of the Bill which require particular consideration are the following:—

(1) Occupancy-ryot.

(2) Proposal for taking away from the hands of the landlord right to give consent to build, excavate tanks, fell trees upon his land, and while the landlord is thus deprived of his right, the tenant has been vested with the right to claim compensation for any improvement in case he be disturbed in his possession even for non-payment of rent.

(3) Proposal to give power to the occupancy-ryot to sell or sublet his right to anybody, without the consent of the landlord.

(4) Direct interference with private contract.

CHAPTER V.

Describes at length how occupancy right is acquired and what right an occupancy ryot can exercise under this Bill. The definition of an occupancy ryot is a broad one, so much so that an occupancy ryot can be classed with that of second grade landlord. This ryot under the Bill can build, excavate tanks, cut trees on his holding, and can sell, sublet, transfer, or mortgage his right without the consent of his landlord. Before anything is said on this class of ryot, I would moot the question who is an occupancy ryot. This class of ryot is not the actual cultivator of the soil, and the expenses and risk of cultivation are not his, but he would enjoy the privileges though. A sub-tenant faces all their risk and pays expenses of cultivation, borrowing money at a high rate of interest from his mohajany. As soon as the harvest season is over, these matans, landlords, and above all, or occupancy ryot, come in for their respective profits. Can a cultivator lay by anything after satisfying these three classes of payees. The Commissioners recognise occupancy ryots who are virtually no better than middlemen. The condition of the peasantry of Bengal has not been bettered, and unless these squatters or middlemen are removed, there is no chance of its getting bettered in future. Again, an occupancy ryot can sublet his holding. I consider a ryot ceases to be a ryot when he sublets his holding. These middlemen do not cultivate land or go to any risk whatever, but they acquire occupancy right by the mere fiat of the law. If the sub-letting be

recognized, the class of middlemen will increase, the condition of the actual cultivator of the soil remaining the same.

CHAPTER X.

Ryot from the time of the decennial settlement has been acting under the old usage of the country, *viz.*, building and excavating tank upon his holding with the permission of his landlord. The landlord in giving permission to the cultivable or arable land, thus converting into a homestead or bastoo one, does not lose. By the introduction of the change surely landlord will be a loser, and more so when he is to deal with a refractory ryot. By the provision of this chapter a proprietor suffers doubly,—1*stly*, being deprived of the right to give permission to the ryot for excavating tank, &c.; 2*ndly*, by being compelled to compensate a refractory ryot for the losses he may sustain by his own refractoriness.

CHAPTER V.

It has been already pointed out that, if the sub-letting system be allowed to go on, then the present occupancy ryot would be converted into middlemen ere long, and middlemen as a class are not actual cultivators of the soil. Now the tendency of the Bill is to give privileges to occupancy ryots, and probably Legislature has in view the bettering of the condition of the actual cultivator of the soil. But if the occupancy ryots convert themselves into middlemen, and the practical effect of the Bill be to better the condition of the middlemen only, then I beg to submit the object of the Bill will be sadly frustrated.

The right of transfer of occupancy right, if given unconditionally to the ryot, would probably move the same effect.

CHAPTER VI.

The next subject which requires notice is the proposal of vesting the revenue officers with the power of interfering with the private contracts between the landlords and tenants. I should think that the contemplated interference cannot have a beneficial effect. Private contracts have always been held sacred by law except in peculiar circumstances. A long-standing quarrel between a landlord and ryot may be put an end to by a private arrangement. And if the parties to a contract consider it beneficial to their actual interest, I think it is not necessary for Government to interfere and unsettle a thing settled by the parties themselves, who, I believe, would understand their interest better than any officer of Government.

Dated Porehattie, the 28th April 1883.

From—C. TWEEDIE, Esq.,

To—The Collector of Jessore.

Having been asked to give my opinion on the proposed Bengal Tenancy Bill, I have read it over carefully, and am struck with dismay at its contents: a more unjust and arbitrary Bill, and one calculated to widen the breach between landlords and their tenants, and gradually stamp out the former, could not well be drawn.

The injustice of the expression which runs throughout the Bill, "notwithstanding any contract to the contrary," is so great, that I cannot believe it will ever be sanctioned by any law-maker who gravely considers the matter—to do away with contracts (terms of tenure), and they are many, which have been legally made and duly registered, and which have greatly tended to calm down the differences which arose by the passing of Act X of 1859; will upset all that has been done during 24 years by those landlords who have given attention to the management of their estates, and will also so unsettle the minds of the tenants that the consequences are likely to be very disastrous.

If existing contracts are not upheld, it will tell particularly hard on European tenure-holders who have paid much attention to settling their estates, and I presume they are not included in the description given by the Government of India in paragraph 85 of their letter No. 6 of 21st March 1882. If they are included, I would recommend the Government to adopt the more open and fair policy of offering to give them compensation to quit the mofussil, making over their properties and factories to the Government, an experiment which could be easily carried out in the Presidency circle, where but few of the indigo-planter landholders remain, rather than gradually but surely stamp them out by the introduction of such a Bill as the Bengal Tenancy Bill with its arbitrary and retrospective clauses.

The framers of the Bill have evidently no knowledge of the people and requirements of the country; they have but one fixed object in view, the annihilation of the landlords.

There is nothing in the Bill which will facilitate the collection of rents, and very little that will really benefit the tenant class.

I annex some remarks upon the sections of the Bill, to which I beg to draw your attention.

Sections 5 and 7 to 13.—In this district there was a quantity of khamar land in every village, a deal of which has been absorbed or taken possession of by ryots, thereby making a ryot's holding larger than it was at the time of settlement when he was supposed to hold one bigah of matan land for Rs. 1-5-3. Would it not be better to define the ryots' holdings, charging them at the very old established rate of the pergunnah for each bigah they claim as belonging to their tenures, and the balance be considered khamar, or in other words, it is now impossible to define khamar without defining the ryots' tenures at the same time. I do not suppose that many landlords mind whether lands are khamar or ryoti, so long as they get

a fair rent for each bigah of land; but there is no doubt that all that a ryot was originally entitled to was one bigah for Rs. 1-5-3—anything he may hold which reduces his nirrick has been got by absorbing the landlord's khamar, except in cases of special pattah.

Sections 14 to 18.—Except under special pattah given by the landlords, no ryots had any right to hold at a cheaper rate than the pergunnah rate, and every ryot should be assessed at that rate who claims to hold at an unchanged rate from the permanent settlement, as such lands as he holds in excess have been absorbed from the landlord's khamar. The above is according to the special custom of the district, and would be understood by both landlords and ryots.

Section 22.—If a ryot was entitled to 5 bigahs at Rs. 1-5-3=Rs. 6-10-3, and has absorbed 10 bigahs of the landlord's khamar, total 15 bigahs, there seems to be no reason why his rent should not be brought up to Rs. 19-14-9 instead of double as proposed, viz., Rs. 13-4-6, which is in accordance with custom.

Section 24.—In a country where it is so difficult to ascertain the exact quantity of land held by a ryot, there seems to be no reason why enhancement should not take place as often as lands can be shewn to be held in excess of what was supposed.

Sections 38 to 42.—There seems to be little use in demanding security from the purchaser of a putni holding, as a ready remedy can be found to recover the rent due by an astum sale: and considering that a bonus of three to four years rental is usually paid for a putni, the security of the holding seems ample to meet the needs of the zemindars.

Section 45.—It seems to be unjust to give a man a right of permanent occupancy who has contracted with his landlord that he shall not acquire such a right; what would landlords and tenants in Scotland say to such a proposal where leases are usually of 19 years? Unjust.

Section 46.—If a ryot does not lose his status title a year after he has absconded, who is to pay the rent of the holding for that year?

Section 47.—This is a section rather unintelligible, especially the proviso; but it is evident that special contract is to be null and void.

Section 48.—This seems to be a useless section, as according to previous sections, a ryot is to acquire an occupancy right without its being granted to him.

Section 49.—This is what has taken place: the ryot has absorbed khamar land into his holding, but it was never supposed that he has acquired a right of occupancy in the excess lands, and he is generally too glad to pay for the excess lands at the pergunnah rate, and have them joined on to his holding when he is farmed out.

Section 50.—This section, to override contract, is unjust and quite contrary to custom. I held a house and land in England, and I was bound by my lease not to sublet, cut trees, nor break up pasture. Had I infringed any of the conditions of my lease, I presume an injunction would have been taken out to prevent me, and justly too.

Sections 51 to 57.—When a ryot has hitherto had no transferable right in his land except that given to him by an arbitrary law, which proposes to override all written contracts and old established customs, it is not likely that a landlord would care to avail himself of the right of pre-emption, and to find himself in the position described in section 56, by which he would have spent his money, and be in the same position as he was before.

Section 59.—It is unjust that a revenue or registering officer should interfere between two parties contracting, or arbitrate as to what should be, unasked. It is surely sufficient that the parties contracting are satisfied, and that the registering officer is satisfied as to the identity of the executant, and that he knows the terms of his contract.

Section 61.—This is decidedly unjust. It would be better to say that ryots are not competent to contract, and that no contracts would be binding unless made by a Government officer as the guardian of the ryot.

Section 72.—When Government officers, with an expensive staff, undertake to draw out tables, unpetitioned for, it seems hard that the occupancy ryots and the landlord should be called on to pay their salaries.

Section 74 (2).—It seems difficult to understand why a contract should be binding on a landlord and not on a tenant.

Section 76.—Double or any other proportion seems to be arbitrary. It would surely be more equitable that rent should be paid at a fair rate for each bigah acknowledged to be held, whether it should be an increase of quarter, double, or treble.

Section 78.—It is surely fair that a fresh suit for enhancement should lie whenever just cause arises, such as its being ascertained that more land is held by the ryot than what he is paying for, and which by collusion or mistake was wrongly measured; or, where four bigahs were reported to the landlord as within the ryot's holding, when there were actually six bigahs. In a country where corruption is so rife, ten years is a long time to wait to have an error rectified.

Section 79.—When a ryot is allowed to sow what crops he likes without consideration as to their being exhaustive or not, and uses no manure to replenish the land, and has bound himself by contract not to ask for a reduction, it is unjust that he should be able to go into court and claim a reduction when the land has become exhausted by his bad farming, and the landlord has been prevented by law from having any say as to the rotation of crops. Rotation of crops so as not to impoverish the soil, also a clause about manuring, are strictly looked to in all English leases.

Section 86.—This section is surely not in accordance with English law.

Section 98.—This section would come very hard on tenure-holders, many of whom are bound by contract to pay to their superiors by monthly instalments. Where is the money to

come from if not from the tenants from whom it has always been customary to collect by monthly, and many of whom are bound by special agreement to pay in such kists.

Section 125.—In this case it would be necessary for the court to serve a notice upon the landlord, intimating that a sale for a money decree had taken place to enable the landlord to make his claim for such arrear of rent as might be due to him.

Section 126.—Ryots are not in the habit of making improvements in this district. If one ryot wished to do so, he could not on account of his lands being mixed up with the lands of other ryots.

Section 140.—According to this section, the holding must be fallow for one year, and the rent lost.

Section 166.—Distraining produce of the holding through the medium of the court would be useless as regards facilitating the collection of arrears, and would only result in the crop being wasted. What is wanted is a summary procedure by which a decree may be obtained, and either the moveable or immoveable property of the defaulter sold without delay.

Section 193.—A short limit should be given as to the time within which the suit must be heard and finally disposed of.

Section 194.—The post office would need to increase its delivery establishment.

Section 198(b).—There being no appeal, is a bad principle. An appeal has a great effect in keeping an officer from taking an one-sided view, or being arbitrary in his judgments.

Sections 211 and 212.—A sale, subject to encumbrances, will never answer, and it will only cause the unnecessary delay of the time allowed for postponement.

Section 217 (3).—No suit should be entertained to set aside a sale, unless the arrear for which the sale took place with costs is first deposited in court.

Dated Hazrapore, the 10th May, 1883.

From—J. HARRY OATTS, Esq.,

To—The Collector of Jessore.

With reference to your memorandum of 14th ultimo, I have the honour of submitting my views on the Bengal Tenancy Bill.

I consider the Bill to be a most arbitrary, partial and unjust measure. It will sever all friendly ties between landlords and tenants, and lead to a state of things that must have disastrous results. There is nothing in it that will facilitate the collection of rents, and very little that will do any real good to the ryot. In fact, the Bill seems to have only one object, and that is, to stamp out landlords.

Sections 5 to 13, which relate to khamar and ryoti land, could not be applied to this district without great injustice to the landlords. If the Behar landlords make "persistent efforts" to increase the khamar (paragraph 19 of Statement of Objects and Reasons of the Bill), it is the Eastern Bengal ryot who makes persistent efforts to increase the ryoti by absorbing the khamar. Most of the tenures that are held at cheap rates have been formed in this way. Hence, it would be impossible to define the landlord's khamar without first defining the ryot's land.

Sections 14 to 18.—Because a ryot can shew that he has held his jumma at an unchanged rent for 20 years, or since the permanent settlement, it ought not to be presumed that the quantity of land has remained the same during these periods, unless he holds a pattah from the landlord. The fact is that, although he may have paid the same rent, he has considerably increased the quantity of land by absorption from the khamar. It would greatly benefit the mass of the ryots if permanent ryoti tenures were done away with altogether, and the rents payable by a village more uniformly distributed according to the quantity and quality of land held by each ryot.

Sections 45, 47, 50.—Concerning right of occupancy, contain a most unjust clause,—"notwithstanding any contract to the contrary." The remarks of the Government of India in paragraph 85 of their letter No. 6 of the 21st March 1882, certainly do not apply to this part of the country where the ryot is quite able to look after himself, and make his own terms with his landlord; and it is most unjust to do away with contracts that have been legally made. (The power of the tenants of Eastern Bengal over their landlords, I see, is acknowledged in paragraph 4 of the Statement of Objects and Reasons of the Bill.) Section 50 confers such wholesale rights and privileges on the ryot, that it is a mockery to make use of the expression "landlord;" "rent-collector" would be much more correct.

Sections 59 and 61.—It is decidedly unjust to allow a revenue officer to interfere between a landlord and his tenant, especially when both parties are satisfied.

Section 72.—It is also very unfair, in section 72, to charge either the landlord or the ryot with the cost of preparing tables of rates when such tables are unasked for.

Section 14(2).—It seems very unfair that contracts should be binding on a landlord and not on a ryot.

Section 79.—If a ryot can do what he likes, and exhausts the soil by always sowing the same crops on it, and does nothing to improve it, it is very hard that the ryot should have the power to apply for a reduction of rent "notwithstanding any contract to the contrary."

Section 98.—If rents are collectable from ryots "*not more*" than four times in the year, and may be not so often, how are tenure-holders to pay rents to their superiors to whom they are bound by contract to pay more frequently; in many cases once a month?

Section 140—Seems to provide that a ryot's holding must lie fallow for one year, and the rent lost before the landlord can do anything. This seems difficult to understand.

Section 198.—Appeals ought not to be abolished. They prevent officers from being one-sided and arbitrary in their decisions.

Dated Sindooree, the 10th May, 1883.

From—W. Shirreff, Esq.,

To—The Collector of Jessore.

I have the honor to acknowledge receipt of your communication No. 78 of the 14th ultimo, requesting me to give you my opinion on the proposed Bengal Tenancy Bill. I have gone over the proposed Bill as published in the *Calcutta Gazette* of the 7th March last, and I must say that a more one-sided measure I never saw.

The one great grievance that the landlords had to complain of was the delay and difficulty there is in realizing rents through the courts when such a course has to be adopted; but I do not see that the new Bill gives any particular facilities in that way, and leaves the landlords just as badly off as they were before in that respect. It takes away to a very great extent the rights and privileges of the landlords as hitherto possessed by them, and leaves them mere rent-collectors for the Government, while their responsibility for paying up the Government revenue remains as heretofore.

It seems to me to be a most complicated Act, and that there will be considerable difficulty in working it. I believe it will unsettle the minds of the agrarian population of Bengal, and lead to an immense amount of fresh litigation; and though it seeks to benefit the ryots at the expense of the landlords, yet the real people it will benefit will be the vakeels, mooktears, and hangers-on about the Moonsiff's courts, while the ryots will impoverish themselves by litigation, and a bad feeling will be established between them and their landlords, which will go far to nullify any advantages which it is sought to give them by this new measure.

I have to apologize for not having replied to your communication sooner, but press of business at this the sowing time has prevented me doing so sooner.

Dated Narail, the 12th May, 1883

From—Moulvie Syed Moazzim Hossain, Khan Bahadur, Judge of the Court of Small Causes, at Narail,

To—The Collector of Jessore.

In acknowledging with thanks your kind letter of the 14th ultimo, I have the honor to state that I had not the remotest idea that I should ever be called upon to give my humble opinion on so important a law regulating the relations between the proprietors of land, subordinate holders of land, and the vast mass of the peasantry, and in which the best talents of the land and the ablest officers of the Government, who have given the subect their most devoted attention, have been engaged in elaborating and introducing the Bill under consideration.

The shortness of the time allowed for the submission of the report precludes the possibility of being able to deal with so vast and important a subject with any appreciable approach to completeness. I shall, however, try to the best of my humble abilities to notice some of the most important points on the subject. At the outset, I must say that, having due regard to all the surrounding circumstances, I fail to see at the present time any urgent necessity for recasting the whole Rent Law which is working so well, instead of only making some amendments useful to both landlords and tenants. The introduction of the present Bill, purporting to make so many novel and radical alterations in the existing law between landlord and tenant, affecting a population of over sixty millions, would be, on one hand, a direct invasion of the rights of the zemindars, and on the other, seriously detrimental to the true interests of the actual cultivators. It is an admitted fact that nothing is more injurious to a person than to go to litigation, which is often ruinous to both parties. The proposed law has so many outlets to litigation, that every ryot will be under the necessity of having recourse to law suits, and observe so many technical formalities for the maintenance and transfer of his rights. He will have to dance attendance before several officers besides the Civil Court, and thereby waste his precious time and hard-earned money which he could have more advantageously employed in the cultivation and improvement of his land which would not only be profitable to himself, but also beneficial to others.

In my humble opinion, the ryots have not yet attained such a stage of advancement as would enable them to reap the benefits and advantages which the framers of the Bill have in view for them. With a hazy and undefined exaggeration of their rights and privileges they would rush into law courts, and get involved in endless litigation to their own ruin and to that of their landlords, but much to the benefit and satisfaction of petty-fogging touters and unscrupulous money-lenders, who at first tempt and draw them into the intricacies of law, and not leave them till they have wheedled them out of their last pie.

I beg to observe that there are many provisions in the Bill which I fully approve, while there are others, which, I am sorry to say, are not only uncalled for, but positively injurious to the interest of all classes.

The Bengal zemindars asked for a simpler procedure for the realization and enhancement of rent. But the present Bill does not give them greater facilities for the purpose than what

they already possess. They do not want more than the share of produce which in 1793 the Government assigned to them. Such cumbrous and expensive mode of enhancement and settlement of rate of rent, value of produce, and restriction of money rent to one-fifth of the produce, are quite uncalled for, and will ultimately prove injurious to both the landholders and tenants.

It will appear from a reference to old records that, formerly there were neither too many evictions nor enhancements. It is the law which opens the door to litigation for both tenants and landlords, and teaches them to try a variety of means to gain their selfish ends. It must be borne in mind that, as a rule, landowners generally are attached to their tenants, and try to secure their goodwill, and live on friendly terms with them. Naturally, they do not, and cannot, like to turn them out of their holdings, for it is an old proverbial saying of the great poet Sadi which may be rendered into—"The tenant is the root of the tree, and the landlord the trunk." If they ever disagree, it is owing to the conduct of objectionable ryots. It appears that the under-mentioned number of evictions and enhancements took place under the orders of a Moonsiff's court, having jurisdiction over an area with a population of 328,231; average enhancement=14, and evictions=6; total 20—a very small number for so large a population.

Having regard to this circumstance, I do not think it desirable for the Government to enact a law, the inevitable effect of which would be to upset the old-established relations between landlords and tenants, respected by the usages and customs of the country and courts of law, and thereby shake the confidence of the people in the acts of the Government, and put the entire population of the country in arms against one another. They are now passing their days happily in peace and quiet, but the effect of the contemplated legislation would be to involve them in chronic and ruinous litigation.

It is, no doubt, the duty of Government to extend beniguant protection to all classes of its subjects, but the giving of a right of occupancy to a ryot who never had it before would, instead of improving his condition, rather make it worse by tempting him to run recklessly into debts by mortgaging his occupancy rights. It can easily be proved from enquiries that, of the several classes of ryots, those who cultivate the land appertaining to the village in which they may have resided from a long time, or from generations to generations, naturally have an attachment to such land, and feel anxious for its improvement and prosperity; on the other hand, the case is quite different with ryots who come merely to cultivate the lands, but reside in another village. They are nothing more or less than mere speculators, and, as such, they do not feel that interest in, and that attachment to, the land as are felt by the ryots of the former class.

If the right of occupancy be conferred on the latter class or non-resident ryots, the result would be that, without any hesitation, they would mortgage or transfer absolutely their rights and interests to any one, or make *benami* transactions, and thereby prove a source of great trouble and annoyance not only to the zemindar, but also to old resident ryots. I regret to find that the Bill encroaches on the freedom of contract, completion, and established usages which have been respected by all classes in all countries and in all ages.

The right of pre-emption may be considered by some as a compensation for the creation of transferability of occupancy rights, and as a guard against the introduction of objectionable tenants; but as a matter of fact, this right of pre-emption will practically be of little use, considering the large outlay which the landowner will have to make in the shape of purchase-money, &c., without any hope of an adequate return.

Most landowners in these days can hardly realize even as much as is necessary for payment of Government revenue and cesses; so they have no means to make purchases of interests of occupancy ryots; consequently, the introduction of objectionable ryots and interference of rival landowners and speculators, to the great annoyance of both the zemindars and the settled ryots of the village, are inevitable.

As regards the ryot himself, the formalities of law he shall have to go through to effect a transfer of a small holding in time of urgent need will put him to so much botheration, that his very object in making the transfer will be frustrated, and he will be obliged to incur unnecessary expenses, and suffer a great deal of trouble in the bargain.

It appears to me very hard that in cases of enhancement of rent, although the landlord may conform to all the rules prescribed by the proposed law, yet he must suffer, but for no fault of his own. Even if the grounds of enhancement of rent be fair and reasonable, but the ryot does not agree to pay the enhanced rent, and the landlord has to sue for ejectment, and gets a decree for it, yet he will have to pay compensation for improvement and a further compensation for disturbance before he can actually eject the tenant, or in other words, the landlord will not be able to gain the benefits of the decree until he deposits in court such sum as compensation for improvements and a further sum as compensation for disturbance equal to ten times the yearly increase of rent, which is indeed excessive and unjust. Here it is the tenant, who fails to comply with the provisions of the law, becomes the gainer; while the landlord is the loser. The landlord has to pay as compensation an amount to the outgoing tenant which he can seldom expect to realize from the new tenant. Suppose the old ryot agreed to pay the enhanced rent demanded, and was allowed to retain his holding, even in that case the landlord could not be sure of realizing from him by way of rent as much as he has to pay as compensation.

CHAPTER II.

Section 6.—The provisions of this section appear to be unreasonable and unjust. Every zemindar should be looked upon as proprietor of his lands, and as such he should be allow-

ed to keep as much lands for his own private use as he requires; but the provisions of this section divest him of that power, and confer on the ryot a title which he never possessed nor demanded. Evidently this section means to convert a ryot into a proprietor.

CHAPTER IV.

Section 41.—An appeal ought to lie from an order under this section.

I should think a provision ought to be made for relinquishment of putni tenures; cases may arise in which the patnidar may not be able to realize even as much rent as he has to pay to the zemindar who may not choose to bring the putni tenure to sale, but insist on attachment and sale of his moveable and other immoveable property, and even apply for arrest of his person.

CHAPTER V.

Sections 45 and 47.—The provisions of these sections are exceedingly objectionable, because a ryot may hold one bigah of land in a village or estate for 11 years, and take 99 more in the twelfth year, and yet he will, at the end of the twelfth year, acquire a right of occupancy in all the 100 bigahs.

Section 49.—This section also is very objectionable. Under section 13, Chapter II, no khamar lands in a certain local area other than that for which a register has been prepared shall become khamar lands, while this section provides accrual of right of occupancy in khamar lands. So the zemindar will suffer double loss: on one hand he is deprived of the right of retaining as much land as he requires for his own use, and on the other, the land which will be recorded as his khamar land will go to the ryot's hands for ever, so that, if a zemindar requires to extend his family residence, make a garden or a new house, he will be at the mercy of his own tenant.

Section 51.—The time of one month given by this section ought to run from the date of service of notice and not from that of filing the same.

Section 56.—The acquisition of right of occupancy by a tenant immediately on his taking from the landlord a jote wherein the former tenant had a right of occupancy is indeed very objectionable. This section does away with the general period of 12 years required for the acquisition of occupancy right.

CHAPTER VI.

Section 59—This section limits the enhancement to a six annas per rupe, or one-fifth of the estimated average annual value of the gross produce.

No restraint should be put on the freedom of contracts. When contracts entered into by people in other matters are respected by courts of law and sanctioned by the established usages of the country, there is no reason whatever why contracts between proprietors of lands and tenants should be respected only when it binds the zemindar (Section 74 sub-section 2).

Section 62.—Settlements of rate of rents, produce, or value might well be left for determination by Civil Courts.

The procedure as to settlement of rate of rent, &c., is indeed a very cumbrous one, and will cost trouble and expense to both landlords and tenants which the Legislature wants to avoid.

Section 73.—No provision is made if the change in, or in regard to, the land is effected solely by the agency or at the expense of the landlord or his predecessor in interest.

Section 74.—It is strange that the landlord should be bound by his contract not to enhance the rent of a tenant, while the ryot is either not bound by his contract, or bound partially only.

Section 82.—The provisions of this section are hard upon landlord who let the land originally on the understanding that he would always get a certain share of the actual gross produce, instead of which, if the money rent contemplated by this section be less than the value of his (landlord's) share of the produce, he becomes a loser for nothing; in fact by commutation of rent in kind into money rent the ryot has to untertake no further risk of cultivation; hence, in fixing money rent, no deduction should be made by the court from the average value of the landlord's share of gross produce, in consideration of the risk of cultivation being taken by the ryot, for the entire risk of cultivation already lies on him under the customary rules of payment in kind, except in rare cases of contract in which the ryot undertakes to meet the landlord's demand, notwithstanding his failure to raise or gather crop on account of drought or inundation, &c.

CHAPTER VII.

The provision of a settled ryot acquiring permanent right in bastu land not included in an occupancy holding, and not losing that right, notwithstanding that he has ceased to be a settled ryot of a particular village or estate to which the bastu land appertains, is extremely hard upon the landlord, and the provision regarding compensation to be awarded to the tenant in cases of ejectment for wilful breach of conditions of written contract is more so. No provision is made as to how long the zemindar is to wait before he can make arrangements about the land left by the absconding ryot.

CHAPTER VIII.

The grounds on which an ordinary ryot may be ejected are so stringent that no landlord can expect to eject a tenant at all; he would never like to pay any compensation for improvements, and a further compensation for disturbance as provided by Section 93.

CHAPTER IX.

The provisions as to fixing instalments in which money rent is payable, and the rules as to receipts and accounts to be given to tenants, and keeping counterparts, &c., are very wholesome improvements upon the old law. I should think a certain fee should be paid to the landlord for the statement of account to be given to the tenant as provided by Section 101, as every landlord having a large property shall have to increase his working staff to meet the ryots' demand under that section, particularly when under clause 2 of Section 102 the landlord shall have to pay penalty for neglect of, and non-compliance with, the provisions of Section 101.

Section 103.—I should think the old rule of tender to the landlord should be retained. The phrase "has reason to believe" is too wide, and every ryot will at random, and at the instigation of suit-mongers and pettyfoggers, take advantage of this section, and never go to his landlord for payment of rent. Section 110 remedies the evil apprehended in clause *a*, Section 103. The zemindar will, as a rule, have to wait for deposits to be made, and in some cases for years together pending the decision of Civil Courts under Section 106, before he can realize even as much as is payable by him as Government revenue; and the result will be that he will be improverished, and his zemindaris will ere long be put up to sale for arrears of Government revenue. I should add that the officers receiving deposits should, in case of deposits made under clauses *b* and *c* of section 103, cause a notice of the receipt of the deposits to be affixed on the tehsil kutchery or where rent is usually paid, and on a conspicuous place in the property; for otherwise it will not be possible for any small shareholder and petty landlord, whose circumstances may not allow them to engage a mooktear solely for the purpose of attending the office of the officers receiving deposits of rents, to get information if deposits have been made, or until the expiration of several months after deposit.

The provisions of appointment of commission for dividing and estimating crops may be made solely applicable to Behar cases. Cases of rent paid by division of the produce are rare in Lower Bengal, and are known as the burga bhag system. In Lower Bengal, the standing rules for suing out the landlord's share as now ought to be left as they are, as the introduction of the rules of division of produce by commission is a mere addition to a lawsuit.

CHAPTER X.

Would work well with certain amendments as suggested below.

The provision to award compensation to ryots for improvements made for their own benefit, and without the landlord's permission, is objectionable. If after certain improvements made by a ryot he is evicted from his holding for his own laches, or relinquishes it of his own accord, or absconds, the tenure is let to another. It may be that the new tenant may find that the improvements by digging a tank or sinking a well, &c., in agricultural land made by former tenant are rather detrimental to his interest, so this new tenant may demand reduction of rents on that ground. As such I should think that no ryot should be allowed any compensation for any improvement made without the landowner's permission.

Section 132.—Should be altogether omitted; people should be left free to enter into any sort of contract they like.

The provisions regarding common management of land are an improvement upon the old law. These provisions will greatly tend to preserve public peace which is often broken by riots, &c., among co-owners, and help the weaker shareholders who are often thrown into a disadvantageous position as regards collection of rents, &c., because of obstructions put in their way by powerful shareholders who often instigate the ryots to withhold payments of rents to the weaker shareholders.

CHAPTERS XI, XII, XIII, AND XIV

would again give rise to unnecessary litigation. The points mentioned in those chapters may be heard and determined in other suits allowed by law, if raised by any party.

CHAPTER XI.

Section 51 (3).—A notice should also be published by beat of drum, and affixed on a conspicuous spot in the property, and another on the tahsil kutchery or where rent is usually paid; for generally the ryots and even the landlords do not get, or have the opportunity to read, the official Gazette.

Section 157.—The time for filing objection should be limited to one month from the date of publication of the jummabundi on the spot, and not from that of its publication in the Gazette.

CHAPTER XIII.

The provisions as to distraint no way facilitate collection of rent, and are not an improvement upon the existing law for realizing rent by a law-suit. The procedure enjoined as to distraint is very cumbrous and expensive to both the tenants and the landowners. In cases of small arrears realizations will scarcely cover the costs, and the result will be that while the tenant will suffer, the landowner will fail to recover the arrears. The distraining officer should, under the rules, be above the rank of a peon.

CHAPTER XIV.

Section 199 (1).—The provisions of this section are an improvement on the old law.

Section 214, clause 3.—The notice should be served by the court of a Moonsiff having jurisdiction in respect of the lands to which the encumbrance relates, as the Moonsiff's court is

always nearer than the Collector's office. It is not clear whether the party affected by the service of notice under clause 3 of the section should have a further remedy in the civil court.

In conclusion, I beg to reiterate with regret that I have not been able to discuss this important subject as fully as it deserves, on account of want of leisure from heavy office work, and to avoid delay in the submission of my report. I have therefore touched briefly upon only a few important and salient points of the Bill.

No. 360, dated Naldanga Rajbati, the 12th May 1883.

From—BABU PRAMATHA BHUSANA DEVA RAYA,

To—The Collector of Jessore.

With reference to your memorandum No. 78G., dated 14th April, I have the honour to submit herewith my opinion on the Bengal Tenancy Bill in the form of a note. I have tried to discuss the variout important issues raised therein in a fair and impartial manner.

Note on the Bengal Tenancy Bill of 1883.

CHAPTER I.

1. *Section 3 (3) (4) (5).*—In classifying tenants, an important section of the community has been left out of consideration, and their existence virtually ignored. All over Bengal, there are jotedars (sometimes called gantidars) who are neither ryots, as defined in section 3 (5), nor tenure-holders as defined in section 14. Legislation in matters like this should, in my humble opinion, be constructive and preservative, recognizing the existing elements of the social economy, devising means for their development and prosperity, and eliminating whatever there may be to retard their harmony and growth. But the destructive tendency of legislation in ignoring the existence of tenure-holders generally since 1859 has revolutionized the Bengal society by bringing ruin and poverty upon a very important class of the community, the jotedars.

2. The Rent Law Commission perceived the anomaly of Act X of 1859 in this respect (*vide* their report, paragraphs 13—22), and the pernicious effect it has produced upon the social economy of Bengal is too well known to everyone who has the faintest knowledge of rural Bengal.

3. The present Bill has recognized tenants holding at fixed rents from the time of the permanent settlement; but besides these mokurrardars there is a class of tenure-holders (whose number far outweighs the number of mokurrardars in a given district), who are not ryots within the definition of section 3 (5) of the Bill; neither do they hold land for the purposes of agriculture, horticulture, or pasture, nor did they or their predecessors in interest come into possession of it for such purposes. Whatever their origin, it is pretty well certain that an overwhelming majority of tenure-holders is of this category, and that they constitute an important section of the true aristocracy of this country. To level them down to the status of ryots, and thereby subject them to the payment of enhanced rent at the same rate as provided for ryots, is to sweep them clean from the rural economy of the land. One of the pernicious effects of Act X of 1859 was the ruin of many a family holding tenures of this description. But future legislation, being cognizant of the fact, should carefully guard against committing the same error over again; for the non-recognition of such an important section of the community is neither conducive to the ultimate welfare of the zemindar, nor expedient upon political considerations.

4. This class of jotedars, as it at prerent exists, consists—

(*a*) Of families of the higher strata of society, owning holdings of various dimensions of, say, from 50 bighas to 5,000 bighas, but not at fixed rents, with under-ryots on the holdings previous to their creation.

(*b*) Of families of the lower strata of society, who, for service rendered, or consideration paid, received grants from the zemindar of considerable tracts of land with under-ryots on the holdings previous to their creation. These have advanced a few steps above their original social position.

(*c*) Of families of actual cultivators of land, who, by subletting, have gradually evolved themselves into the status of middlemen. Their social position is yet uncertain, but in the process of social evolution they will in time rise higher up.

5. Now, the difficulty of discovering "any principle of distinction between ryots and tenure-holders, or undertenure-holders, which will hold good universally," should not be the reason why their existence should be ignored in the statute book of the country. Some arbitrary rule should be adopted, and the class of tenants of this description differentiated from the class defined in the Bill as "ryot." To this end the following suggestions are most humbly made:—

Section 3 (3).—For "tenure" write "tenure of the first degree," and provide to the following effect:—

"Tenure of the second decree means a tenure of more than 50 bighas of land not held at fixed rent from the time of the permanent settlement, the holder of which does not derive his profit from the produce of the soil, but from undertenants paying him rent in money, or

the commencement of this Act, has continuously held as a ryot, ryoti land situate in that village shall, notwithstanding the land so held by him at different times during that period may have been different, be deemed to have become, on the expiration of that period, a settled ryot of that village ; or (2) in the case of a non-resident ryot, every such ryot who shall have held land in a village in which he is not permanently domiciled for a period of 12 years shall have a right of occupancy in the land so held by him. This, I humbly believe, would reconcile matters by reconciling traditional custom of the country with the dictum of the law of 1859, which for a quarter of century has been the custom in vogue.

15. *Section 47.*—Should be amended according to the above suggestions.

***Section 50 (e).*—The following amendment is suggested with reference to paragraph 4 of this note : " He may sublet not more than a fourth part of his holding."**

16. *Section* 59.—I seriously protest against any interference with free and voluntary dealing. Land, like everything else, has a market value, depending upon demand and necessity, and it is feared that the Government, in its paternal solicitude for the welfare of the ryots, may unnecessarily impose a hardship upon the zemindar who is the most loyal and devoted vassal of her Imperial majesty. The registering officer is only concerned to see whether the ryot is entering into the contract as a free agent ; and if he is satisfied that it is so, he should not have the power to inquire into the matters stated in sub-section 2. What objection can there be to the ryot's voluntary agreement to pay to his landlord what he thinks he can bear to part with? The same issue is joined to Section 61 (2).

17. *Sections 59 (2), 61 (2), 64, 75 (d).*—And other sections fixing the limit of money rent payable by settled ryot. This appears to be an infringement of the principle upon which the permanent settlement was made with the zemindar, and its consequence would be ruinous to him. By the permanent settlement, the Government's share of the gross produce was made over to the zeminder (*vide* preamble of Regulation XIX of 1793, and Justice Campbell's remarks in the Great Rent Case, B. L. R. Suppl., vol. 251). Both under the Hindu and the Mahomedan Governments, the cultivator's share of the produce was one-half of the gross produce. When latterly the Mahomedan Government preferred taking one-fourth, it was simply because the State wanted to save itself from the trouble and inconvenience of taking rent in kind. Now, the Government having transferred to the zemindar the right to a certain proportion of the produce of every bigah held by the ryot, and that proportion being half, both under the Hindu and the Mahomedan rule, it is inexplicable how the State can now depart from this principle, established by custom during centuries and ages?

18. By the permanent settlement, the zemindars were rack-rented. "We have seen," says Mr. Westland in his report on the district of Jessore, page 98, " one of the great zemindar families of the district lose all their estates, one after another, through no fault of their own, but from causes *directly referable to the action of Government!* Firstly, the assessment fixed at the permanent settlement was too high, &c." Again : " when the British came, they began by increasing the revenue by the 1772 assessment, and while they made the zemindar more than ever dependent for his revenue upon the excessive exercise of his power, they set it before them as one of the objects of their administration to limit and control that very exercise of power on which the zemindar had to depend" (page 84). The consolidation of cesses; police, chowkidari, poolbundi, and similar other expenses; canoongoes' allowances, zemindari pension, &c., &c., with the revenue brought the revenue practically to more than half the value of the gross produce which the State was entitled to receive. Hence all the old zemindars, notably the ancient house I have the honour to represent, were impoverished and ruined. If this was the condition which the zemindars had been reduced to in 1793 from causes "directly referable to the Government," the effect of fixing the limit of money rent by one-fifth of the estimated average annual value of the gross produce of the land would be equally, if not more, disastrous. I therefore propose that instead of one-fifth, three-eighth of estimated average annual value of the gross produce should be the zemindar's share in money rent.

19. With reference to enhancement of rent of tenures of the second degree proposed in paragraph 5 of this note, I beg to suggest that the rent of such tenures should be liable to be enhanced upon the same grounds and under the same procedure as the rent of occupancy holdings, with this exception, that a tenure-holder of this class shall be entitled to a profit not more than 15 per cent. and not less than 5 per cent. of the balance which remains after deducting from the gross rents payable to him the expense of collecting those rents, and where he has any portion of his holding in his own cultivation, the rent of such lands should be calculated for the purpose of assessment with reference to the table of rates then prevailing.

20. *Section 76.*—Such a circumscription does not seem to be at all necessary in the face of definite rules whereby the zemindar would not be allowed to get more than a fixed proportion of the gross produce in kind or money. On the other hand, it would be an injustice done to the zemindar in cases in which occupancy ryots pay him a nominal rent.

CHAPTER VIII.

21. With regard to the settlement of rent between the ordinary ryot and his landlord, Legislature should leave them quite unhampered by any rule or law. Restrictions such as are proposed in Section 119, specially with reference to the rent of this class of ryots, are, in my humble opinion, productive of infinite mischief, both to the landlord and to the tenant, for the benefit of which latter class the Government are so very solicitous. The zemindar to whom,

by the permanent settlement, the Government surrendered, among other things, "the right to profit by future increase of cultivation, and the cultivation of more valuable articles of produce," should not now be bound hand and foot to exercise that right in a way prejudicial to his interest. Further injustice seems to have been done to the landlord by providing in section 93 (2) (7) that the landlord shall be bound to pay to the ryot whom he wishes to eject a compensation for disturbance equal to ten times the yearly increase demanded. This, in other words, implies that the landlord will have to purchase *by full consideration* the benefit which he has the right to get. It is not clear why an *unsettled* ryot should get so large a compensation for disturbance which affects him very little. If he loses a holding here by refusing to pay what his landlord demands, he has a sure chance of getting a holding there. If the ryot is entitled to any compensation for being compelled to surrender against his will, the landlord must also be entitled to similar compensation when the ryot relinquishes his holding without the landlord's consent. But Sections 139 and 140 give no such benefit to the landlord. If the ryot suffers in the one case, the zemindar, too, suffers in the other; for, in a majority of cases, it does no frequently happen that the vacancy made by a ryot is filled up at once.

22. *Sections 97—99.*—"Much of the harassment, to which the ryots are subjected, is said to arise from the number of instalments in which the rents are payable, and to remedy this, the Board is empowered *** to fix the instalments ****." But in point of fact the number of instalments prevalent in each pergunnah from time immemorial has direct reference to the reaping times in the year, as will appear from the following table taken from Mr. J. Westland's report on the district of Jessore, Appendix B (agricultural statistics):—

	Rice crop			Date sugar.	Cocoanut.	Arecanut.	Mustard.	Musuri.	Kalai.	Barley.	Til.	Red pepper.	Fruit trees	Indigo.	Sugarcane.	Turmeric.	Jute.
	Aman.	Aus.	Boro														
Reaping time.	November, December, January.	August, September.	March, April	November to February.	Rainy season.	.....	February, March.	February, March.	February, March.	February, March.	November, July.	November, December.	.....	June to August.	December.	February.	August.

23. During ten months of the year, the ryot reaps his harvest in the field. There are some parts of the district, no doubt, where the winter crop is scantily grown, but then they have varieties of rice crop to do with for at least seven months of the year. Instalments have accordingly been fixed by tacit mutual agreement from time out of memory. Far from being a source of harassment to the ryot, it is a source of great relief to him, inasmuch as under the customary system of instalments he has to pay a certain portion of his yearly rent whenever he gets some produce. Had not this been the case, the ryot ignorant, improvident, and careless, would squander away his money, and when a heavy *kist* would come in, would hardly be able to meet it from his present savings. Instead of being salutary to the ryot, the proposed adridgement of all existing *kists* into four would, it is apprehended, be a fruitful source of his ruin. On the other hand, the zemindar's ruin would be inevitable. Bound by an inexorable law to pay the Government due punctually in four *kists*; having the arduous duty to collect his rent, rupee by rupee, from individual ryots; having no power to compel the ryot to pay; obliged to pay a heavy stamp duty for seeking relief in the civil courts, whose dilatoriness is proverbial, the zemindar's position is really very precarious. If in the face of all these difficulties, an insuperable obstacle (such as has been proposed in these sections) is thrown in the way of his realizing rent at harvest times, the fate of the zemindar would be sealed for ever. Let the Government give him the same facility to recover rent from his tenants as they (the Government) have in recovering their revenue from the zemindar, and the zemindar would not raise his voice against the proposal. Why throw everything *topsy turvy*; why subvert customs sanctified by time and agreed to by the ryot? It would be pernicious both to the ryot and the zemindar if Legislature interfered with custom and contracts not repugnant to custom in the matter of instalments of rent, and other matter as well.

24. *Section 102.*—The forms of receipt and statement of account provided in Sections 100 and 101 being very elaborate, it will be necessary for the zemindar to maintain extra establishment for keeping them. And as these are intended solely for the benefit of the tenant, it is but reasonable that he should pay some fees, if not for the receipt, at any rate for the statement of account which the zemindar is not bound in equity to deliver *gratis*.

25. In conclusion, I beg to suggest, that the provisions of Chapter III—D (of the registration of transfers, &c., be made applicable to occupancy holdings and tenures of the second decree. The Legislature fears that it would be a matter of great difficulty to bring

home to persons of the ryot class the details of "such a system." But I beg most humbly to point out that the system is not at all new, and that the ryots are used to it in this country from time immemorial. The prevalent custom is that a transfer of a tenure or holding of whatever class (save non-transferable holdings) pays a certain fee to the landlord, whereupon the landlord registers his name. This being the long established custom, the Legislature should not, I humbly submit, put a stop to it upon technical or sentimental grounds. The landlord must always know who is the person from whom he is to receive rent; otherwise his collections would come to a dead-lock. In this view I am supported by the Rent Commission (*vide* paragraphs 116 to 121 of their report).

Dated the 28th May 1883.

From—BABU SHYAMADHABA ROY, Deputy Collector,

To—The Collector of Jessore.

I have the honour to submit the following report on the *Bengal Tenancy Bill.*

1. In discussing the provisions of this Bill, there are, in my opinion, three things to be taken into consideration:—

(a) Whether there is any necessity of changing the existing Rent Law (Act X of 1859).

(b) Whether the provisions of the new Bill in any way infringe the Regulation of 1793.

(c) Whether the present Bill is based on equitable principles both as regards the ryot and the zemindar.

2. I do not think there can be any doubt that Act X of 1859, as a whole, has failed to give satisfaction either to the zemindar or to the ryot, and this dissatisfaction was felt at an early period. I find that within three or four years of the passing of the Rent Law, Sir Barnes Peacock suggested its amendment. In later years also, successive Lieutenant-Governors, as well as the Rent Commission, advocated a change in the law. Even the zemindars' champion, Babu Kristo Dass Pal, C.S.I. (Hon'ble), on the occasion of the agrarian disturbances at Pubna in 1876 (?), complained of the indefiniteness of the principles of the Rent Law, and in the course of the debate on the Bill at the last session of the Legislative Council, he did not deny that some fresh legislation on the subject was necessary. Without enlarging any further on this subject, it may be summed up that the cry for a change in the law came from two quarters. The zemindars wanted to have greater facilities for the enhancement and recovery of rent, and the ryots desired to attain "the three Fs," to quote Major Baring, *viz.*, fixity of tenure, fair rent, and free sale. In order to redress these grievances as far as possible that the present Bill is framed.

3. As regards the second point, I am humbly of opinion that the Bill is in no way an infraction of the vested rights of the zemindars, and does not involve a breach of the contract made in 1793 between Lord Cornwallis and the zemindars. I have not been able to read all the literature on this subject, but I think a reference to the Regulation of 1793 itself will be quite enough to show most conclusively, even to the most superficial reader, that the imputation of breach of faith is utterly groundless. The text of Regulation I of 1793 (clause 1, Section 8) reserves to Government full powers to interfere "for the protection and welfare of the dependent talookdars, ryots, and other cultivators of the soil." This is also fully supported by other contemporaneous official literature on the subject. The Court of Directors, writing to Lord Cornwallis in 1792, mentions, amongst other things, that "we wish to have it distinctly understood that while we confirm to the landholders the possession of the districts which they now hold and subject only to the revenue now settled, and while we disclaim any interference with respect to the situation of the ryots or the sums paid by them, with any view of an addition of revenue to ourselves, we expressly reserve the right which belongs to us as sovereigns of *interposing our authority in making from time to time all such regulations as may be necessary to prevent the ryots from being improperly disturbed in their possession or loaded with unwarrantable exactions.*" Then, again, later on, the Court of Directors expressed themselves as follows on the subject:—"In order to leave no room for our intentions being at any time misunderstood, we direct you to be accurate in the terms in which our determination is announced * * * You will in a particular manner be cautious so to express yourselves as to leave no ambiguity, as to our right to interfere from time to time, as it may be necessary, for the protection of the ryots and subordinate landholders, it being our intention, in the whole of this measure, effectually to limit our own demands, but not to depart from our inherent right as sovereigns of being the guardians and protectors of every class of persons living under our Government." On the face of these emphatic declarations, it is absurd to deny that power to legislate, whenever it was necessary to define the relations between the zemindars and the ryots was expressly reserved at the time the permanent settlement was made.

4. I now come to the third and the last point. It is necessary to refer all the sections of the new Bill, as most of them are the same as those in Act X of 1859. I shall therefore confine myself to the salient points regarding some of the sections which have been newly introduced into the present Rent Bill. Most of them are very important, and deserve the most serious consideration at the hands of those who are interested in the welfare of the ryots. I shall commence with Chapter II of the Bill, as Chapter I merely contains preliminary matters. In Chapter II, as far as I can see, the only section which is important is Section 6. The object of this section is to prevent zemindars from "getting

into their own hands as large an amount of ryoti land as possible and convert it into khamar land." To meet the exceptional case of Behar, where there is an unusually large quantity of *khamar* or *zeraat* land, provisions have been made in the Bill (Sections 7 to 13) for making a complete survey and record of the existing khamar land. This will remove the possibility of all future disputes regarding the matter.

5. The next chapter (Chapter III) deals with tenure-holders generally, and the changes introduced do not seem to be important. Chapter IV refers to putni tenure. The law regarding these tenures has been left substantially unchanged. I therefore at once pass over to Chapter V. This is a very important chapter, as it deals with the question of the acquisition of the occupancy right and of the general incidents of that right. The zemindars and their friends have protested most vehemently against the sections in this chapter. Without going into the more complicated portion of the question regarding *right of occupancy*, it is sufficient for our present purposes to say that Act X of 1859 has failed to define the conditions requisite to constitute a *right of occupancy*. It will be further seen that Act X of 1859 did not make any provision by which new comers might acquire rights of occupancy. This is a matter which is absolutely necessary for the prosperity of the agricultural classes in this country. It will be seen that under the present law it is almost impossible for a new ryot to obtain the right of occupancy, as the zemindar can easily prevent it by the "simple device of shifting the tenant from one holding to another before the period of 12 years has run out." To remedy this, it has been provided in Section 45 that the acquisition of the status of the "settled ryot" will depend not on the holding of the one and the same plot of land for 12 years, but on the holding of any ryoti land (whether the same or not) in the same village or estate whether before or after the passing of the Act. The Section 47 is equally important. It will be seen by a reference to these sections that a right of occupancy is acquired by a ryot holding ryoti land "notwithstanding any contract to the contrary." I have quoted the sections* of this chapter in the margin, where old contracts are not upheld according to your orders. It is these sections chiefly at which Mr. Tweedie, Manager, Porahattie concern, seems to be very much alarmed. I am sorry I cannot agree with him at all in this matter. If it be the intention of the Government to see that their humane object in framing this law is not frustrated by any contract by which the ryot is run out of his status, the binding power of these illegal contracts should be dispensed with. I need hardly say it is out of the question that the Government can prevent a ryot making what contract he likes, but all what the Government say is, that in certain cases the courts will not give effect to such contracts. I think this is perfectly fair. If Mr. Tweedie will refer to Sir S. Bayley's speech in the Council, he will find that one of the causes of the Pubna riot was, to quote Sir Steuart's words, "the endeavour on the part of the landlords to force from the ryots *kabuliats* which, besides incorporating illegal abwabs in the rents provided for the landlord changing arbitrarily the legal standard of measurement, and for his ejecting the ryot in case of the latter having the misfortune to quarrel with him." I could multiply instances if I chose. But I am sure everyone taking a dispassionate view of the matter will agree with me in thinking that Government should not allow their courts "to treat such documents made in direct contravention of the law as contracts made in equal terms between the parties." In leaving this question I can do no better than quote the language of the Government of India in one of their letters on the subject. They observed that "such is the power of the zemindars, so numerous and effective are the means possessed by them for inducing the ryots to accept agreements which, if history, custom, and expediency be regarded, are wrongful and contrary to good policy, that to uphold contracts in contravention of the main purposes of the Bill would be in our belief to condemn it to defeat and failure. It is absolutely necessary that such contracts should be disallowed, and in this conclusion we have the support not only of the Bengal Government, but also of the almost unanimous opinions of Bengal officers."

* Chapter V, Sections 45, 47 and 50.

6. In my opinion the sections about the occupancy ryots are very wholesome. It will be seen that mere squatters and nomads are effectually excluded from the acquisition of this great and important privilege.

7. The Bill then goes on to provide for the "transferability of the ryoti tenures," and for "the limitations to enhancement." As I am hard pressed for time—the report being due to-day—I regret I cannot make my observations at length on these points. I shall remain satisfied by merely saying that in dealing with these two important questions the Government has tried its best to look to the interest of the landlord as well as that of the ryot

8 As regards the facilities which the present Bill offers to the landlord for the recovery of rents and for their enhancement, I beg to observe that owing to the inherent difficulties of the subject, an entirely satisfactory solution of the problem has not been arrived at. From the debates at the Council, it appears that the matter will receive further consideration at the hands of the members of the select committee.

9. The preparation of a table of rates is another interesting and novel feature of this Bill. To me it seems to be a gigantic work and hardly feasible; nor can I understand how such a table can be accurate in a country where the quality of land changes so much. However, as this is a tentative measure, the procedure will be improved as it is worked.

10. In conclusion, I beg to say that my sympathies are entirely with the ryots, and I have therefore hailed this measure with great delight. What Bengal wants, in the language of Sir A. Eden, is a substantial peasantry, free from debt and able to bear the stress of hard times. The agricultural community in this country forms the backbone of the vast and

multitudinous population of Bengal. Never was a truer sentiment uttered when one of England's greatest living orators said that the "nation dwells in the cottage."

11. The above, I am fully aware, is hardly worth the name of a report, considering the importance of the subject it treats. My knowledge of land tenures of this country is very limited, and I have therefore utterly failed to do justice to this subject.

No. 651G, dated Krishnaghur, the 7th June 1883.

From—W. V. G. Tayler, Esq., Collector of Nuddea,

To—The Commissioner, Presidency Division.

With reference to your circular No. 9R—L, dated 24th April last, I have the honour to report that among all whom I have personally consulted, the concensus of opinion is against the Bill, as being one-sided, and having a tendency to lower the status of the zemindar. The sub-divisional officers, with the exception of that of Ranaghat, have been unable, for press of other duties, to consider the Bill, and have not therefore favoured me with an expression of their opinion. They have forwarded, however, the written opinions of the few among the several consulted, who have responded to their call, and these I now beg to submit for your perusal.

2. My own opinion of the Bill is, that it will have the effect of putting a stop to existing abuses on the part of the zemindar, and affords to the zemindar a speedy means for the recovery of arrears. At the same time I consider that portions of it are, as it now stands, unsuited to this district, that they deprive, unnecessarily, the zemindars of privileges which they have long been enjoying, and to which they are entitled, without necessarily conferring on the old ryots at least any corresponding advantage, and only benefitting new comers who have no claims on the estate. On the other hand, some of the benefits conferred on the ryots appear to me of a very doubtful nature, notably the power of transfer of occupancy rights by sale.

3. The sections which seem to me to call for special remark are the following:—

Sections 5 and 6.—These appear to me to be inapplicable to this district, in which the utbandi system prevails to a very great extent. Lands let out on this system have hitherto been considered to belong exclusively to landlords as their private property, and landlords, other than proprietors, invariably retain such lands as khas. Under the Bill such lands will become ryoti, and it seems questionable whether privileges so long enjoyed, and from which no injury to the ryots accrued, should be taken away. Planters too frequently let out their khas lands to ryots for a season or two—a practice which is advantageous to the ryots as well as themselves, but which must be put a stop to unless the Bill is changed.

Section 25.—No right of pre-emption is given under this section. I think this should be allowed as in the case of occupancy rights.

Section 45.—The utbandi system, which only in this and one or two other districts will make almost every ryot a settled ryot of the village, and hence under Section 47, almost every ryot will have a right of occupancy in the lands he may be holding since March. It cannot be the intention of the Bill to take advantage of a special system such as this, and hence I consider some special proviso is needed to meet the special circumstances of this district.

Section 50.—The right of transfer by sale seems a very doubtful privilege. The greater number of ryots are greatly indebted, and are so improvident, as a rule, that to stave off present urgent demands on their purse, they may sell their rights and thereby ruin themselves. It seems to me, that among the poorer ryots at any rate, the greatest safeguard against absolute ruin would be the fact, that they had their lands to fall back upon from which they could not be deprived, either by their own, or the action of others, so long as they paid due attention thereto.

Section 56.—In a great measure nullifies the benefits conferred by the previous sections. A landlord can certainly keep out land jobbers and others who are not likely to improve the lands, but, notwithstanding that he pays for the right of occupancy, he is forced to give it up again, if he lets out the lands to ryots. I could better understand this if it were a certainty, that he would let it to old ryots of the village, but he may desire to lease them to new comers, or to retain them for lease under the utbandi system; and I cannot see why they should be debarred from carrying out such a wish, without being obliged to give a right of occupancy at the same time.

Section 93.—I presume the court has to decide whether the claim for enhancement is just, fair, and in accordance to the law, before ejecting the ryot. In that case, it seems hard that landlords should have to grant compensation for disturbance which would never have occurred but for the obstinate rejection of such just claims by the ryot.

Sections 139 and 140.—The commonest mode of surrender and abandonment of lands is by flight: in such cases, from whence is the landlord to get his rents for the following year.

4. No mention is made in the Bill whether lands thus surrendered will continue to be ryoti, or will be considered as the exclusive private property of the landlord. It seems to me that all lands which come in any way in the hands of the zemindars should be liable to be dealt with by the zemindar in the way he thinks best. The ryot to whom the lands belonged cannot be injured by such lands being declared "khamar," and next to him, it seems to me the landlord should be considered and not the new-comers on those lands.

No. 208, dated Ranaghat, the 20th May 1883.

From—BABU RAM CHURN GHOSE, Sub-Divisional Officer of Ranaghat,

To—The Collector of Nuddea.

In reply to your No. 449G., dated 16th instant, I beg to submit herewith the following report.

Almost all the respectable zemindars of the sub-division were written to for an expression of their opinions on the Tenancy Bill. The only two reports received up to date from Babus Girindro Nath Mukerji and Kalika Nund Roy, are submitted herewith in original.

I have very attentively gone through the Bill. The provisions are quite full. All necessary safeguards against the illegal exactions of the zemindars and harassing enhancement suits have been provided in it.

The reports of the zemindars show that slightest encroachments on their rights have been objected to.

All that I venture to remark is that more than sufficient privileges have been granted to the tenants. It would have met the present requirements adequately if there had been only a simple mode of speedy recovery of arrears due prescribed, and alterations made to protect the tenantry from illegal exactions, and *abwabs*, and harassing enhancements.

While the privilege of creating occupancy tenures has been made easily feasible, the outcome of it, I apprehend, will be the creation of multiplicity of intermediate undertenures, which in the long run would prove detrimental to the interests of actual cultivators of the soil.

It will prove to be of doubtful expediency, and, I am afraid, will foster litigation, and not establish that good feeling which prevailed between the tenants and lords which have been disturbed since the operation of Act X of 1859.

The Bill is a very complete one, and I am unable to offer any suggestions.

Dated Subarnopur, the 7th May 1883.

From—BABU KALIKANUND ROY,

To—The Deputy Collector of Ranaghat.

In complience with your serial No. 145, dated 3rd instant, to copy of letter from the Secretary to the Board of Revenue, I have the honour to send the report on the Bengal Tenancy Bill; but in doing so, I beg to premise that I have not had the occasion to read the fifteen chapters of the Bill, as I am not a subscriber to the Gazette referred to in the Secretary's letter. Imperfect as my knowledge of the Bill is, and the time allowed, *viz.*, two days, however, may be too short for such an important subject, I shall, however, be glad if the views contained in the report coincide with that of yours. If we differ, I beg to request you will be kind enough to submit the report to the Secretary to the Board of Revenue in order that I may have the satisfaction to learn that my report will have a chance of hearing.

The scope of the Rent Bill may be summed up as follows:—

(1.) That it does not remove some of the clauses of the present Rent Law which trench upon the property rights of the landlords, and such as are considered obnoxious.

(2.) That it confers on tenants certain rights and privileges which they do not enjoy at present.

(3.) That the standard of enhancement proposed to be fixed is not uniform, and the limit assigned in certain cases is arbitrary.

(4.) That the compensation allowed to tenants-at-will is inequitable, and not customary in India.

(5.) Speedy recovery of arrears of rents.

1. The sections which interfere with the proprietory rights of the landlord are :—

Section IV of Rent Act VIII of 1869.—This section, though evidently based on the law of *prescription*, is opposed to Section LII, Regulation VIII of 1793, and considering the relation that subsisted between the landlord and tenant formerly it is wholly inapplicable to cases of rent. While it confers no benefits on the tillers of the soil, it has created a class of men whom the law never intended. (14, W. R., p. 168.)

Sections V and VI.—There has been a great deal of contention as to who are the persons that should enjoy right of occupancy; whether the right should be conferred on *khood kasta kudmi* (hereditary resident), or simply *khood kasta* ryots. The class of ryots described in paragraph 2, Section LX, Regulation VIII of 1793, are the latter. It has been also a subject of great dispute whether by ryots are meant cultivators or holders of land, or both. There is no such definition in the regulation referred to above; we therefore safely conclude that if the right is given to *khood kasta* cultivator for that portion of land which he cultivates, the ends of justice will be sufficiently met. It serves no purpose to vest a tenant with the right over that quantity of land the improvement in which he is not directly concerned, but then which merely forms part of his holding, unless it be the intention to lower the value of the proprietory rights of the landlord.

The Sections which are considered obnoxious are the following:—

Section XXI.—Although Government at the time of the permanent settlement has fixed, the payment of its land revenue by instalments for the proprietors, it has left the latter under

a great disadvantage to realize their dues from their tenants by the same mode of instalment. The established usage is a myth, and is never proved, or if proved, it is never considered satisfactory. We think that every tenant be made to pay his rents by monthly instalments though no interest shall run until the tenant shall have failed to pay his quarterly dues before a week the same is payable by his superior landlord.

Section XXXI.—Deposits of rents, although made on oath that the same were tendered at the mal kutchery of the landlord, are not *bonâ fide* transactions. The tenants now-a-days think it a degradation to go to the landlord's place, avail of the benefit of the law, and make the deposit. The law on false oath is never enforced in such cases. The limitation, *viz.*, six months, fixed for claims for further balance seems to us quite arbitrary, considering that similar claims of abatement for rent and all others are barred after three years.

Proviso of section LXVIII.—While the sharer in a joint, undivided estate is made to attach first the moveable property of the judgment-debtor (Section LXIV), he is debarred from distraining the same description of property under this proviso. Ninety-nine out of every hundred estates in Lower Bengal are joint, undivided, in which no division of land has taken place; consequently the provisions of the distraint clauses are not availed of. The procedure in respect to suits by sharers of joint estates, *mutatis mutandis*, may be made applicable to sharers who are in receipt of their rents separately.

2. Already the impetus given to the undertenure by making it heritable and transferable has contributed to the rise in value of that description of property much above the value of the proprietory rights of the landlord. And if further concessions be made, the value of one will continue to rise, while that of other will fall, as one might anticipate, in either arithmetical or geometrical progression to such an extent that Government may eventually find it difficult to satisfy its own demand from the sale-proceeds of such estates in case they are brought to the hammer for arrears. The wholesome principle laid down in Section 52, Regulation VIII of 1793, and in the decision of the High Court (20, W. R., page 139) should not be overlooked, or power be given to turn arable land into an orchard or homestead or offices of manufactory, &c., without the express sanction of the landlord (12, W. R., page 495; 18, W. R., page 19). Such power may be advantageous to the individual tenants, but positively injure other tenants who may have lands adjoining. The landlords will suffer without receiving any adequate benefits. That such power is opposed to native idea of wealth needs not be shown. According to the native idea, paddy is wealth (dhana dhanya). Whatever contributes to the increase of that wealth, contributes to the well-being of native society. The saving of written contracts under section 7 is one which should not be dispensed with.

There can be no doubt that the value of undertenure will be greatly enhanced at the expense of the proprietory rights of the landlord, but no one who has carefully read the preamble to Regulation XLIV of 1793, will deny that the object of the Legislature has never been so.

It is therefore sufficient for all purposes that *khood kusta* cultivator of 12 years' standing to have right of occupancy in the land he cultivates; that the right be made heritable, provided successors follow the same mode of occupation; the right be made transferable: but as the Bill provides, the landlord is to have the right of pre-emption.

3. Considering the different rates of rent which prevail in the same village and in the same district, and in some which are paid in kind, the standard, *viz.*, one-fifth of the gross produce, is not an unreasonable one. But the limit fixed for new engagements seems to us quite arbitrary and unsuited to India, where the people are generally indolent, and low rate of rent never induces a cultivator to exert himself to derive the utmost the land could fetch. It would therefore be indirectly encouraging indolence. In Nuddea, where comparatively with Hooghly and Burdwan, very low rate of rent prevails, the agriculturists are content with a single crop which requires no great labor, and is easily obtained.

4. *Ashu Dhanya.*—The tenants-at-will are quite aware of the nature of contract they enter into. So far as our own experience goes, no improvement of any kind is made by tenants of very long standing unless they are indemnified by the annual product. Even when they apprehend any loss they relinquish the lands. If compensation, such as is proposed, be once introduced in India, landlords may hereafter claim compensation from their tenants when lands are relinquished by them, and which may lie fallow.

5. The procedure adopted in the Rent Bill will greatly help the landlords in realizing their rents without having recourse to summary procedure.

Dated Ula, the 8th May 1883.

From—Babu Girindra Nath Mukerjee,

To—The Deputy Magistrate of Ranaghat.

In reply to your favour No. 138, dated the 3rd instant last, I beg to record the following as my deliberate opinion in respect of the Bengal Tenancy Bill. Hope you will kindly condescend to go through it, correcting and altering whatever may seem to you frivolous or incoherent, and apprise me of it in time that I may take a lesson.

THE BENGAL TENANCY BILL.

Before entering into any discussion of the Bill, I beg to state at length the relative position of the landlord and tenant as now obtains in these parts. Men quite unacquainted with

the habits and mode of life of the peasant class are seen to come forward with loud and boisterous denunciation of landlord and the mahajan. Looking at facts from a distance, their young raw hearts become affected at seeing a poor ryot scantily clad and scarcely provided with the bare necessaries of life, and they at once conclude that the landlord and the mahajan are to blame for it. If they will please throw off a little of their lethargy and take the trouble to sift the cause to its very bottom, they will be convinced that it is the ryot who is to blame. In days gone by, when the soil was more fertile, and produce quite abundant, ryots could be seen in very prosperous and affluent circumstances, their granaries full of grains, and their cow-sheds teeming with healthy animals, though the grains then fetched but half their present price. This state of things has quite vanished; and what is the cause of it? Not the oppression, extortion, or the illegal exactions of the landlord, or the all-absorbing greed of the mahajan certainly, but the idle and improvident habits of the ryot, his utter disregard to agricultural improvements, and his extreme willingness to depend on his mahajan for the payment of his rents and supply of even the necessaries of life. He would not take into head the idea of manuring or irrigating his lands, though the means to it were ample and available. His only care seems to be simply to keep his mahajan well satisfied about his earnestness to pay off his debts, by showing that he has broken up his lands for purposes of cultivation. The mahajan with this guarantee in his favour undertakes to keep him up and afloat up to harvest time, and lends him money and paddy in the hope of recovering something of his old dues over and above that let out in the current year. Now imagine his chagrin, when at the hervest time, he comes to know that owing to the partial failure of rain and the comparative exhaustedness of the fertility of the soil, the produce of the year cannot be expected to realize even so much as half his dues of the current year. His remedy now lies in a court of justice, and what awaits him there? Loss, heavy unmitigated loss! The law protects the ryot. His single plough and bare pair of bullocks have been declared to be such on which the mahajan cannot fix his clutches. His home is no property that can be attached in execution of a decree, and his lands are primarily liable for the rents due by him. The little that had been saved by eluding the mahajan's vigilance had long been converted into paltry ornaments, and given over to his wife or daughter. The mahajan, with no other solace except a prolonged sigh and a sincere wish of ruin to the man who has given him so much trouble, discontinues his transactions with him. The rents of his (ryot's) lands have already begun to fall into arrears, and the landlord is now brought on the stage. The ryot is called upon to pay, but he pleads inability, simply because he has no mahajan. The landlord waits for three consecutive years, and being hampered in diverse ways in realizing his dues from the ryot, he ultimately goes to court, where after endless postponements, and illegal and unrecoverable expenses he is favoured with a decree. The costs of the original suit, together with those of the execution proceedings, augment the demand to four times its primary amount. The ryot who could not at first pay the simple rent due can never be expected to meet this heavy demand. He hides his movables so effectually that the attaching peon gives a return of no movables, and the landlord is obliged to proceed against his lands. He becomes thus deprived of his agricultural life, and his hand-and-mouth sort of life brought on by his own faults is made the stand-point whence the declamators vilify the landlord. There can be no remedy to this state of things so long as the ryot does not appreciate the advantages and importance of an easy, independent, agricultural life; no amount of protective legislation can better the condition of the ryot, and too much court-interference will only hasten on his ruin. However circumscribed and hemmed-in might become the landlord's rights under a legislative enactment, something must remain to him, and the enforcement of that something in a court of justice, where myriads are waiting to prey upon the poor ryot, would bring on misery and destitution to the latter. In olden times, a defaulting ryot would have been brought over to his landlord's kutchery, where after piteous cries and cunning evasions he could get release with some corporal punishment perhaps; thus with a slight bodily inconvenience he could contrive to save his home and his means of living. But now, protected from any such punishment by the criminal law, he becomes utterly ruined in defending himself. The greatest oppression that a landlord can now-a-days inflict on his tenant is to sue him in a court of justice.

With these preliminary observations I beg to proceed to consider the Bill. First of all, I shall beg leave to ask, is the Bill wanted? To this question I should return an answer in the negative. The system of agriculture in vogue needs substantial improvement; else no good outturn can be expected. The same lands are being cultivated continuously for the last hundred-years, and have consequently lost much of their productiveness. Experience has shewn that improvements calculated to secure a good harvest do not pay even the interest of the capital laid out. Under this state of things, ordinary ryots are seen to give up agricultural pursuits, and embrace the more lucrative calling of selling labour dear. The price of labour has increased fourfold, and the inducement to pursue an unprofitable agricultural life has greatly diminished. Moreover, the agitation given birth to by the passing of Act X of 1859 is gradually subsiding, and the landlord and tenant are, after long and protracted struggles, becoming reconciled to the provisions of the Act. It is not at all politic to disturb the present state of peace and equanimity. Creation of new rights in the tenant will certainly be strongly and strenuously opposed by the landlord, and the sequel of the proposed measure would be setting one class against the other anew. The second question I would ask, is the Bill, as framed, calculated to ameliorate the condition of the ryots in any perceptible way. I must confess that I cannot answer this question even in the affirmative. The Bill simply attempts at conferring certain rights on the ryot, but it does not contemplate securing them to him. He is too often required to appear before court against his landlord, and it is more than certain that what may be

pastime to the one will be rain to the other. I intend to notice all these particulars as I proceed with the different sections of the Bill.

Section 17 is not easy to be understood. If the scope of the section be to declare that separation or amalgamation of lands and consequent decrease or increase of rent will not operate as a change of rent within the 20 years immediately preceding, there is not much to be said against it. If it means that mere separation from or amalgamation to a holding will not entitle a landlord to enhance his rent, it is objectionable.

Section 18 (a).—If it is a fact that the rent of a certain tenure has undergone two or more enhancements since the permanent settlement, though there is no special custom to that effect in the district, is it equitable to debar the landlord from claiming enhancement when the land is shewn capable of affording it?

Sections 14 to 20 confer on a certain class of ryots some privileges which will turn them into middlemen. They may prove as oppressive to their under-tenants as their landlords had been to them. It is nowise bettering the position of the actual cultivators. I do not see what may be the good of this policy of creating a middle class who will entail on the poor cultivator a double burden. The first landlord has secured certain profit at the time of letting his lands, and the new landlord, that is, the middleman, will not let his lands to the cultivators without keeping a good margin for himself.

Sections 21 to 24 award to the tenure-holder a high percentage of profit. His collection expenses are already taken into account, and he ought not to be allowed very much more than that. It is sufficient that he does not pay anything from his own pocket, and has ample means to keep himself and family in easy circumstances. The percentage recommended by the section is feared to provide him with means and leisure which he may be tempted to employ to the oppression of his ryots.

Section 28.—This is quite uncalled for. Section 32 provides for cases where the landlord refuses or neglects to register, so that Section 28 can be dispensed with. The less the court's interference the better.

Section 30.—A fee at least must be made payable for registration of a third person's name. The purchasers in this as well as in Section 29 are in the same predicament, and should, in equity, be made equally liable to a fee.

Sections 45 and 47.—A settled ryot, who had been cultivating or holding bromhotor or lakhraj lands in a village or estate for 11 years continuously, is seen in possession of some ryoti land pertaining to the village or estate during the last year which does not expire before the 2nd March 1883. Shall this man acquire occupancy right in that land? It is absurd that a man having had so small a concern with the land should be considered to have acquired a right in such land. Considering the present deplorable state of agriculture, it is desirable to confer on the ryots, that is, the actual cultivators, certain rights which may induce them, to hold to land, and introduce improvements in the system of cultivation. Though the idle habits of the tenant class do not warrant such a conclusion, still I would not grudge a trial, especially when my rulers would have it. But then I should here state a principle on which the landlords, in recognizing any rights in the tenant, are entitled to a certain premium. It is invariably the custom and practice everywhere that when the landlord transfers any of his own rights unto any of his tenants, or a third person, he gets something as consideration. Now under the proposed law some rights which but for the Act had been vested in the landlord, are wrested away from him and conferred on some third person. It is but meet and just that this third person should pay to his landlord something as premium. If, however, the tenant is unable to make any immediate payment, it should be made payable by instalments bearing interest not above one per cent. What I have said of occupancy rights is equally applicable to the tenure cases.

Section 50(e).—Occupancy rights should be made to accrue in respect of lands which a ryot would absolutely require for cultivation. When once the right has accrued to a person, he shall not be divested of it so long as he continues to cultivate the lands. If in any year he neglects to cultivate any portion of the lands, he loses his occupancy rights in that portion, provided that no physical disability has overtaken him during or before the year. Any settled ryot taking that portion for purposes of agriculture will have occupancy right in respect of it. Creation of a middle class should be very much discouraged. The less their number the more good to the cultivator.

Section 61.—Court interference without need. Serve the notice personally on the landlord, or if there be any reason to believe that the landlord will not recognize service of notice, it can be served by means of registered letters.

This and the four following sections deal with the right of pre-emption of the landlord in cases of sales, gift, or bequest. Much has been made of this provision as if something quite new and unheard-of is being secured to the landlord. But let us see what it really means. It simply means nothing more than this, that the landlord shall buy up a thing which originally belonged to him, but had been given away to a third person without getting his consent or giving him any consideration in return. All that I have said here and elsewhere respecting premiums and considerations applies only in cases of zemindars or actual proprietors. Tenure-holders are landlords only under the present Bill. But if tenure-holders are to be taken into account, the premium or consideration should be divided between him and his landlord according to the proportion of their rents.

Section 70.—Considering the variations in the gross produce and the value thereof, no table can be allowed to hold for more than three years.

Section 73 (c).—It would not be fair that the proprietor or the holder of a superior right

should equally share with his inferior the difference obtained. Tenure-holders as landlords are under this section entitled to enhancement when the prepared table of rates shews the ryots' rate to be below it, without being made liable to any such obligation under similar circumstances. Since the tenure-holder acquires his right without paying any consideration, it is equitable that he should share with landlord the profit obtained without his agency.

Section 75 (c).—The above remarks apply here equally well.

Section 78.—Suppose a rent enhanced a year or two before the proposed Act comes into force. If this enhanced rent is still less than the rate shewn in the table of rates prepared under the proposed law, shall not the landlord be entitled to enhancement, simply because 10 years have not elapsed since the rent was last time enhanced?

Section 93 (b).—Why the landlord is thus saddled with a compensation amount? He merely seeks to oust a tenant-at-will for his refusing to pay a just demand. If such a provision be allowed to prevail, no ryot will agree to pay the enhanced rent.

Section 96 (2).—The percentage is very high.

Section 100 (d).—It is desirable to have the following words added, *viz.*, the quantity and quality of the lands comprised in the holding. It may obviate many difficulties in a subsequent suit.

Section 101.—The landlord should be allowed a small fee for each statement furnished. Unless extra amlahs were kept, these businesses could not be rightly and punctually performed. (*a*) The quality and quantity of land in the holding.

Section 103 (a).—Mere belief should not be made the criterion for deposit. Where a tenant believes that his rents would not be accepted and receipt granted therefor; he should at least serve a notice on his landlord, say, by registered letter, that unless his rents were accepted within ten or fifteen days from the date of the notice, he would deposit the amount in the court.

Section 110.—There must be conclusive proof that there was not a reasonable or probable cause. Bearing in mind the strong predilections of courts in favour of the ryots, this section seems to be dangerous on the whole.

Section 128.—This section empowers an ordinary ryot to erect on his holding dwelling houses and suitable out-offices without the permission of his landlord. This is not just. The ordinary ryot has no sort of right in the soil, and the improvement does not in any way benefit the land. If he is ejected, he is entitled to compensation; but anyone stepping into his shoes and standing in no need of such an improvement would not take the holding at his rent. This is conferring too much privilege on an ordinary ryot. Improvements not absolutely necessary for the purposes of the tenancy should be made subject to the landlord's permission.

Section 133.—In the statement of Objects and Reasons the desirability of empowering a landlord to measure all lands in his estate, whether lakraj or otherwise, has been expressly stated. But the section seems to exclude lakraj lands from its operation. This is anomalous.

Section 135.—Some punishment must be inflicted on the obstructing tenant; else he would not be induced to desist.

Section 142.—The appointment of a manager is made dependent on certain conditions. I should recommend it to be made compulsory in all cases of co-sharers. It will bring infinite relief to the ryot, while it will materially benefit the landlord.

Section 167.—Landlords who collect their rents by means of agents, *i.e.*, naibs and gomastahs, should be exempted from any obligation to verify a plaint. The verification by the naib or gomastah well cognizant of the facts stated in the plaint in such cases and duly empowered on that behalf should be accepted. Though Section 189 provides something of the sort, the law is not explicit enough.

Section 168.—The procedure is feared to become too much dilatory. Every documentary evidence should be filed along with the application, and the deputation to distrain should be immediately ordered to issue. If the ryot has any objection, he can come in after the distraint, but before sale. Otherwise if he becomes apprised of any attempt at distraint, he will fail to take advantage of the delay by promptly gathering and hiding securely his crops in some safe place.

Section 195.—It is not stated anywhere in the Bill in what sort of cases the court should grant leave to file a written statement. It is desirable not to give to the court any discretion and to make the rule absolute. If, however, the court is satisfied that the defendant has just and reasonable cause of complaint, it may require him to deposit the amount claimed, together with the probable cost, before being allowed to file a written statement. When the register, record of rights, table of rates, receipts, and statements are required to come into play, no serious injustice may be feared in case the ryot is debarred from filing a written statement. If the case is decided against the defendant, the deposit shall be at once made over to the plaintiff, and thus an execution proceeding can be dispensed with.

In conclusion, I shall beg to notice that neither in the case of a tenure nor in that of occupancy right any provision is made in the Bill when more than one person succeeds to the tenure or the occupancy holding, and partition it among themselves. The landlords' sherista contains the name of the one man who was a tenure-holder. His successor in interest has been made liable to pay a fee, but when there are more than one successor, no provision is made as whether each and all shall be liable to a similar fee when they wish their names to be separately registered according to their respective shares.

Memorandum of Opinion on the new Tenancy Bill by RAI JADU NAUTH, ROY BAHADOOR, *dated 31st May 1883.*

This Bill being the outcome of a settled purpose on the part of the Government to ameliorate the condition of the ryots by improving their status, and taking away certain rights which the zemindars from the time of the permanent settlement understood to have belonged to them, it is needless to enter into any discussions or comment upon the principles of the Bill. I shall, therefore, address myself chiefly to some of the prominent changes in the relation between the landlords and tenants, and how they are likely to affect the interests of the party concerned.

The word *khamar* in this district is known to mean such lands only as are kept for storage of crops just before threshing, and it is not known in the sense the term is used in the Bill. Perhaps in former times zemindars used to compel ryots to store their crops in lands belonging to them as private lands, and did not allow them to take away the grains without paying the rents. Besides this, I am not aware of any zemindar or landholder, keeping any records or paper shewing the areas of khamar lands in their villages; it would therefore be not a matter of little difficulty to ascertain the area of khamar lands as distinct from the ryoti lands in the way proposed by the Bill; in fact, no distinction between khamar and ryoti lands had been observed since a very long time in our districts, and so many conflicting rights and interests have, during this long period, accrued to one party or the other, that, far from the executive authorities being able to ascertain this question, it would take the Civil Court a full generation to decide them.

Nothing has prevented the zemindars for this long time to convert into khamar or private lands any unoccupied ryoti land, nor was any claim set up by a ryot for lease of any land left vacant by a fellow-ryot; on the other hand, the zemindar has always let out lands of his villages without observing any distinction between khamar and ryoti lands. The zemindars of this district know of two kinds of land only, the *zami*, or lands held by tenants, and *lokshan*, or lands not held by any tenants. Under this latter description of lands is included all uncultivable, uncultivated jungle lands, village roads, lands the zemindar might retain for his own private use, as well as lands that were at one time leased out to tenants, but has since reverted to *lokshan* lands, having been deserted by the tenants. The well-known *utbandi* tenures of the Nuddea district are formed out of these *lokshan* lands. Now, the definition given in the Bill of *khamar* lands will not include all these descriptions of lands; consequently it is doubtful whether the *lokshan* lands of the zemindars will be called *khamar* or ryoti lands. The definition of *khamar* land, therefore, in my humble opinion, ought to be clearer and wider, so as to include all the so-called *lokshan* lands retained to be let out as the zemindar pleases.

Sections 15—20.—In suits for enhancement of rent, the present rule of 20 years' presumpton is, that a ryot must shew payment of uniform rent for a period of 20 years immediately preceding the time of the enhancement, whereas the new Bill proposes to introduce by allowing uniform payment of rent to be proved for *any* period of 20 years. Now, the effect of this change would be to give the ryot an undue advantage over the zemindars in *more* successfully contesting his just right of enhancing the rent, for it will be easier for the ryots to fabricate *dakhilas* so old as not to require of their being proved in law courts, and as those alleged to have signed them might not be alive, it will be impossible for zemindars to rebut the presumption either by witnesses or by *jumma-wasilbaki* papers, the latter being not always available in consequence of the frequent change of zemindars by sale, gift, or otherwise.

Section 14 enacts that tenures held at fixed rent since permanent settlement is not liable to enhancement; and section 18 provides for the enhancement of such tenures when not so held, but the changeableness of the rate of rent is to be proved by the landholders; a mere allegation that the rent is changeable will help little or nothing in getting the rate changed. The provision in Section 18, with regard to further proof in respect of the custom of the district, is vague in itself, and will naturally give rise to the question as to what the landholder should have to prove. This section may, further, tempt ordinary and other ryots to set up equal claims with the tenure-holders, described in Section 14, in the absence of pottahs and kubulyuts, the interchange of which, until very lately, was not much in practice. In this respect, therefore, the present law may be allowed to stand as it is.

In sub-section 3 of Section 21, the words "gross rents payable to him" are objectionable inasmuch as they may not include the rents of the lands which the tenure-holder holds for his own private use.

Section 25 makes all permanent tenures *saleable*, but no provision has been made for preventing from their being purchased by inimically-disposed rival zemindars. The principles underlying the right of pre-emption with regard to occupancy tenures should be the guide in cases of permanent tenures also, and the right of pre-emption ought to be given in these tenures.

With regard to occupancy rights, so much has been said and discussed, that it is unnecessary here to repeat the arguments advanced against the most objectionable sections of the Bill. I mean sections 45 and 47. It needs only be observed that the freedom of contract taken away by these and many other sections of the Bill is of essential necessity in all relations between the landholders and the tenants. The various advantages derivable from the land depend not only upon the soil, but upon numerous conditions of the soil, its situation, its drainage, its scenery, fertility, &c., &c., combining to complicate the question as to how to ascertain the value of the land for the purpose of settling the rent payable in respect of it. Upon a rough calculation, therefore, of any one of the numerous conditions—say, for instance, the gross produce—it will be simply an arbitrary measure to make any attempt to fix the rate of rent payable by the ryots.

The ryot to whom the land is to be let out is likely to prove the best judge of what would suit his convenience, and notwithstanding all his shortcomings—inferiority of intellect, an absence of education—the ryot is most sensibly alive to his interests, and well understands the advantages he derives in lieu of the rents he pays for the same. It would therefore not be unwise to leave to the ryots to enter into agreements in the way they choose; and any attempt to take away from them and the landlords the right of contracting legally (though out of law), would be inconsistent with the broad liberal policy of the present as well as of the past Governments. In discussing upon matters of the local self-government scheme, the Government has recognized the possibility of honest and intelligent votes being given by far a greater portion of the ordinary run of people, and upon the face of such recognition in respect of difficult matters of policy it will be quite inconsistent on the part of the Government to deny the possibility of a current appreciation by the ryots of the nature of the contracts they enter into in far easier relations with their landlords. The idea therefore to make the law imperative, and to prevent the ryots from contracting out of law, is not in harmony with the age and principles of Government.

Having made these observations in respect of some of the prominent changes, as they appear to me, from the stand-point of my own experience as a zemindar, I shall conclude this note with one word more. The agreement entered into between the zemindars on the one hand and Lord Cornwalis' Government on the other, is of the nature of a voidable contract. The zemindars understood themselves absolute proprietors of the soil in quite a different sense from that intended by the Government. Their conduct, and the way in which they have been dealing with their proprietary rights since the permanent settlement, are sufficient for my purpose to say that the zemindars did not for a moment consider that they were made *proprietors* in such limited sense of the term as explained by Mr. Ilbert. If from the rent literature of the time of the permanent settlement it appears that the weight of evidence is in favour of the contention that the Government has reserved the right of legislating in the manner in which it now exercises, I should possibly have no claim to be heard in what I have said upon some of the provisions of the new Bill. If that is so, I should rather say that it would rescind the permanent settlement altogether, and reconvert the zemindars to tehsildars, or convert him to a pensioner, for then we might look for peace in the land.

Dated Katdaha, the 12th May 1883.

From—Babu Bedhoo Bhoosun Bose,

To—The Officer in Charge of the Sub-division, Kooshtea.

With reference to your notice, dated the 2nd instant, I most respectfully submit to your information my views on Rent Bill embodied in the enclosure.

I further beg to state that Babu Bepin Behari Bose, to whom the same notice was also given, has been confined to bed from a severe attack of rheumatism since the month of January last.

Views on Rent Bill.

A certain portion of produce or of profit from land which its occupier pays to its owner for its use, is called rent.

A mouza, or a certain large area of land, whose name is entered into the Government land register, is called an estate.

The rent that is paid to the Government for an estate by its proprietor is called revenue.

A holding is a small piece of land, or is composed of several such pieces, for the use of which rent is paid.

The occupier of land who pays rent is called a tenant. When the tenant dwells in his own holding or in the village where that holding lies, he is called a khood kasta tenant.

The owner of land who receives rent is called a landlord.

So the term tenant includes all, from the actual cultivator or the occupier of the land to estate proprietor, in their capacity of paying rent. And the term landlord includes all the various proprietors of an estate, from the zemindar to *miadi* ijardar, and also all the various proprietors of a holding, from the mokraridar to the lowest korfadar, in their capacity of receiving rent.

Since the time the views of the Legislature in any Rent Bill appeared in any public print, the landlord begins to guard his interest; while the ignorance and the poverty of the tenant keep him back even from knowing what has been laid down for his good.

On the occasion of breaking out into a difference, the landlord, thinking himself as the paramount power, generally takes law into his hands, and continues to do so till his tenants are goaded to form a powerful combination. Then he begins to be paid in the same coins as he used to do them heretofore. Yet, he is not without hopes to crush them down if he succeeds to get some fellows to uphold his version in court, as he fails not to assail them on all the various sections and clauses of the Rent Law which he finds there are in his favour. This course, though slow, is sure and safest of all. But when he is unable to produce any evidence, he is sure to be deprived by tenants in combination of his just dues.

The tenant, on the other hand, during the time of his broil with his landlord, has the disadvantages of his field being neglected, and those of being advised and led either by an unscrupulous village scribbler, or by a wily mooktear, but neither of whom feels the least compunction to rob him right and left.

Again, when the landlords' myrmidons or the tenants' combination headmen become unscrupulous, the peaceful, though reluctant, are dragged into a strong compact to commit or aid perjury and other crimes by the threats of injuries to be inflicted to their property, persons, and family. These threats are turned into actions when the reluctant become resolute. The injuries thus brought on are rather augmented than mitigated by the present system of administration of justice, since the difficulties and the troubles that meet the injured in the way are :—

(1) The want of money for the stamps or court-fees required.
(2) The incapability of procuring the required evidence when it is under the sole control of their influential opponent, who can, at all risks, dare say anything in open court against a tyrant landlord, or a ruffian tenant, to bring him into grief.
(3) The loss of time and such moneys as are not allowed by law during the various stages of law-suit, not only in the court of first instance, but in those two of the appellate ones. This loss is so enormous that it entices the affluent to adopt the conducting of bad suits as one of the means to ruin their antagonist.
(4) The failure of justice from absence of such evidence as the court requires.
(5) The want of means to pay the decreed costs consequent on such a failure.
(6) The execution of costs decree through all its processes, which add to the decreed sum an amount equal to several times of its actual value.
(7) Multiplication of crimes when one is let off unconvicted. The Government, having arranged to meet the expenses of the administration with proceeds from stamps or court-fees, gains by these quarrels and loses by their absence. But quite contrary should be the case. India being an agricultural country, the land disputes which have reduced it to wretchedness and penury must at once be got rid of, and measures of peace and prosperity are to be admitted in their stead to make the Government powerful as any under the sun.

To remove the grievances alluded to, and bring without loss to any all the several interests in land, from the Government to the cultivator, into a harmonious whole, should be the sole object of the new Rent Bill if any real reform is intended by it. To replace a few obnoxious clauses in the existing Rent Laws by some salutory ones without any radical change in the administration would merely contribute to fan the dying embers of the litigation, enhance the stamp revenue, and make the court's file cumbrous without the desired effect.

The points that require reforms in the Rent Bill are :—

(1) To uphold the contracts between the landlord and tenant.

Whether written, verbal, or implied, the valid ones are to be respected, and one-sided ones rejected, and thus not to allow either the landlord or the tenant to encroach on the just rights and privileges of the other under the plea of time, &c. As for example, it is not reasonable to create an occupancy right to a temporarily settled or utbandi land on occupying it for a certain period of time, or to oust a resident or a khood kasta tenant if he fails to complete his that period; and also to permit the tenant to appropriate the wood of the fruit trees which were in existence before he was admitted into his holding, or to deprive him totally of it when the trees are planted by himself.

(2) To develop the resources of land.

This is the hinge around which the incomes of all its interested parties turn. The work is now left to the cultivator whose poverty and ignorance render him incapable to bestow on it any improvement whatever. With a view to aid him in the matter the Government, as the paramount landlord, should make an advance to the intermediate ones, to be refunded at the close of the year with interest at the rate not exceeding 6 per cent. per annum. The intermediate ones should in their turn advance the amount to the cultivator, to be refunded after each harvest with interest at the rate not exceeding 12 per cent. per annum. Besides this the cultivator should be permitted to secure any kind of tenure for the improvement of his fields on payment of proper costs. These and similar other deeds towards the development of the soil should entitle the landlord to the enhancement of his tenant's rent.

(3) To adjust rent.

The average of ten years' net income from each sort of land in a holding is to be ascertained. Of such income (that is, income after deducting from the gross produce all sorts of expenses except the Government revenue) (½) half is due to the proprietor of the estate and (⅜) three-eighths in equal portions to the intermediate tenant landlords as the rent to be annually paid for ten years at the least, and the remaining (⅛) one-eighth to the cultivator at his profit. The reasons for such divisions are, that the estate proprietor has to pay the Government revenue from his half (which is equal to nearly (¼) one-fourth of the gross produce), and the remainder he has to share with the others of his class according to their mutual contract, as the tenant landlords are to divide among themselves their (⅜) three-eighths. Whereas the cultivator, his (⅛) one-eighth none to part with; besides he gets all the expenses of his cultivation, including his own labour which would cover, at some crops, (½) half and, at others, more than half of the gross produce. So where the tenant holds his land direct from the estate proprietor, and cultivates himself, he gets (½) half of the net income and the whole expense which equals sometimes (¾) three-fourths, sometimes more than that of the gross produce. The rent should be left as it is if it is not enhanced by the above rule. An annual return of the average produce and expense of each crop in a village prepared by its panchayets, tenants, and landlord together; in case of difference by the canoongoe or by the sub-deputy, and tested by the sub-divisional officer, if preserved in a sub-divisional office, would help the adjustment of rent without difficulty.

According to the principle laid down, above (¼) one-fourth of the wood of fruit trees planted by the tenant is due to the landlord unless the latter relinquishes his right by a tenure.

4. To ascertain the time of paying rents.

Rent should be due after each harvest. But the amount should never exceed what might be claimed by that time according to the prevailing instalment. A corresponding grace should be conferred on the landlords with respect to their payment of Government revenue as is done on the occasion of drought and famine.

5. To facilitate the collection of rent.

In every village the panchayet should prepare a list of undisputed rents in the presence of the landlords and the tenants. A copy of such list should be submitted to the sub-divisional officer. The tenant should not take the proceeds of his fields till his undisputed rent, cesses, and rent decree and advance, if any, are paid in cash or kind. But if the tenant thinks it convenient, he may with the knowledge of the punchayet and landlord keep for a month at the most a quantity of the proceeds deposited with a third party adequate to meet the dues from him. If from want of adequate productions any sum remains unsatisfied, it should be realized from his other properties in the following year by legal processes.

6. To protect a tenant from the Small Cause Court decree.

The money-lender takes advantage of his debtor's indigence to extort from him an exorbitant interest, generally amounting to 37½ per cent. per annum. Therefore the decree in question should neither affect his person nor his holding, but the yields of his lands that remain after the payment of his rent, cesses, or advance if any, and also the residue of the sale money of his holding when it is sold on a rent decree.

7. To make the tenant's right transferable.

If he be protected from the Small Cause Court decree as stated above, his right should be transferable as he is understood to spare neither labour nor money to improve his land. The right of pre-emption should lie with the landlord as any transfer without his consent is not the general practice.

8. To confer on the tenant the blessings of law and good government.

The existing obstacles are :—

1. The court-fees.
2. The other heavy expenses and troubles attending a case in its different stages of progress from the court of first instance up to the final court of appeal.
3. The absence from the fields during the enormous length of time generally occupied by a case till its final decision.

If a cess imposed on those who are likely to be benefitted by law takes the place of court-fees to maintain the machinery of administration, the first obstacle might be removed without any loss to Government. This cess will likewise decrease in proportion as the fines imposed on the aggressors in the shape of costs will increase. If two copies of plaints are made on plain paper, and one of them is submitted to the Judge by post, registered, and another to him by the police through the panchayets. If summonses and all other processes of law are served through the police by the panchayets and chowkidars. If the services of pleaders are utilized as paid arbiters.

If those among them nominated by the contending parties are allowed to settle all of their disputes on the spot. If in difficult and important cases the arbitration is presided over by the Judge himself. If private investigation is held before taking the evidence. If the witnesses are made to account for their disagreement and coincide their version with the natural sequences of fact. If in case of difference among the arbiters a reference with due remarks is made to the courts composed of the judicial officers of the sub-division. If intricate questions of law are referred to a similar court in the district, and on their difference to the Honourable High Court. If fine in the shape of cost is imposed on the aggressor to an amount adequate to deter him from further interference. And if protections from criminal aggression are similarly bestowed on by the superintendence of the efficient police and the supervision of the sub-divisional officer.

The second and third obstacles will be removed, and not only the favoured few, but all the people of the country will enjoy the benefits of law and good government, and advance under peace towards wealth and prosperity which will bring on all the improvements in the country, as well as make the Government as firm and powerful as ever.

Dated Kishnagur, the 20th May 1883.

From—BABU PRASANNA CHUNDER ROY,

To—BABU RAKHAL DASS MUKERJEE, Deputy Collector of Chooadangah.

In compliance with your memorandum No. 60, dated the 18th April 1883, endorsed on a copy of the letter No. 351A, dated the 29th March 1883, from the Secretary to the Board of Revenue, to the Commissioner of the Presidency Division, I have the honour to submit herewith a few remarks on the Bengal Tenancy Bill.

It is stated in the Statement of Objects and Reasons that when the permanent settlement was effected, Government did not part with its "right as sovereigns of being the guardians and protectors of every class of persons living under it," but reserved the power of enacting "regulations for the protection and welfare of the dependent talookdars, ryots, and other cultivators of the soil," and that the zemindars were called upon to "shew implicit obedience to all regulations which had been or might be prescribed by Government concerning the rents

of the ryots and the collections from under-tenants and agents of every description, as well as from all other persons whatever." It is accordingly argued that apart from the inherent right of Government "to regulate from time to time as occasion might require for the protection of the inferior occupants of the soil," these provisions of the permanent settlement regulations also empower it to enact laws in that direction. The first question that arises is whether Government has got this power. It would be presumptuous on my part to pass any opinion definitely on so grave a question. But it seems to my humble judgment that the proposition that Government has an unlimited power to pass any law for fixing the rates of rent payable by a ryot, or for defining his status can hardly be defended. Supposing that the permanent settlement of an estate was effected after taking into calculation a particular rate of rent then payable by the ryots, will the Government be justified in fixing a *lower* rate of rent, however necessary it may be from an administrative point of view, without either making a proportional reduction in the revenue assessed on the estate, or giving compensation to the owner thereof? The same remark would apply if any alteration in the law is made by which the ryots' status would be different from what it was at the time of the permanent settlement. I am perfectly aware that the proposed law does not contemplate any such alteration at all, but nevertheless the cases supposed shew that it would be unjust to claim such a right in every case. If the state of things that existed in 1793 could be accurately ascertained at the present time, and customs now prevailing in agricultural communities were in most cases not at variance with the same, any legislation based thereon could not properly be objected to by the zemindars. But when this cannot be done, and a law is proposed the provisions of which are at variance with the *existing* state of things, and which are alleged to be mainly based on the general principles of equity that *should* govern the lands of an agricultural population, the zemindars, I humbly submit, have every right to complain when from some cause or other as certain state of things has been allowed to exist for nearly a century, and thousands and thousands of estates have changed hands on the belief that it would not be disturbed in any way, and when the passing of the Acts of 1859 and 1869 could not but strengthen this belief, it would not be equitable to the zemindars to pass a law entirely opposed to the same. The changes proposed are so great that in many cases they would surprise the ryots equally with their landlords. The provision regarding the acquiring of a right of occupancy by a settled ryot by his "holding as a ryot" a piece of ryoti land for even a single day, and which he would be entitled to dispose of whenever he wishes to do so, and some of the incidents of this right, will be considered startling to both parties.

It would appear from the above that, even if the Government has the right, under old regulations, to make such laws, which is a doubtful point, it would be on no account equitable to do so under the existing circumstances. On the other hand, however, the condition of the agricultural population of Bengal should be improved. That a considerable portion of the ryots is deeply involved in debt and is not in a position to withstand the difficulties brought about by a season of scarcity, withal extraneous help, is a fact that cannot be denied, and everybody ought to be thankful to Government in its attempt to improve their condition, either by reducing the incidence of taxation on them, or by resorting to other means at its disposal. But this improvement of their condition should not be effected at the expense of the zemindars *alone*. I would, in pursuance of the suggestions already made on the subject, humbly suggest, that if all the interests in land above those of a right of occupancy are bought up at their market value by Government, and then a ryotwari settlement be made on conditions calculated to improve the status of the ryots, it would be desirable in every way and no one can reasonably object to the adoption of such a course; nor would such a plan, in my humble judgment, be attended with any great difficulty. On an average the capital which the Government will have to empty for this purpose would bring in a profit of about 5 to 5½ per cent. per annum, and if the credit of Government be taken as equivalent to 4 or even 4½ per cent., there would be left a reasonable margin to justify the adoption of this course. There is another point of view from which this question may be considered. It has been often asserted that the permanent settlement was a great mistake of the Government of 1793, and that, had it not been for this, the financial condition of the Indian empire at the present day would have been far different. If the permanent settlement has really produced any injurious effect on the financial condition of the empire, the adoption of the suggestion referred to above will prevent the recurrence of the evil in future. It is an undeniable fact that the value of, and profit from, land will increase in course of time, and it would then be optional with Government either to allow the ryot to reap the full benefit of this increase, or take a portion thereof to improve the finances of the country. If the former course be adopted, it will certainly have the effect of improving the condition of the agricultural population of Bengal to a great extent. Besides, there would be no difficulty or clashing of interests at all in enacting laws that are calculated to raise his status, and enable him to withstand the effects of bad seasons.

Although a ryotwari settlement is advocated above, this is not incompatible with the arrangement for making collections of rents through farmers. If Government feels any difficulty in organizing a machinery for making the collections, the present landed proprietors may be utilized in doing the same by a farming system.

I shall now proceed to make a few remarks with regard to some of the sections of the Bill.

In section 3, it is provided that a person who holds any land for even horticultural purposes is to be deemed to hold it as a ryot. This is an unnecessary innovation. Persons who engage themselves in horticultural pursuits are not generally of the class that is supposed to be in need of special protection at the hands of the Legislature. The incidents of

horticultural holding should not be the same as those of an agricultural one. Separate provisions should be made for the same in the Bill.

Section 5.—Khamar land is defined to be the private land of the proprietor. This definition is not explicit enough, and, if not altered, will give rise to a great deal of litigation. It ought to be expressly provided that khas possession should not be considered as essential in shewing that a land is khamar. In Lower Bengal generally, and in this district specially, all trace of the khamar lands of an estate is gone, and it would indeed be a matter of great difficulty to make out what lands are to be considered as such. In this section the word "proprietor" only is used. But as it is evident that the Legislature does not intend to deprive the putnidars and others of that class of their rights to these lands, the words "tenure-holders" should be added. It would also be better to provide expressly as to how the new-formed chur lands are to be classified.

The provision about making a survey of the khamar lands is well calculated to prevent a great deal of unnecessary litigation.

In Section 15, as the words stand, they imply *any* twenty years before the institution of the suit. But a particular time should be fixed, immediately before which the ryot will have to shew that he held for 20 years continuously at a uniform rate of rent. There is one thing to be noticed in connection with this section. Auction-purchasers are placed at a very great disadvantage by the operation of this clause. They have not generally in their possession the collection papers of their property, by which they can shew either that the rent was different from what is stated by the ryot at some time prior to the institution of the suit, or that the tenure came into existence at a time subsequent to the permanent settlement. This difficulty was overlooked when Act X of 1859 was passed. But when the entire law is going to be remodelled, this opportunity should be availed of to remove the great hardship the auction-purchasers labour under.

Section 18 (b).—This clause restricts the right of the landlord to enhance the rent; only when the tenure-holder has obtained *reduction* of rent, and if the sections are allowed to stand as they are, it will be a matter of doubt whether the landlords will have a right to obtain enhanced rent in cases in which he once enhanced the rent of a tenure-holder. This clause apparently seems to be at variance with the provisions of Section 14. As I believe no alteration of the law on this subject is contemplated, it ought to be clearly provided that, when a tenure has been held from the time of the permanent settlement, any change of rent, either in the way of enhancement, or abatement thereof, would entitle the landlord to sue for enhancement.

Section 44.—When a right of occupancy has been acquired by any particular *custom*, all the incidents attached to that right by the Tenancy Bill should not be made applicable to the right thus acquired. If the custom gives birth to the right, it seems only reasonable that it should also regulate its incidents.

Section 45.—It is not clear whether holding as a ryot any ryoti land includes or excludes the occupation of any land under a ryot. This should be made clear to prevent unnecessary litigation.

Section 47.—It has been already remarked that this provision would appear startling both to the landlord and to the tenant. If a proprietor wants to keep a piece of ryoti land in his khas possession, it would preclude him from leasing it out to any resident ryot even when he may not require it. There are landlords, such as indigo planters and others, who keep a large portion of the ryoti lands of a village in what is called *nijabad;* but they lease them out at times to tenants for short periods when they do not require them. If this Bill be passed into law, they will be, as a rule, precluded from leasing them out to resident ryots, for fear least they may not get them back when required. The landlord in such cases, as also in every other case in which he may have a wish to occupy any land himself from time to time, will always be on the look-out for a farmer, or other person who will not acquire a right of occupancy by remaining in possession for a temporary period, and the resident ryot will, as a rule, be deprived of the advantage of cultivating such lands. Thus, besides being unjust to the zemindars, the law would prove detrimental to the interests of both parties. In my humble opinion, any such wholesale alteration in the law is not needed to raise the status of the agricultural population. It will create a very bad feeling between landlords and tenants, and in the struggle to prevent a right of occupancy from accruing on one side, and to acquire that right on the other, both parties will suffer. It is not so much the law that requires 12 years holding as necessary for the acquisition of a right of occupancy that has produced any evil effect, it is the uncertainty about the incidents of that right and of the law for enhancement of rents that has produced the evil consequences complained of. Had attempts been made at the time of the passing of Act X of 1859, as are being made now, to *define clearly* what the privileges of the occupancy tenants would be, and under what conditions and circumstances their rents could be enhanced, this question about the further extension of the right of occupancy would not have been considered so very important at present. I believe both parties were satisfied with the law on that subject, and as far as I am aware, of its operation as far as conferring a right to hold for ever at a fair rental has not been productive of any evil consequences. The ryots never wanted to have right of occupancy conferred on them in the manner provided in this section. Such an idea never had any place in their mind. I humbly beg to submit that instead of introducing such a fundamental change in the existing law, it would be better if the incidents of the rights of occupancy were clearly defined and the law made clear and definite on various other points.

Sections 52 to 55 are certainly calculated to counteract the evil effects which an unrestricted right of sale would have otherwise produced. But those landlords in whose estate-

occupancy rights are not now transferable by custom will still have a right to complain that the ryots are allowed to sell their holdings and appropriate the proceeds of the sale to themselves; whereas under the existing law, if they did not require the holdings themselves, they had to relinquish them in their landlord's favour. To prevent all grounds of complaint it would be better if a record of the prevailing custom in connection with this matter in each local area were prepared by the revenue authorities, and full effect given to these sections as also to Section 50 (clause *f*) only in places where the right of transfer of the occupancy right is already recognized. In places where this custom does not prevail now, the same rights might be conferred on the condition that the landlord would be entitled to a certain percentage of the value of the holding whenever a transfer takes place, and this should be given him whether he wants to buy the holding himself or not.

Section 56.—When the landlord has paid a fair price for the holding he has bought, it would not be desirable to deprive him of the privileges which a third person would have enjoyed. He ought to be placed on the same footing with the other purchasers. If this sectioned be allowed to stand, it will indirectly nullify the operation of the preceding sections; for no landlord will give any price for a holding which he cannot, as a rule, keep in his *khas* possession, and which when leased out to a resident ryot, even for a short time, will go out of his lands for ever; nor would he be entitled to any higher rate of rent than what he could have claimed prior to his purchase. In many cases, the price that he would have to pay would be a total loss to him.

Section 59.—In my humble opinion it will be quite sufficient if the revenue officer's duty be confined simply to see that the ryot acts as a free agent, or that undue advantage is not taken of his position. If he is allowed to interfere further, it will injuriously affect the interests of both landlords and tenants A ryot may be inclined to pay a slightly higher rate of rent to secure a particular piece of land, and the arrangement may be of great advantage to him, but if such a provision is made in the Rent Law, he might be deprived of this advantage.

The provisions regarding the preparation of a table of rates and so forth will prove highly beneficial to both parties, and will have the effect of preventing unnecessary and prolonged litigation between them.

I am very sorry that there is no time for me to make whatever remarks I had to make in some of the remaining sections of the Bill. This letter containing an expression of my opinion ought to have been sent long ago; but owing to circumstances over which I had no control, I could not send it earlier, and I hope you will be kind enough to excuse me for the delay.

No. 307.

Opinion of BABOO NUFFER CHUNDER PAL CHOWDHURY, *on the Bengal Tenancy Bill.*

I have been requested to give my opinion on the Bengal Tenancy Bill. The subject is so very wide, comprehensive, and affects so vast a class of our country, that, considering the responsibility which rests upon anybody, one would shrink to give any opinion within so short a time; but as there is no alternative, to lay down a few remarks which, though not a complete review of the Bill, will, I hope, render some important suggestions from the landlords' and tenants' point of view.

2. The present Bengal Tenancy Bill if enacted into law is of no benefit, but on the contrary a loss to the country. The landlords complained that the machinery of the Civil Courts was not sufficiently effective to enable them to realize their rents in time to pay the Government revenue, and that either the provisions of the Rent Law were too strict, or the construction which the courts have put upon them too narrow, to enable them to enhance the rent of their ryots as readily and as largely as the Legislature had intended. The complaints of the ryots were not so well defined. They appear to have been brought to the notice of the Government not by the ryots themselves, but for the most parts by executive officers whose duty it was to quell the disturbances which arose from time to time in the agricultural districts, and to enquire into the causes which led to them. The realization of abwabs and illegal cesses, illegal attempts to enhance rent, abuse of power, refusal to give proper receipts, are all that was brought to the notice of Government by these executive officers. This Bill, although introduced under the disguise of affording relief to both parties, virtually relieves none from the sufferings they are undergoing, and though it affords uncalled for privileges (the want of which ryots neither asked, felt nor dreamt of) to the ryots at the cost of the landlords, yet in important cases it gives no material help to any class when landholders are losing greater portion of their privileges and long-enjoyed just, and fair rights. Now to begin with the contents of the Bill. According to Section 5 khamar land means land situated elsewhere than in Behar which a proprietor has held whether under the name of khamar, nij-jote, sir, or otherwise, as his private land for 12 years before the commencement of this Act. All lands (accruing to Section 6) which is not khamar land of same estate shall be deemed to be ryoti land until the contrary is proved. It is not difficult to say from these definitions under what class the utbundi lands of the districts of Nuddea, Moorshedabad, Jessore, &c., should be included. It is evident that under Section 6 utbundi lands are ryoti lands. The landholders have all along enjoyed the privilege of possessing and holding utbundi lands as their own, improved these at their own cost, settled with the ryots to their mutual advantage, and profited largely, nay extensively, without injuring the ryots to the least. Now by a mere stroke of pen from the authority they are going to lose almost all the rights and privileges which they have enjoyed since time immemorial, and which enjoyment was loss to nobody, but a source of profit

to the landholders; nor can there be assigned any reason why the landlords will be deprived of their long enjoyed, just, and fair rights. I would therefore strongly protest against the enactment of these two sections, or even if these two sections are allowed to enact, a special clause should be inserted for the utbundi lands which is found nowhere else, but in Nuddea, and partly in Jessore and Moorshedabad.

3. Again, if we consider Sections 45 and 47 along with the above two sections, we find almost all the ryots will have a right of occupancy the moment they enter to cultivate the utbundi lands, for by Section 45 any person who for a period of 12 years, whether before or after the commencement of this Act, has continuously held as a ryot ryoti land situate in any village or estate, shall, notwithstanding any contract to the contray, and though the land so held by him at different times during that period may have been different, be deemed to have become, on the expiration of that period, a settled ryot of that village or estate, and by Section 47 every settled ryot of a village holding after the 2nd day of March 1883 as a ryot any ryoti land comprised in that village or estate shall, notwithstanding any contract to the contrary, be deemed to acquire or have acquired in that land a right of occupancy under the law for the time being in force. But what advantage do the ryots derive from this? Is it the case that ryots do not get lands when they want to cultivate? Do the landholders reserve utbundi lands for their own private use, and refuse the ryots when they want? Then what is the use of depriving the landlords of their just rights and privileges, the deprival of which will make them loser to no small an extent. Furthermore, I should beg to state that not only the landholders will suffer if these sections are enacted into law, but the agricultural improvement of the country will to a great extent be restrained. It is the landholders and not the ryots who are to look after the agricultural improvements of the country. If landholders are not allowed the privilege of utilizing the utbundi lands, there will be no equal distribution of land among the ryots. Some of the ryots will hold to no useful purpose, while others will be deprived to the disadvantage of the country. The landlord is empowered to certain improvement, yet in the majority of cases he is quite dependent on the ryot; for instance, a piece of land which a settled ryot holds for a month or two for cultiviting rice is required by another for making it a homestead or orchard, then the value of the land will increase, and the country will derive a greater benefit in case the land is allowed to be improved as required.

4. *Section 15 of the Bill is the Section 4 of Act X of 1859.*—The presumption of 20 years' payment of rent before the institution of a suit for enhancing rent was then more important than it is now. During the last 20 or 25 years, ryots have understood their rights, and I think, if the force of this presumption is to continue at all, it should be 20 years before 1859 and down to the time of the institution of the suit. Section 23 limits the enhancement of rent; when the rent of a tenure-holder is liable to enhancement, the enhanced rent fixed under Section 21 shall not be more than double the rent previously payable. It is difficult to say how far this is fair and equitable. The Legislature, Section 21, (1) fully explains his views when he says:—"When the rent of a tenure-holder is liable to enhancement, it may, subject to any contract between the parties, be enhanced up to the limit of the customary rate payable by persons holding similar tenures in the vicinity." Again in Section 21, (2) when no such customary rate exists, it may, subject as aforesaid, be enhanced up to such limit as the court thinks fair and equitable. By this what are we to understand? When the rent of a tenure enhanced according to the customary rate payable by persons holding similar tenures in the vicinity, or according to what is fair and equitable, or according to both, as the court thinks fit, exceeds double the rent previously payable, will the court decide according to the customary rate and what is fair and equitable; or will the court decide, according to Section 22, *i.e.*, not to exceed double the rent previously payable? Instances of these are not of rare occurrence; so it will not affect the landlord to a small extent. Is it right that the landlords will be deprived of what is fair and equitable? Is it the intention to be kind to the ryots at the cost of the landlords who should be deprived of what is just and right and equitable and fair? I need not go further to shew the unjustness of such an arbitrary rule. Section 22 of the Bill should, in my humble opinion, be struck out of the Bill.

5. About the transferability of occupancy rights, Section 50, clause (6), gives the right of transfer of occupancy right. There is not a rule more detrimental to the interests of both landlords and ryots than this one. On a cursory view it may appear that by empowering the ryots to transfer their occupancy right the Legislature puts some value on such holdings, but if we go deeper we find that such a power not only deprives the ryot of his means of subsistence, brings him and his whole family to ruin, but also places the landlord in a precarious position, often to run into disputes with a class whom he fears. As a general rule the ryots never wish to dispose of their holdings but to cultivate it and thereby maintain themselves and their families; they are never speculators, so nothing but extreme pressure and dire necessity will oblige them to part with their holdings; and is it at all likely that *bonâ fide* ryots—the poor cultivators of the soil—will be able to purchase these occupancy rights? The peasantry as a class, and specially of this district of Nuddea, are heavily involved in debt, and if this Bill is enacted into law, will the mahajans allow chances of this kind to slip through their fingers?

The consequence has been already pointed out by many of the officers who have been consulted upon the Bill, and I am sure if it passes into law, the mahajans and speculators of lands will soon be paying up all the occupancy rights, and what will then be the condition of the actual cultivators of the soil? They will be virtually robbed by the mahajans who have no position or character to lose, who have had little or no education, and who would buy up these rights for the very purpose of securing the last piece out of the cultivating classes. By

setting a value on their properties, will it not be ruining them? I think 75 per cent. of the cultivating class of this district are involved in debt. If opportunity be given to the mahajans and other creditors, will they not exert their most to realize their dues by buying up the holdings of their debtors which they consider and really is the best of all their movable and immovable properties? From my practical experience of 15 years I am in a position to say that the mahajans never look after the interest of the ryots; whatever good they seldom do to the ryots are always on account of their own interest, and if this right of transfer is allowed by law, then within a short time greater portion of the lands now occupied and enjoyed by the ryots will go into the hands of mahajans and other land-jobbers. So much for the ryots. About the landlords, they are going to lose the right of settling the utbundi lands according to their mutual advantage, which is always a source of increasing their income without putting their ryots to the least inconvenience. Secondly, they will have to deal with a class of people with whom they are not acquainted, with regard to whom they have not cherished a good feeling, as they have done with their ryots since the time when they first became landlords; and what more, both parties being on the same footing, and there existing no good feeling between them, as is generally the case, there will be no end or troubles. For these reasons I am of opinion that this section if passed into law will not only be cruelly unjust to the landlords, but will operate most injuriously on the very class which it is intended specially to benefit.

6. Section 59 (2) should be omitted or at least that part of it which deals arbitrarily. It is not easy to understand why the rent if enhanced more than 6 annas per rupee fairly and equitably and with the consent of the ryot will not be approved or registered by a revenue officer. What is just and fair should have effect, and nothing else.

7. Section 60 should also be omitted. It increases litigation. It is beyond the power of any reasonable man to understand why a suit for enhancement should be instituted, and both parties harassed and made to suffer when the ryot agrees of his own accord and at his own will to pay an enhanced rent of more than 6 annas per rupee which is a just and fair and equitable demand of his landlord.

Section 76 is also objectionable for the reasons stated in paragraph No. 7.

Section 93 (*b*) runs as follows:—"A further sum as compensation for disturbance, equal to ten times the yearly increase of rent demanded." The landlord institutes a suit of enhancement only when the ryot does not agree to pay his demand. The court in passing a decree consider the fairness of the claim of the landlord, and if satisfied with the evidence of the plaintiff issues order for ejectment. From this it is clear that the landlord's claim is right and just, and he is entitled to what he claims; on the other hand, the ryot wilfully neglects to appear in the court, or appearing before the court, unjustly and unfairly, and perhaps with some wicked intention, refuses to pay enhanced rent. Is this equity, that the landlord to get his just dues should pay ten times, or what he should have received as his own year by year from a time long anterior to what he claims? It can fairly be said that the disturbance is caused not by the landlord, but by the ryot; for who cannot claim his just dues? And such claimant can never be a disturber, but he who refuses to pay what is justly due to the claimant. So this penalty equitably cannot be imposed upon the landlord. If it is argued that the landlord is going to get possession of the holding for which he can easily pay ten times the yearly increase of the rent demanded, I must say it is a mistake: the landlord is seldom a gainer by getting khas possession of the holding; and if, for argument's sake, it is admitted that he may be a gainer, even then why the landlord will be made liable for ten times the yearly increase when he claims his just dues, and the ryot loses his holding through his own fault or wickedness. I think every reasonable and unbiassed person will object to the passing of this section into law.

8. *Section 140.*—There is one difficulty to be met with in this section. When a tenant forsakes his holding, and the landlord cannot enter into and settle the land for a year, how is the landlord to get rent for that year? It is true that the ryot will be liable for the rent, but it is not an easy thing to realize from him when he is not in his village or estate. I think not even 10 per cent. of such rent is ever realized: I would therefore propose that the section may be read as follows.

9. Any tenant of a holding which is not transferable, who leaves his holding uncultivated, *but does not leave his dwelling-house*, and the rent of the holding unpaid for a period of one year, shall, at the expiration of that period, be deemed to have surrendered the holding.

I am sorry that the time allowed enables me not to go minutely on the Bengal Tenancy Bill; however, I think, the important points have been touched, and I think an impartial reader will be astonished at the partiality of the Bill: it is all for the ryots and nothing for the zemindars; not even the slightest facility is given for the settlement and realization of rents, although this Bill originated, as noted above, at the request of the landlords. I think this Bill, if passed into law, will effect a redistribution of property on the communistic principle, for the ryots are to be raised to the status of co-partner, and the zemindars reduced to the position of only one-fifth shareholders in the estate, though their responsibilities as owner will remain the same. It is not for me to contend against the modern interpretation of the rules of the Permanent Settlement, but I think I have the privilege to say that for nearly a century successive governments and legislatures and courts of justice decided according to its dictionary meaning, and, depending upon their solemn assurance, almost all the zemindars of the present day invested their capital on land. Now, I would ask if it would not be extremely hard and unjust to the zemindars of the present day, who have laid out large sums of money in the purchase of landed property, which they have hitherto been led to believe their entire property, to be told that they are only one-fifth shareholders in the estate, and that too under certain

conditions and limitations. The zemindars of the present day (for the number of zemindars by purchase afterwards is not even one in 100) have actual *boná fide* and under an honest conviction, in which they have been confirmed by the highest authority, laid out their entire property in the purchase of soil, and now to deprive them by a single stroke of the pen without any compensation of rights which rightly they have been permitted to enjoy for ninety years or upwards—the longest period for the *accrual of a prescriptive* right being only 60 years—would, in my opinion, be little short of confiscation; and now I would further question, for whose benefit are the zemindars' interests being sacrificed? The actual cultivators of the soil hardly gain much under the present Bill, but it is the mahajans, the jotedars, the land jobbers, and the middle-class men who will be most benefited, or, in other words, a class of petty landowners is to be raised in the room of large zemindars. Is this a wise policy? I believe it has been practically proved, and an accepted doctrine, that the big landholders are the most lenient, and that it is the petty landowners who have the greatest temptation to press hard upon their tenancy, and besides the country is expected to derive greater benefit from big landholders than from petty landowners.

Under these circumstances I am strongly against the Bengal Tenancy Bill, and consider it to be my duty to protest earnestly against the encroachment of our just rights and interests, and to exert by all lawful means to avert the threatened blow.

Dated Sindooree, 9th May 1883.

From—W. Shirreff, Esq.,

To—Baboo Rakhal Dass Mookerjee, Deputy Collector, Chooadangah.

I have the honour to acknowledge receipt of your communication No. 58 of the 18th April, asking me for the expression of my opinion on the proposed Bengal Tenancy Bill. I have gone over the proposed Bill as published in the *Calcutta Gazette* of the 7th March last, and looking at it from the landlord's point of view, I don't approve of it at all. The one great grievance that the landlords had to complain of was the difficulty of getting in their rents speedily through the courts, but I do not see that the new Bill gives any facilities in that way. It takes away to a very great extent the rights of the landlords as hitherto possessed by them, and leaves them mere rent collectors for the Government, with all the responsibility of having to pay up the Government rents on the appointed "Lot" day, as formerly.

It seems to me be a most complicated Act, and that there will be considerable difficulty in working it. I believe it will lead to an immense amount of fresh litigation, and though it seeks to benefit the ryots at the expense of the landlords, yet the real people who will benefit by it will be the mooktears and pleaders about the Moonsiff's courts; while the ryots will impoverish themselves by litigation, and a bad feeling will be established between them and their landlords, which will go far to undo any good they might have got by this new measure.

I have to apologize for not having replied to your communication sooner, but I have been so busy attending to our indigo-sowing, at this season that I have not had time to do so earlier.

No. 328G, dated Berhampore, 18th May 1883.

From—Herbert Mosley, Esq., Collector of Moorshedabad,

To—The Commissioner of the Presidency Division.

With reference to your circular No. 9R.-L., dated the 24th ultimo, I have the honour to inform you that in my opinion the new Rent Bill goes much too far, and will result in difficulties to zemindars which may have a prejudicial effect on the Government revenue.

2. Generally the effect left on my mind after reading the Bill is that it has been drawn up for the purpose of supporting an ignorant and easily deluded peasantry against zemindars who are always trying to get the better of them. In some parts of the country it may be that the ryot is generally unable to look after himself, but this is certainly not the case everywhere. In this district, as in many others, the zemindars generally have by no means the best of it, and little more is wanted than a much cheaper and very much more expeditious mode of deciding suits than exists at present.

3. I proceed to notice the different chapters of the Bill.

CHAPTER I.

4. *Section 3* (5).—I would strike out the latter part of this clause. I do not see why in a law for the protection of the cultivator, the same protection should be extended to him after he ceases to be one, though he may have come into possession (either by himself or through his ancestors) of land for cultivation, and is therefore a ryot; he should, I think, cease to be a ryot when he ceases to cultivate, using the land for other purposes.

5. In the same section I would strike out everything relating to sub-letting, for reasons given further on. (Under-ryot would thus go.)

CHAPTER II.

6. I would strike out the words "before the commencement of this Act" wherever it occurs in section 5. I do not think the chapter is a good one at all, but if it be thought necessary to have it, I do not see why the zemindar should not be in as good a position as the ryot as regards right of occupancy. And while this chapter absolutely prevents land becoming

khamar in future, section 49 provides for present khamar land ceasing to be such, which seems decidedly unfair to the zemindar.

CHAPTER III.

7. *Sections 22—24* might, I think, be dispensed with; they make arbitrary fixtures which might better be left to the courts: no court, for instance, would entertain prayers for re-enhancement soon after enhancement unless for very strong reasons, and I really cannot see why they should be unable to entertain the prayers even immediately if those strong reasons exist. And suppose a ryot holding poor sandy lands in a hollow, for some reason has his rent raised from 4 to 5 annas a bigah in 1883 and in 1884, a flood comes which fills up this hollow with rich alluvial soil, making the land worth Rs. 2 a bigah; why should that ryot reap all the benefit for nine years and the greater part for next ten, &c.?

8. These may be extreme cases, but why should law prevent justice even in extreme cases?

9. And while these restrictions are put on enhancement, the ryot is perfectly unrestricted as regards reductions.

10. In *sections 32* (3) *and 33* (3) the word "sufficient" should be inserted before "cause."

11. In *section 35* (2) it might be well to insert what authority is to inflict the fine, and how it is to be realized.

CHAPTER IV.

12. It would be well if in this chapter something were inserted to remedy a most inconvenient state of things that exists as regards registration. Some penalty is required, or some other remedy in the case of non-registration. Section 39 enables the zemindar to refuse registration in default of security; but what is the consequence of the refusal? And how will refusal force the new patnidar to give security? And what is the consequence of a private transferee never asking for registration. The only consequences apparent are that the zemindar loses fees which he is entitled to, and is sometimes utterly ignorant of who is his real tenant. Of this I have practical experience; in the case of some patni estates in a neighbouring district rents have been paid into the treasury on account of one of my wards' estates in the name of the old patnidar, though private transfers had occurred, and this is only found out when on a default our sole remedy is objected to, because the notices have not been served on the real (new and unknown) patnidars.

13. The law should, I think, insist on every new holder registering and giving in a new kabulyut under disability penalties. The disabilities should be twofold, that is, an unregistered holder should be unable to recover rents, and he should by law be expressly deprived of right to object in any court to any steps taken by his landlord to recover rent. I still also adhere to my formerly expressed opinion that after a certain time non-registration should entail forfeiture of all rights to the zemindar (and I would extend this to all tenures and holdings of any description whatever).

14. And when zemindars are forced to coercion to get in their rents, the extra costs ought to be granted to them by law.

15. The next chapter (V) treats of occupancy ryots, and I think that the further concessions made to the ryots are most unnecessary. This creation of the law was bad enough in the eyes of zemindars already, though I believe as a general rule the objection was a theoretical more than a practical one. As a matter of fact (excepting perhaps a few districts) a long standing tenant was seldom interfered with so long as he paid his rent.

16. Now, however, there is a further drawback. The new "settled ryot" taints every particle of land he touches, and there is no washing out that taint, for if a landlord buys the occupancy right, he cannot extinguish it; it passes with the land to any one who takes it. The "settled ryot" will become a marked man, never to have land given to him, &c.

17. There is in sections 45, 47, 50, the same disabling of a certain class to make contracts, which I think so objectionable throughout the Bill; this is, I think, likely often to inflict hardship. For instance, it is often highly advantageous to the ryot to hold certain lands for a year or two, and this may suit the zemindar too, except for this new law which would void any contract to give it back after the term, and so the ryot will not get it.

18. Section 47 will cause injustice by handing over as occupancy land which has been expressly let for a term only.

19. In Section 50 I would alter clause *a* to one expressing that he may only use the land for cultivation, and clause *e* I would eliminate. If, as I think is the case this Bill is intended to protect ryots, I fail to see why it should allow subletting. A ryot ceases to be a ryot when he ceases to cultivate; when he sub-lets, he becomes that most oppressive of all landlords, a petty middleman. To protect the actual cultivator of the soil is well; to put a man between him and the zemindar can only injure one or the other. If the sub-tenant only pays a fair and equitable rent to the middleman, it is very evident that the latter pays a less than fair and equitable rent to the zemindar, which would be contrary to clause *c*, and if the ryot turned middleman *does* pay a fair and equitable rent to the zemindar, then it is evident that the sub-tenant, the actual cultivator, pays an unfair and inequitable rent, and how does this improve the condition of the cultivating class.

20. Section 56 destroys all advantage a zemindar might gain by buying an occupancy right, which would be held under clause *c* at fair and equitable rates, for immediately he lets

another ryot on, he loses what he bought. He cannot re-let at a higher rate, for the new tenant jumps into the right of occupancy, and would say, "the rents before were fair and equitable, and you cannot make me pay more notwithstanding any contract I made."

21. Sections 59 (2), 61 (2), and 64 proviso, limit rent to one-fifth of estimated average value of crops, while section 81 makes it one-half. I confess that I am unable to see how this is equitable. One-fifth of the produce of an exceedingly good year may be equal to half that of a bad year, but if an average is to be taken, I should say that one-half of the average produce would be about the equivalent of one-half of the produce year by year, taking a number of years, and section 82, allowing a commutation of rent in kind on an average of five years, making a reasonable deduction as in clause 3, that is to say, the money rent may by this be nearly one-half of the average value of the produce, while the above sections make the maximum one-fifth.

22. As regards the sections providing for tables of rates, I can only say that I do not believe such tables could possibly be prepared accurately. My experience in settlements shews that no two villages are alike, or can fairly have one table of rates assigned to it, and the special officer who was sent up here to enquire about this matter told me that his enquiries led to exactly the same result.

23. I also doubt very much whether such a list as that contemplated in section 83 can ever possibly be prepared with any accuracy, and without accuracy the provision would be very mischievous. I do not see how the Collector can ensure getting truthful returns.

24. Turning now to ordinary ryots, I see by section 90 a zemindar cannot let land for a term at all, and section 95 will effectually stop a zemindar from spending money over improvements wherever rents have been enhanced a short time previous.

25. And letting for a short term at a nominal rent to improve the land will be put a stop to, for the ryot, when he is called on for an enhanced rate, will refuse, and then by section 93 the landlord *may* have to pay compensation for improvements, and *must* have to pay compensation for disturbance, though all this was allowed for in the shape of nominal rent. If it be said that this instance does not apply as 91, and the following sections do not apply to holdings fixed for a term by agreement, then I fail to see how the zemindar can get back his land at all, for section 90 bars all contracts to give up land.

26. Section 101 will throw on zemindars a burden so heavy that I doubt whether it will be carried out. For a large estate full of small ryots the work would be enormous; the registration or something like it, though more simple, should be kept, but to furnish each ryot with a copy would entail enormous labour and great extra expense, which if the receipts are properly given seem hardly necessary.

27. To section 119 (as to others fixing proportions of estimated value of gross produce in staple crops as the limit of rent) I rather object, but it is difficult to say anything positively till it is known what crops are to be considered staple. But the creeper producing the pân leaf would not be a staple crop, I suppose, in which case a most profitable crop might be grown, and the zemindar gain next to nothing, for where the pân plan grows, rice or corn would produce next to nothing.

28. I should think it would be well to have some mode of deciding the question which might arise as to whether certain works are improvements [Chapter X (A)], and whether the zemindar or ryot wishes to do the work, the other side should by an express section have the power of putting him to the proof as to whether the work is an improvement or not. Otherwise there is a possibility of land being permanently injured to the loss of one side or other.

29. I have little more to remark on, except that I think section 171 should itself specifically declare how the cost of cutting, &c., (clause 2), is to be met, and that, as I remarked at the commencement of this letter, I should prefer to see a simpler and quicker procedure for suits. And I cannot but again say that I am afraid the Bill if passed will result in ruin to many zemindars, and I may add that the agitation among the ryots that, you may remember, occurred to the south of this district some time ago when a Bill was being prepared shadows forth pretty distinctly what may be expected if this Bill passes.

30. I have received only one reply to the call I sent out for opinions on the Bill, and enclose a copy of it. If more come in, they will be sent as they arrive.

Dated Berhampore, the 5th May 1883.

From—BABOO GOPAL CHUNDER MOOKERJEE, Vakeel,

To—H. MOSLEY, Esq., C.S., Collector of Moorshedabad.

In obedience to your requisition, I have the honour to submit the following opinion on the Bengal Tenancy Bill now before the Supreme Legislative Council.

The necessity for legislation, at least on some portions of the law of landlord and tenant, has been too generally admitted to remain any longer an open question. The want was, however, felt from the landlord's, rather than the ryot's point of view. A simpler procedure for the realization of rent, and a speedier way of enhancing rent, and with greater success, were felt among the wants for the interests of the landlords. The Bengal Legislature was at first moved to remove this want, but the matter has now assumed a different aspect. A considerable portion of the law on the subject has been recast, and the relative rights and positions of the landlords and their tenants have been redistributed; the general scope of the proposed bill is to take away from the landlords some portions of what they consider as their vested rights, and

improve the position of ryots at their expense. Nor is the Bill calculated to promote harmony and peace between landlords and ryots; occasions for law suits and official interferences have been increased, so as to excite bad feelings between the parties. We think, so far as the landlord is concerned, he would rather like to be subjected to the inconveniences of the present state of the law on the question of realization and enhancement of rent than accept the provisions of he present Bill.

The position of the ryots has undoubtedly been improved by the Bill. How far this has been consistent with the pledges given to the zemindars at the times of the permanent settlement is a debatable point. If the Bill succeeds in raising the *status* of a very large portion of the community, and protecting the helpless, that is a point greatly in its favour. Some of the important provisions of the Bill, however, are open to just criticism.

In Chapter II provisions have been made for measurement and registration of khamar lands, with an object of preventing the zemindars from increasing such lands at the expense of ryoty lands, in which important rights are to accrue in favour of ryots. With regard to Lower Bengal at any rate, it may be said that there has not been on the part of the zemindars any degree of anxiety to extend their khamar lands. If their ryots abandon lands, then only some lands are cultivated *khas*, not so much to prevent the accrual of the right of occupancy, but as a speculative measure to keep up the rent-roll of the mehal. The provisions of this chapter are unnecessary, inquisitorial. They will lead to discontent, and wake up the zemindars to separate as khamar a larger area from ryoty lands, apprehending loss from a different line of conduct.

In Chapter V important changes have been introduced as to the growth of occupancy rights and certain incidents attached thereto. A settled ryot holding lands in a village continuously for 12 years is to acquire a right of occupancy over other ryoty lands, however, short may be the period of his occupation of these latter. Such rights again have been rendered transferable against the consent of the zemindar, giving him a right of pre-emption. Such changes are serious encroachments upon the rights of the proprietors of the soil, and not justified by circumstances of the cases. If the occupancy right is considered important enough to be made transferable, it ought to have all the incidents of a transferable interest. The zemindar's right of pre-emption renders it a half measure neither satisfactory to the landlord nor to the tenant. It will, moreover, increase litigation, and introduce want of harmony between the landlord and his tenant.

The question of enhancement has been dealt with in Chapter VI. We cannot say that this matter has been put on a srtisfactory basis. There are no uniform pergunnah or customary rates prevalent over a large area. The circumstances of lands and nature of their holdings vary to a considerable extent, and so also the rates. Preparations of tables will be very difficult and expensive, if not impracticable, to be accurate; they should require a degree of investigation not shorter or simpler than what would be requisite to decide enhancement suits for the area under investigation. The process is, moreover, to be repeated in a Civil Court when a particular holding comes under assessment. Distinctions and differences will be pleaded to take it out of a given rate in the table, and the Court must decide if it wants to do justice therein, by a fresh investigation and enquiry which will by no means be shortened or facilitated by the table of rates prepared. The case will remain where it was, with or without the table.

We are of opinion, therefore, that a speedier and more successful remedy for re-adjustment of rent has not been secured for the zemindar by the proposed Bill.

A contract between a landlord and his ryot, to be binding and effective, needs the approval of revenue officers (section 59). Certain statutory rights conferred upon "ordinary ryots" cannot be modified or superseded by any agreement between the parties (section 90).

These are unnecessary interferences with the freedom of action. The existing laws respect such contracts. This change is against the policy of a civilized Government which has abolished the usury law, and respected individual liberty of action in every other transaction.

A summary procedure has been demanded on behalf of the landlords to realize their rents. The delay and costs incident to a rent suit, like all other suits tried now by the ordinary procedure, have been considered a grievance. Where the zemindar's claim is not disputed, the ordinary procedure does not delay the passing of a decree, and a more summary procedure cannot shorten the time. If the claim be contested, a summary procedure cannot do justice between the parties. Objections made must be fairly decided, and experience tells us that rent claims are contested by ryots when there is a pre-existing want of harmony between the parties, and want of fair play is apprehended. We fully approve of the principle of the Bill regarding this matter. Expenses are incurred by adjournments and heavy process fees. The former may be avoided by a better arrangement in the judicial service; the latter, if an evil, by an amendment of the Court-fees Act. If the justice of the case needs an adjournment, that must be granted rather than justice should suffer.

But we fear the broad principles of the Bill have been determined upon. I have some observations to make upon some of the sections.

CHAPTER I.

1 *Section 3, clause (5)*.—The word person has not been defined in the Act. A question often arises whether an indigo concern or a firm like Messrs. Watson & Co., not registered, nor having a corporate existence, can be called a ryot, and entitled to the right of occupancy

with reference to lands held or cultivated by them for indigo. The High Court of Calcutta has denied them such rights—*vide* I. L. R., 4, column 957; 25, S. W. R. 117.

The Legislature ought to define their true position.

CHAPTER II.

2. A section ought to be added to this chapter analogous to section 89, Bengal Land Registration Act (VII of 1876 B.C.), providing that registry under this chapter of khamar lands must not affect the rights of third parties, or their remedies by suits in Civil Courts.

CHAPTER III.

3. *Sections 14 and 15.*—In some parts of Bengal, quantity of land held varies from year to year, but the ryot is assessed at the same *rate*. Benefits of these sections are intended to be given to such ryots (*vide* section 17). After the words "at a rent" insert "or a rate of rent" in the third line of section 14 and section 15, and amplify section 17 to cover such a case still more clearly.

4. *Section 25.*—Add "sub-let" after "bequeathed." "Transfer" as defined in section 3, column (16), does not include sub-letting. And this right is vested in tenure-holders subject to other provisions in respect of sales for arrears of rent of the superior tenures, &c.

5. *Section 32* (1).—After "any Civil Court having jurisdiction" insert "to entertain a suit to recover possession of the subject-matter of such transfer or succession," and strike out down to "situate." The section, as it stands, does not provide for the class of courts to which such an application is to be made in so far as the pecuniary jurisdiction is concerned.

CHAPTER IV.

6. *Section 41* (1).—Civil Court in this section is probably limited to the court of the District Judges, as by the present patni law (Regulation VIII of 1819) jurisdiction ought to be extended to any Court having jurisdiction in a suit to recover possession thereof. This will afford greater facilities to the parties, and Civil Courts in general ought to possess greater confidence now.—(2) Strike out this: the right of appeal would be a sufficient check against arbitrary orders.

CHAPTER V.

7. *Section 46.*—The period of one year is too short to justify the inference of abandonment. This ought to be extended at least to three years. This "ceasing to hold" should also be without paying any rent. Hence put "three" for "one," and add "without paying any rent" after "with others."

8. *Section 47.*—Proviso, for "owner" substitute "proprietor." As defined in the Act, owner is very vague; an occupant ryot may be the *owner* of his own land.

CHAPTER VI.

9. *Section 59.*—The limit of one-fifth of the estimated average annual value of the gross produce in this and other sections of this chapter is too low; it ought to be one-fourth.

CHAPTER VII.

10. *Section 85* (2).—A sub-section should be added to this section providing for abandonment. If a ryot owning any *basto* land leaves the village without any intention of returning, and does not pay rent, the landlord may take him to have abandoned his holding, and should be entitled to settle with another ryot.

CHAPTER VIII.

11. *Section 93* (*b*).—The compensation on this head is too high, nor is this founded upon any legitimate claim that the ryot can put forward. This clause ought to be left out.

12. *Sections 90 and 95.*—Ordinary ryots should occupy lands, and leave them off according to the contract between the parties. The two sections ought to be amended accordingly.

CHAPTER IX.

13. *Section 104* (1).—The right to deposit is often a nice question, and must be left to be determined by a Civil Court if occasion arises. This section unnecessarily gives the officer to whom a deposit is made a right to see whether the ryot is entitled to make the deposit. His functions ought to be limited to receive deposits if accompanied by a declaration of the ryot containing the ground upon which he can deposit under section 103.

14. *Section 125* (2).—If the tenure is sold subject to the charge, the rent ought to be realized from the tenure in the hands of the purchaser.

If sale-proceeds fall short of the rent due, is the tenure sold to be held liable for the balance? The section ought to be amplified to provide for all cases if rent be considered a first charge.

Dated Saidabad, the 8th June 1883.

From—Baboo Baikunt Nath Sen,

To—Herbert Mosley, Esq., c.s., Collector of Moorshedabad.

I have the honour to send herewith my notes on the Bengal Tenancy Bill. I hope to be excused for the delay that has been made in forwarding the same to you.

No. 485G, dated Berhampore, the 11th June 1883.

Memo. by—The Collector of Moorshedabad.

Copy forwarded to the Commissioner of the Presidency Division in continuation of this office No. 328G of the 18th ultimo.

Notes on the Bengal Tenancy Bill.

CHAPTER I.

Section 3, clause 5.—In the definition of ryot it ought to be clear whether firms and companies have been meant to be included or excluded.

CHAPTER II.

Section 5.—Uncultivated or unculturable waste lands, and not in the actual occupation of any ryot, ought, in my opinion, to be treated as "khamar land."

CHAPTER III.

Sections 14 and 15.—Difficulties would arise and litigation would be the result if the holdings contemplated in these two sections be treated as tenures. In furnishing receipts and statements of accounts to tenants much difficulty would be felt.

CHAPTER IV.

Patni tenures.—Express provision ought to be made for protection of patni by any person interested, besides holders, by payment of arrears.

CHAPTER V.

Section 45.—Provides that occupation even of different lands at different times, notwithstanding contract to the contrary, creates a right of occupancy. This is a great encroachment on zemindar's rights, and implies a denial of liberty of action. Contracts under the Contract Act can only be avoided on certain grounds, which do not include the present case, when a zemindar merely secures a clause or condition to his benefit in a perfectly legal way under the existing law. Violation of the laws of personal rights and status would be the direct result if such a measure be adopted, and consequently the principle involved would be a dangerous one.

Again if a ryot with his eyes open enters into a contract, why should he be permitted to repudiate it? Or why should the Legislature shew any anxiety for the protection of the interests of the ryot on the ground that "such is the power of the zemindar, &c., &c., &c., defeat and failure," *vide* paragraph 33, Statement of Objects and Reasons.

If the ryot be induced by any misrepresentation or concealment of fact, the contract itself would be bad in law, but if the contract be otherwise good and valid, legislative interference declaring the same to be null and void is quite unjustifiable. Good policy must be based on equitable principles, and equity is equality; therefore, the interests of both ought to be taken into consideration.

Apart from this consideration of legal rights and privileges, a more comprehensive view ought to be taken as to the consequences which would ultimately result. Ryots know they have to depend much upon the zemindars, who again, generally speaking, at least in Bengal, look after the welfare of the tenants on a consideration of their dependent state. The feeling that is likely to be engendered amongst tenants and zemindars in ignoring contracts, deliberately entered into is almost sure to be of an unhappy nature, and would, I apprehend, lead to results disastrous to the ryots.

The means and powers contemplated in the Government letter No. 6 of the 21st March 1882 in the hands of the zemindars, if they do really exist, would in all probability be so made use of that the ryots would be compelled to give up their lands, and thus the measures proposed to be adopted by the Legislature for the improvement of the condition of the ryots would be entirely frustrated.

If the occupation of different lands give a right of occupancy, ryots would neglect the improvement of the soil, and so the agricultural interest and advancement of the country would be affected. If the ryots know, as they do know now, that continuous occupation for a certain period of the same land would give them a right of occupancy, they would, having no choice or option, adhere to the land, and try to improve its fertility, and thus make it profitable; very different would be the case when they would have the option of cultivating different lands with no fear of losing their right of occupancy.

Sections 50—55.—The transferability and heritability of occupancy right have properly been recognized with certain qualifications and conditions.

Section 56.—The provision in this section seems objectionable. This is to guard against the possibility of a landlord buying up on a great scale the occupancy rights existing on his estate or tenure with a view to locating ordinary ryots on the land. The question is, is such a measure proper and necessary? If a zemindar or a tenure-holder purchases an occupancy right, he ought to get the fullest benefit and advantage of his purchase; he has to pay the money equivalent for the right, and there being no reservation in favour of the ryot, the propriety of putting a legal restriction seems to me questionable. Then, again, where is the necessity for the precautionary measure? What if the zemindar or tenure-holder buys up all occupancy

rights in his estate or tenure? So long as he himself cultivates the lands by his servants or hired labourers, it is admitted there is nothing to fear; but where is the harm if he brings in new tenants, and locates ordinary ryots. The rights of these ordinary ryots would in the course of time ripen into occupancy rights, and whatever extra profits or advantages the zemindar or tenure-holder might derive before the development of the right of occupancy may fairly be looked upon as a return for the money he had to pay for reclaiming, as it were, the lands from the hands of any ryot having an occupancy right.

CHAPTER VI.

Section 59 (1).—An agreement by the ryot submitting to an enhancement of rent ought to be considered as valid and good; the approval of the same by a Government officer specially appointed ought to be dispensed with. Legislative interference with the freedom of action of parties is only justifiable under certain circumstances which make an agreement void, and for which sufficient provision has been made in the Contract Act (IX, 1871). Any agreement not otherwise bad ought to be considered as good and valid. In the uncertain state of things which must necessarily follow if agreements be declared valid contingent on the approval of a Government officer, I apprehend not only the zemindar and tenure-holder would be put to inconvenience and loss, but the ryot, also, would have to suffer a good deal. If there is misrepresentation or coercion antecedent to the agreement, the contract would be void by the operation of law. It ought to be conceded that ryots in Bengal are now quite able to protect their interests, and that when they enter into contracts with their eyes open, any attempt at further protection under the guardianship, as it were, of a Government officer would lead to results which are sure to prove prejudicial to the interests of the cultivating class as well. (2)—In cases of enhancement, one-fifth of the estimated average annual value o the gross produce of the land in staple crops has evidently been treated as fair and equitable rent. This seems to be objectionable; more than a fifth share has all along been recognized as the rent due to the zemindar or tenure-holder.

In the latter part of sub-section (2), sections 59 and 61, "that it is fair and equitable and" ought to be left out. The validity of the contract ought to be made dependent on free agency only.

CHAPTER VII.

Section 62.—A table of rates and produce, if correctly and carefully prepared, might be of very great use in settling questions regarding enhancement of rent; but it is necessary that special care should be taken for the preparation of the table. The revenue officers to be employed ought not to be below the rank of a Deputy Collector, section 74. With regard to tracts for which a table of rates and produce is not in force, the grounds for enhancement of rent seem to be fair and reasonable.

Provision ought to be made in this chapter for the enhancement of rent on the ground of occupation of land in excess of that for which rent is paid.

The limit of one-fifth of the estimated average annual value of the gross produce of the land in staple crops, calculated at the price at which the ryots sell at harvest time, seems to be too low; it ought to be raised to one-fourth, if not one-third. Bhagjotedars in Bengal generally pay half the produce, and sometimes more.

Section 83.—As a great deal will depend upon the price list to be annually prepared, opportunity ought to be given to the public for proper representations to the Collector to enable him to prepare the list correctly.

CHAPTER VIII.

Ordinary ryots having no right of occupancy ought to be left to themselves for securing their interests by agreements with their landlords. Though the desirability of interfering as little as possible between tenants of this class and their landlords is admitted, yet I venture to think that the provisions of the Bill in this chapter take away the undoubted right of the landholders to deal with such tenants. This chapter should, in my opinion, be left out altogether.

CHAPTER IX.

Section 6.—Land might not be added to a holding by alluvion or otherwise, yet on measurement it may be found that a ryot is in possession of lands in excess of the quantity of land for which he actually pays rent. This may be owing to gradual encroachment on waste lands or owing to mistake in the first measurement. The case of encroachment might come under the purview of section 96, but the other case, I think, does not. Some provision for payment for such excess lands ought to be made. This provision may be incorporated in this section or might be made a ground for enhancement of rent.

Section 98.—The limitation of instalments by which rent is to be paid in to not more than four, I venture to think, will tell very hardly on some tenure-holders, who by agreement have bound themselves to pay by monthly instalments. The provision therefore ought to be made prospectively, to affect future settlements or engagements. The existing contracts or customs regarding instalments ought not, in my opinion, to be interfered with.

Section 101.—The preparation and supply of the statement will entail some expenses on the part of the zemindar or tenure-holder. It is proper, I think, to make the ryot pay a small fee sufficient to cover the expenses before getting the statement.

Section 103.—Clause (*a*), sub-section 1, is not very definite; it is elastic enough to include any case in which a ryot might choose to deposit. Something definite ought to be laid down.

The application ought to be verified.

A provision ought to be made for rent being paid by money and in kind; in some parts of Bengal both money and part of the produce of the land are paid as rent.

CHAPTER X.

If transferability of right of occupancy be recognized, complications are not likely to arise in cases of improvements by occupancy tenants.

Improvements by ordinary ryots should be made at their risk; such ryots must take care to protect their own interests by proper agreements.

Section 133.—Cases of utbundi tenures should be excepted; in the cases of those tenures annual survey would be necessary.

CHAPTERS XI AND XII.

In my opinion, those two chapters contain sufficient and adequate provisions for meeting special cases.

CHAPTER XIII.

The provision regarding the distraint of the produce of land in the occupation of ryots for the realization of rent do not appear to me to be productive of any good.

Sub-section (2), section 167, makes every application for distraint liable to the court-fee which would be payable in a suit for arrears of rent, and this application may be refused at the discretion of the officer entitled to receive the same. Under such circumstances the application is not likely to be made often, if at all.

Then again section 186 makes it a penal offence on the part of the person owning or claiming any land for whose benefit or on whose behalf the offence mentioned in section 185 is committed, if having reason to believe that the offence was likely to be committed, he has not used all lawful means in his power to prevent its commission. Any abuse of power regarding restraints on the part of a gomastha might, under the provisions of the said sections, put the person entitled to the rent to great troubles and difficulties; I think, therefore, no zemindar or tenure-holder entitled to receive rent from a ryot would venture to distrain the produce of the land when he has such risk to run.

The chapter should, in my humble opinion, be either left out altogether or be recast.

CHAPTER XIV.

Section 192.—A statement of boundaries or a sufficient description for identification in the plaint for suits for rent should, in my opinion, be dispensed with; otherwise, I apprehend many complications and difficulties which ought to be avoided as far as possible in rent suits.

CHAPTER XV.

The provisions for the protection of certain encumbrances seem to me to be unnecessary. If the highest amount bid for defaulting tenures and under-tenures be insufficient to liquidate the decree, the said tenures and under-tenures would be sold free of encumbrances after the observance of certain forms. Such being the case, it is complicating matters by declaring such tenures and under-tenures as liable to be sold subject to the encumbrances in the first instance.

BOIKUNT NATH SEN.

The 8th June 1883.

No. 246-A, dated Dacca, the 23rd/29th June 1883.

From—N. S. ALEXANDER, Esq., Officiating Commissioner of the Dacca Division,
To—The Secretary to the Board of Revenue, L. P.

With reference to your letter No. 351A, dated 29th March last, I have the honour to submit the following report on the Bengal Tenancy Bill now under the consideration of the Legislative Council of the Governor-General, and to say that, though the Collectors of this division were requested to send in their reports before the 1st instant, the Collector of Furreedpore has not yet sent in his report up to date.

CHAPTER I.

2. *Section 1 (3).*—The Collector of Dacca, Mr. A.W. Paul, writes:—"Many provisions of the Bill are most essential for Behar and are not needed, and would even create confusion in Eastern Bengal; yet, the Bill is to be general throughout the province (with small excep-

tions). I would therefore suggest that a general clause, somewhat similar in operation to section 187, be introduced instead of section 1 (3), somewhat to this effect: the whole or any portions of this Act shall extend to such local areas as the local Government may, by an order published in the official gazette, determine. I would point out that originally it was ntended to have two parts in the Act, one for Behar and one for Bengal."

I quite agree with Mr. Paul. Eastern Bengal differs *toto cœlo* from Behar, and both from Orissa: no general rent law is applicable.

3. *Section 9.*—The work of registering khamar lands will be very heavy, and will require the entertainment of special establishment in most districts at a large cost: it is doubtful whether the work when done will be worth the trouble and expenditure. The Collector o Dacca states.—" I presume a separate revenue staff is contemplated for the purpose of carrying out this Bill, as in many districts, such as Dacca, it would be impossible for the Collector to supervise operations."

CHAPTER III.

4. *Sections 22 and 24.*—" The Burrisaul zemindars," Mr. Dutt writes, " object to sections 22 and 24 of the Bill, and argue that no limit, either of amount or of time, should b set in the matter of enhancement of rents payable by tenure-holders. The provisions o those sections, however, seem to me to be equitable: to enhance rent over a hundred per cent would be exceedingly unfair under any circumstances, and frequent enhancements, or even suits for enhancement, should certainly be stopped."

I agree with Mr. Dutt in thinking that there is no great hardship to the landlords in the enactment of these sections.

5. *Section 28.*—The Honorary Secretary to the Eastern Bengal Landholders' Association, at Dacca, writes:—" The relief contemplated by this section might easily be obtained by application to the zemindar: why then should the ryot have power to apply direct to a revenue officer? If the landholder refuses to register such transfer, then the tenant may apply to a civil court, as provided for in section 32." I agree in these remarks.

6. *Section 32 (d) &c.*—I do not see the necessity for this reference to the civil court. The offence of neglect to register should be made punishable by fine to be levied by the Collector; the procedure in these sections seems an unnecessary cumbrous one.

CHAPTER V.

7. *Sections 44-47.*—These sections will not make any very radical change in Eastern Bengal.

8. *Section 50.*—Mr. Waller, Officiating Collector of Mymensing, reports:—" The right of transfer of occupancy tenures has not been hitherto, I believe, admitted in this district. I think the landlord's right of pre-emption at sales in execution will not be much protection to him unless some limit be laid down as the maximum to which the holding may bid up; and, I think, the landlord ought not to be bound to register any one as his ryot who is not a *bonâ fide* cultivator. The right of occupancy is for the protection of the cultivator, and the land was originally let to the cultivator for cultivation, it seems to be inequitable, therefore, to allow a non-cultivator to be thrust upon the zemindar as an occupancy ryot."

9. I quite concur with Mr. Waller in his views on this point.

10. *Section 50 (f).*—The chief objection to the transferability of the occupancy tenure is, I think, the likelihood that the land will, in the course of years, become split up into an infinity of very small holdings; the people of this country cling so much as it is to their native villages, that, with the barest subsistence given them, they will not migrate, it will more than ever tend to produce a home-sticking poverty-stricken peasantry depending on agriculture for a livelihood. Of late years many artizans, such as weavers, smiths, &c., have abandoned their hereditary trades and gone in for agriculture, and this provision of the law will, I think, draw more away from trade and other pursuits and turn them into agriculturists.

11. *Section 51.*—Mr. Dutt says:—" For many reasons, I object to section 51. In the first place, the provisions are too elaborate to be properly workable, and will never be complied with. A ryot who wishes to sell a bit of land on an urgent emergency (*e. g.*, to celebrate a marriage) will not go to the Collector, nor wait for the time prescribed: ryots generally do not sell their jotes, except on such urgent necessity, and to hamper them with an elaborate procedure would be virtually taking away the unrestricted right of sale which he now enjoys by custom. Then again there is no reason why, if a ryot wishes to sell his homestead to a brother, or his plot of land to his daughter's husband, the landlord should have a right of pre-emption at all, and should be allowed to disturb the domestic plans of the cultivator. To invest the landlord with such right would enable him to harass the cultivator at his will; all that the landlord needs for his own protection is to be able to veto a sale when it is really objectionable or detrimental to his interests. Lastly sub-section 4 of section 51 will sometimes prove injurious to the landlord. A ryot may make a really objectionable sale and the thing may not come to the notice of the landlord for six months; he is then debarred from taking any action in the matter, although the sale may be really injurious to his interests, and may have been meant by the ryot to be so."

12. *Section 59.*—The Secretary to the Eastern Bengal Landholder's Association, Dacca, objects to the limit of enhancement of money rents by contract provided for in this section, and thus illustrates his objection by an example:—" Suppose the average annual value of the produce of a bigha of land is Rs. 12-8, and the present rent of the ryot is one rupee. Under

this law the landlord can claim to enhance up to Rs. 2-8, as being ⅕ of Rs. 12-8, but cannot expect to get more than double, or Rs. 2; and even if the court should deem it to be fair from the evidence before it, to give him the Rs. 2, it cannot pass a decree for that amount, as section 59 provides that in no case shall the enhancement exceed 6 annas per rupee, or, in other words, the landlord cannot get more than Re. 1-6. Hence it is evident that the landlord can never expect to get the full benefit of the provision of the law; for even if the land should continue fertile, it would take at this rate, at least 50 years to get his Rs. 2-8, for the rent once enhanced cannot be disturbed for 10 years, as provided for in section 78: so much for the justice of this provision."

13. *Section 64 (d) proviso.*—The provisions of this section will admit of a very fair rate of enhancement being obtained by landlords. If a bigha of rice land produces 12 maunds of rice at the average of Rs 2 per maund, that would give Rs. 24 per annum as the gross profits on a bigha of rice lands; if we put it down at Rs. 20 in round numbers, that would give Rs. 4 for the landlord. At present the rent is only Re. 1-8 to Rs. 2; thus a margin of enhancement, to the extent of 100 per cent., is allowed by the section, which should be sufficient. The remarks of Mr. R. C. Dutt on this point are entered below:—"These sections (62-72) provide facilities for the enhancement of rent when rent in an estate or a tract of the country is unduly low. I entirely agree with the principles embodied in these sections. There is little doubt that zemindars ought to have a share in the general prosperity of the country and in the price of food-grains; that they have not always been able to get this share is due to the difficulty of getting an enhancement of rent under the present law. The zemindar has to prove in court that the value of produce has risen, and this he finds it impossible to do in nine cases out of ten —I may almost say, in ninety-nine cases out of a hundred. It is proposed that a revenue officer will now do this for him; the revenue officer will prepare a table of equitable rates, and if the revenue officer's rates are higher than what the zemindar gets, the latter has simply to show this in court in order to obtain an enhancement. The revenue officer in preparing his table shall take into consideration any rise which may have taken place in the value of the produce. When, therefore, there has been any such rise, the zemindar will have no difficulty in obtaining his proper and equitable share of the profits.

"There will, no doubt, be some practical difficulty in working this scheme, but such difficulty will be overcome under proper instructions. No officer of a lower rank than a Deputy Collector should be deputed for such work, and such Deputy Collector should act under the orders of the Collector of the district. When the same class of land does not pay one uniform rent, minimum and the maximum should be recorded.

"Rule (*d*) of section 64 should be modified thus:—

"(*d*) To the following rule, namely that the rate of rent for any class of land should be raised only on account of an increase in the value of the average gross produce of land of that class, and when the rate of rent is so raised, the new rate shall not bear to the old rate a higher proportion than the increased value of the produce bears to the former value.

"I beg to invite your careful attention to this very important matter. My reasons for suggesting this modification are obvious. Under the existing law, the increase in the value of the gross produce is the only ground (except when the land is found on measurement to be larger than what the rent is paid for; and this ground has been provided for elsewhere in the Bill) on which rent can be enhanced; while every possible facility should be given to the zemindar to enhance rent on this ground. We should carefully provide against enhancement on any fresh grounds. Occupancy ryots have for nearly a quarter of a century been secured against enhancements, except on this one ground, and it would be taking away from them the right which they have so long enjoyed, if fresh grounds of enhancement were now created. Probably the Bill does not contemplate creating any other grounds as it does not speak of any other ground; but the point should be definitely cleared up in order to avoid unnecessary litigation. As I have stated before, every facility should be given to enhancement of rent on the ground which the law has recognised for the last 25 years; but I am confident you will agree with me in thinking that to add fresh grounds for enhancement would be unfair to the cultivators of the soil."

14. *Section 82.*—Mr. Dutt quotes the following passages from a report of the zemindars of Burrisaul:—

"*Section* 82.—This section will be exceptionally hard upon petty talookdars and tenure-holders. In very many cases petty talookdars and tenure-holders keep certain lands with certain ryots, or let them out from year to year, or for a fixed term of years, on condition of receiving a certain share of the produce, or a fixed amount of produce, and solely depend upon this produce for the support and maintenance of their family; it will be simply starving them and their family if the receipt of the produce is now commuted into money rent. The legislature ought not to lay its hands upon such contracts freely entered into between the parties, sanctioned by the custom of the country, and prevailing from the earliest traditions of India. It may not be out of place here to remark that the sharing in the produce was the only way in which rent would be received in good old times, and that money rent is but of recent origin." Mr. Dutt says:—"There is some force in these remarks, especially in reference to talookdars and tenure-holders on a small scale, who let their limited property on condition of getting one-half of the produce for the maintenance of themselves and their family. A free right of commuting such rents into money rent cannot be bestowed on ryots without causing some hardship on them; on the other hand an express provision is necessary

to prevent commutation of money rent in rent in kind without sanction of some revenue officer. The maximum limit of rent payable in money by occupancy ryots is one-fifth the value of the produce, while the maximum limit of rent payable in kind is half; many zemindars, especially in Behar, will therefore be under a temptation to commute money rents into rent in kind wholesale, and an express provision of law is necessary to stop this."

15. *Section 83*(1).—I do not exactly understand the provisions of this section. Are the lists to be prepared for each separate market? If so, the work to be done annually will be enormous in some districts: the marked prices in the mofussil are very diverse.

16. *Section 98.*—Mr. Dutt remarks:—"Section 98 contains an excellent and very necessary provision. I have consulted some civil court officers on the provisions of this section, and they all entirely agree in thinking that they are necessary and sound; they go further, and say that, though the number of instalments may be four, a suit for arrears should not be allowed to be instituted so often, and indeed should not be entertained till after the close of the year; thus, if Ashar, Aswin, Pous, and Choit be fixed as the time for the instalments, the ryot failing to pay the portion of his rent due by the Ashar kist, or by the Aswin kist, should not be sued immediately on the following month, but after the close of the year. When a decree is given, the interest may be calculated from the very month on which the instalment for rent was due, and such a provision will keep a ryot punctual in payment according to instalments; but to allow four suits to be brought in the year will be needlessly harassing the cultivators, and needlessly increasing the work of civil court officers. In these suggestions and arguments I entirely agree.

17. In my opinion, the instalment for paying rent should be so fixed that there should be three payable in the year, two large and one small; thus, taking the rent to be 16 annas, seven annas might be made payable in September-October, as then the ryot has got in his autumn rice and his jute; seven annas in January, as then the ryot has got in his winter rice and cold-weather crops generally, and at these two above periods he will (if ever) be best able to pay in his rent: a small instalment of two annas might be made payable in June.

CHAPTER IX (*c*).

18. The Dacca zemindars object to the details which the receipt is to specify and write:—This will not facilitate the collection of rent, but will throw such obstacles in the way of ordinary village putwaries and gomastahs that they will obey the rule more in the breach than in the observance thereof, and will oftentimes commit such blunders as to throw everything into confusion. Some simple facts connected with the rent of the holding should only be stated, such as the name of the tenant, the date of payment, the name of the landlord, the amount paid as arrears and current rent, &c. I agree in these remarks, and am of opinion that the forms should be as simple as they possibly can be made.

19. *Sections 103-107* (*d*).—Occupant and ordinary ryots cannot, it appears, deposit rent under these sections.

20. *Section 103* (1) (*a*).—I agree with the remarks made by the Burrisaul zemindars that "the money ought to be tendered to the landlord before making a deposit to the officer appointed to receive the deposit."

21. *Section 119.*—The Burrisaul zemindars say:—"This section is very hard and inequitable; the limitation put to money-rent is altogether uncalled for, and will work prejudicially to the real interest and improvement of the land." But Mr. Dutt entirely differs from them, and says:—"It will not only not be injurious to improvement of land, but it is essential to such improvement that the actual cultivators are not rack-rented, and that there is a limit set beyond which their rent should not go: that limit, with reference to ryots and under-ryots, *i.e.*, with reference to all the cultivators of the soil who do not enjoy occupancy right, has been fixed at $\frac{5}{16}$ths of the gross produce of the land, and I do not see what objection could be taken to this: zemindars will not be affected by this section at all, the only class of men who will be affected by this section are lazy superior ryots, fast drifting into the status of middlemen, who sublet their lands and try to exact a high rent from the actual cultivators in order to obtain a large margin of profit to themselves after paying their landlords. It is only proper that this lazy class should be discouraged, and that a limit should be set to their profits and exactions from the actual cultivators: it is only proper that the actual cultivators should be protected. I have remarked in paragraphs 3 to 6 that, under the present provisions of the Bill, a very large class of ryots will be unable to acquire the right of occupancy; it is all the more necessary therefore that some protection against undue exactions, such as is comtemplated in section 119, * * * should be bestowed on this large class of the actual cultivators of the soil."

I quite agree with Mr. Dutt in his views. Five-sixteenths of the annual value of the estimated gross produce would give a figure some four times the amount of rent now paid by ryots, and should therefore be sufficient.

22. *Section 128.*—Mr. Dutt states, in opposition to the Burrisaul zemindars, that:—"As agricultural prosperity and the improvement of the soil are the main objects of the present legislation, section 128 should, I think, stand as it is. Under the provisions of the present Bill, a large class of the actual cultivators will be incapable of acquiring occupancy rights, and it would be ruinous to agricultural progress if this large class were stopped from

making any improvement at all without the landlord's permission; it is well known such permission is seldom given without a heavy and almost prohibitive *salami*."

23. The only restriction I would impose is on the digging of tanks. This, if not looked after, may cause serious damage to landlords. A ryot in a fit of enthusiasm or recklessness will dig a tank in the midst of some first class lands, and then when the fit is off him leave the tank to be covered with rotting vegetation, and take no more trouble for or care of it, thus causing an eyesore and nuisance instead of goods. I have seen many such cases in my long experience in Eastern Bengal.

24. *Section 129.*—The Dacca zemindars say:—"If a ryot is evicted from a holding in default of payment of rent, there is nothing in this section which will prevent his demanding compensation from the landlord. This is very unfair. This is encouraging a defaulter; while it is the duty of Government (considering the stringent sun-set law) to afford every facility to landlord in the realization of rent."

Government must afford all possible facilities.

25. *Section 133, proviso.*—Mr. Dutt writes:—"The second clause of the section wisely provides that lands should not be measured oftener than once in ten years. The zemindars' desire an exception to be made in case of chur and jungle lands: I think the zemindars' contention to be reasonable and fair."

I agree with Mr. Dutt in thinking that chur lands in this part of India should be excepted. This section would prove a cause of heavy loss of revenue to Government, if applied to Government khas estates, which are nearly all chur lands.

26. *Section 134.*—In Mymensing tenants often refused to come forward and point out their holdings when the landlord was measuring. Zemindars very often are wholly ignorant of the exact lands held by their tenants.

27. *Section 142 (e).*—These sections will entail on Government a good deal of cost, and the Government pleader will have to attend, and his fees to be paid. I do not see why the Collector should not have the power of issuing the notice and making the order. The Collector is generally quite as experienced an officer as the Judge.

CHAPTER XI.

28. The provisions of this chapter appear to me to be good, except those in the proviso to section 160. This proviso should, in my opinion, be cancelled, as it will apparently admit of the whole thing after it has been settled by the local Government being re-opened, and the whole quarrel or dispute begun over again under some pretext afforded by these four clauses. This, if passed as it is, will, in practice, probably, render the whole chapter null and void.

29. *Section 179* (1).—As distraint will be made by the civil court, I would substitute the words "High Court" for the "Board of Revenue," as entered in this section.

30. *Sections 191-206.*—Mr. Dutt reports that the civil court officers with whom he discussed the matter "are of opinion that very great facilities are afforded. They say that the majority of the suits could be disposed of still more speedily, if section 196 was so modified as to allow evidence to be recorded in a summary manner in non-appealable cases. Zemindars, whom I consulted in the matter, expressed a desire that the same simple procedure, which was adopted by Deputy Collectors under Act X of 1859, may be followed by munsifs in rent suits. I mention these suggestions in accordance with the wish expressed in paragraph 117 of the Statement of Objects and Reasons.

These suggestions are good.

31. *Section 198 (b).*—The Sub-divisional Officer of Manickgunge, Babu Bepin Behari Mookerjea, says:— "If the local Government be authorized to empower officers, as provided in this section, to exercise final jurisdiction in suits for arrears or for penalty when the amount claimed does not exceed Rs. 50, the power is very likely to be vested in munsifs. I think this will be of great advantage to landlords, as it will enable them to have their rent far more speedily realized than at present. The proviso to this section, however, empowering District Judges to call for the records, and deciding the case on motion would be calculated to delay the ends of justice by enabling a party against whom a decision is passed in the court of the first instance to appeal in effect from that decision. This would defeat the very object for which the section has been framed. If the courts can be entrusted with the powers of a Small Cause Court without any such proviso, it is difficult to see why similar confidence should not be placed on them in matters of simple arrears of rent and penalties."

32. The Dacca zemindars say:—"The limit of Rs. 50, in clause (6) of this section, is very high. This amount will cover the majority of rent suits, and as such cases will, in the first instance, be tried by a Munsif, an appeal should lie from his decision to the Judge or Subordinate Judge."

I do not see why the provisions of Act VII (B. C.) of 1880 should not be extended to zemindars in cases where rent is due (there being no dispute as to the rate); the zemindar might apply to the Collector in the same manner as is now done by a manager of a court of wards estate, the cost of an extra Deputy Collector to do the extra work, might be paid for out of fees to be levied at so much per cent. on the amount of rent to be realized.

33. *Section* 199.—The Dacca zemindars say:—"Section 199 is new, but is not likely to be of any use, and will certainly be limited in its application. The ryot who disputes the plaintiff's claim, is not likely to act so foolishly as to admit that the arrear is due to him; such cases will be very rare, and will not be of any help to the generality of landlords. What

would really facilitate the realization of arrears would be to provide for the absolute forfeiture of the right of occupancy on non-payment of arrears of rent, either on the due date, or, at the latest, on the fifteenth day before the last day of the next payment of the Government revenue, provided the arrear be established to the satisfaction of the court where the suit will be tried; or let it be provided that the ryot should deposit in court the amount sued for before filing his defence, if the suit be a contested one, of course, reserving his power to sue the landlord for damages, should the claim turn out to be false, or should the claim be for a greater amount than he is entitled to get. Without some such stringent provision, it is vain to hope that the ryot will be regular in his payments. The provisions relating to distraint are, no doubt, favourable to landlords, but distraint is almost unknown in East Bengal.

No. 3356—C, dated Chittagong, the 30th June 1883.

From—E. E. Lowis, Esq., Commissioner of the Chittagong Division,

To—The Secretary to the Board of Revenue, Lower Provinces.

With reference to your No. 351 A, dated the 29th March 1883, I have the honour to submit the following remarks on the proposed Tenancy Bill.

2. I have obtained the written opinions of the Collectors of Noakholly and Tipperah, as well as of Sub-Divisional Officers and others, and I have personally conferred on the subject with the Collectors of Noakholly and Chittagong. The Chittagong land-owners have also favoured me with their views, which they desire should be laid before the Board. I accordingly forward their petition in original.

3. Speaking generally, I may say that the introduction of this measure is viewed by all whom I have consulted on the subject with the gravest apprehension, as tending to embitter the relations between landlord and tenant, and likely to lead to a crop of litigation, with all its accompanying frauds and chicanery, which must in the end injure and not benefit the ryot. These views have been expressed, not only by landlords, but by native officials unconnected with land, and they are based mainly on the conviction that the provisions of the Bill do not deal with facts as they really exist, but seek to evolve and insist on theoretical privileges, as appertaining to the ryot, which that class have never enjoyed, and which they are for the future to enjoy at the expenses of the landlord.

4. These apprehensions, I may add, are not allayed by the remarks contained in paragraph 10 of the Statement of Objects and Reasons, that the present Bill is a mere prelude to what may be expected to follow, when the whole law on the subject comes to be codified; and it is urged that, if this measure is not to be considered as in itself complete, it is hardly worthwhile introducing it, since the effect will most inevitably be a crop of litigation and general disturbance of the agricultural community.

5. I believe, however, that the present Bill does enunciate the principles on which any future codification of the law will be based, and indicates the lines which future legislation will follow. I do not therefore share the apprehensions noticed above, as to want of finality in the proposed measure, though I do most certainly concur in the opinion that its provisions are quite inapplicable to the condition of things, and the system of land tenure existing in this division, and more particularly in the districts of Noakholly and Chittagong.

6. I would, however, wish to guard my remarks from misapprehension, by saying that I discuss the Bill and record opinions regarding its provisions, only so far as these refer to that part of the country with which I am more intimately acquainted; with the applicability of the proposed law to other parts of Bengal, with their varying conditions, I will not deal, but will confine my remarks to that tract of country with the administration of which I have had most extensive practical experience. As regards Behar I have nothing to say; I have never served in that part of the country. I know nothing practically of its system of landed tenure, and I cannot say whether some relief to the cultivating classes is urgently demanded or not; but as regards this division, I feel sure that any change in the existing law is not urgently called for, and that the provisions of the Bill which appear to have been drawn to meet the case more especially of Behar, do not apply to this part of the country. In so saying, I do not for one moment wish to detract from the ability which has been displayed in drawing up this Bill, or from the soundness of the arguments wherewith its provisions were so ably supported by the speeches in Council; but at the same time, I cannot help observing that the proposed measure is intended to meet a want arising in another province, and presupposes a different condition of things; though this is an objection that, in dealing with revenue matters, must always arise, since it is almost impossible that any law dealing with tenant-right could be framed, comprehensive enough to include the different systems prevailing in Tirhoot and Chittagong. Almost as well might we expect one law to govern the landed interests in England and France; the former with its large landed proprietors, the latter with its minute peasant proprietary holdings.

7. The present Bill having been apparently framed mainly to meet a difficulty in Behar, its provisions are, I presume, based on data supplied by the existing state of things there; the arguments in support of it therefore fail, when we seek to apply them to another part of the country, as they assume a system of tenure which does not exist in these parts, and treats certain privileges as attaching to classes which do not in fact enjoy them now, and which never have enjoyed them in time past.

8 The essence of the Bill is the protection of the ryot; and though no definition of a ryot has been given, it is plain that, in the proposed law, the term is almost synonymous with cultivator, any one in fact who holds land for the purposes of agriculture, horticulture, or pasture; every such ryot who holds land in a village for a period of 12 years is a settled ryot, and every settled ryot has rights of occupancy. In other words, certain very considerable advantages are held to accrue to the person holding the position of a khudkhast ryot, that is, of a villager who cultivates land in his own village. These khudkhast or settled cultivators, it is said, were the persons whom it was the policy of the earlier Legislators, at the time of the decennial settlement, to protect; it was in their favour that a reservation was made when the State lands were made over to the zemindars; and for their benefit that Act X, and subsequent legislation, has been undertaken.

9. An important element in the idea of a ryot, as thus expressed, is personal cultivation; and, I take it, personal cultivation, as distinguished from causing the existence of cultivation, is a distinguishing feature in the khudkhast ryot, as understood by the supporters of the proposed law. I therefore propose to enquire to whom in this part of the world the status of khudkhast ryot may be held to apply, though the word itself is not, I may add, in present use. In pursuing this enquiry, we will derive much assistance from a consideration of the record of the survey and settlement of this district, undertaken in 1765, very soon after this tract of country was ceded to the British; the more so, as those proceedings were carried on, we may be perfectly certain, in strict accordance with native methods, and afford a picture of what the Mahomedans themselves would have done under similar circumstances, for we were, at the time, not the paramount power, but administrators of the revenue for the Mahomedan rulers of the country. Under these circumstances, it is instructive to notice on what class the assessment was then imposed; to discover who was held responsible for the State share of the produce of the land. The following note on the early history of the district, which I reproduce from a separate report on another subject, will tend, perhaps, to elucidate this subject.

10. The district of Chittagong is a long strip of country, about 120 miles long, with an average breadth of 20 to 25 miles, lying along the sea coast, and bounded to the east by ranges of hills, which run back into the Burmese territory. It is bounded to the south by Arracan, and to the north by Hill Tipperah. Although the district is narrow, it is intersected nearly throughout its length by a range of hills; and there are but few places that are not in the vicinity of broken or hilly country. Before its occupation by the English Chittagong was hemmed in on all sides by Burmese territory, and at no time, I fancy, was the hold of the Mahomedans on it, anything but slender.

11. In the reign of Akbar, the province of Chittagong seems to have been overrun though it was probably not properly annexed. It was assessed in his time, by estimation as yielding a revenue of Rs. 2,85,607; there is nothing to show, however, that this amount was ever realized. This was in 1552, and subsequent to that, the country was again overrun by the Arrakanese. From the end of the sixteenth century, however, a tide of emigration seems to have set in from Bengal, and more particularly, it is said, from Gour, the old capital of Bengal. These emigrants settled on, and cleared plots of jungle, and were known as khoshbash ryots. In the then disturbed state of the district, and favoured by the jungly and hilly nature of the country, most of these khoshbash settlers, very probably, paid little or no rent to any one, and thus there was developed amongst them a spirit of independence which enabled them, later on, to assert their right to separate recognition. I may add that there is no trace of any village community ever having existed, but each plot of clearance in the jungle, or series of plots, came to be claimed by the person, through whose exertions or influence reclamation had been effected. There never was any village community with resident cultivators, entitled to privileges, as against non-resident cultivators, but mere aggregates of scattered reclamation, the owners of which held together no doubt for purposes of mutual support and defence, but who were quite independent, so far as possession of the land went.

12. Chittagong was again overrun by the Mahomedans, for in 1658, it again figures in the rent-roll of Sultan Shah. It must, however, have again lapsed into the hands of the Burmese, for we find it was again conquered by Alumgeer in 1665. During all this time emigration seems to have continued, and small settlements of "khoshbash" ryots appear to have sprung up in the different directions. The districts continued under the Mahomedans till 1760, when it was ceded to the English.

13. As soon as the Mahomedans finally established themselves in the country, the first step, of course, was to collect rents from the "khoshbash" ryots, already settled, and these men, to save themselves from the annoyance and trouble of visit from the revenue underlings, attached themselves to some person having influence at the Nawab's court, and paid their revenue through him, and so these self-elected agents came to be called tarafdars طرفدار from the Urdoo طرف on the part of a partizan. Hence it is that each taraf, or permanently-settled estate, is even now a mere aggregate of talooks, as these khoshbash holdings came to be called, the component parts of each being scattered in different villages and different thanas. Such a thing as a compact estate is unknown in Chittagong. The talookdars must have chosen their own tarafdar, otherwise we would not find every estate, whether large or small, scattered piecemeal over the district. Had the tarafdars obtained the land and settled talookdars, or had Government farmed out the collections to tarafdars, it is quite clear that

such a fragmentary division would have been avoided, opposed as it is, to all facility for collection. Looking to the facts as they stand, it seems to me perfectly clear, that the popular belief is the correct one, *viz.*, that the talooks were the original clearances, and that, for their own convenience, these talookdars elected to pay revenue through the agency of certain individuals, known as tarafdars, an aggregate of such scattered holdings forming a taraf.

14. In short I believe the tarafs to have been recognized only as affording a means of collecting revenue from the scattered independent holders, the tarafdars having at first no proprietary title, nor being vested with any authority over waste, which was open to any one to settle on and clear, the only condition being sanction in the shape of a pottah, not from any tarafdar, but from the Nawab, or representative of the Sovereign, such clearances being assessed in due course by Government officials, but paying revenue so assessed through some tarafdar. After some enquiry, I have been fortunate enough to discover one of these old Nawabi grants; it is in the possession of one of our noabad talookdars, one of whose ancestors was an officer at court, and at one time possessor of much property. I have not been able to trace the particular talook or talooks that arose out of this permission to cultivate; but it seems to indicate the manner in which these talooks continued to come into existence, even after the Mahomedans had finally conquered the country, and to prove that these holdings were not created by, or under authority of, the tarafdars, but held directly from Government.

5. I give below a translation of the pattah alluded to:

"According to the kabulyat executed by Mamea Ashek, this pattah is granted to him on the following terms, for the jungle land situated in mouzah Shuluk, in chakla Rangonia of Islamabad, within the boundary noted on the margin, exclusive of the land contained in the pattahdars of pergunnah Nezam Nagar that he will bring the land into cultivation by inviting settlers who have no fixed abode for themselves. He will receive an allowance of three kanis and four gandas for each droon of waste which he makes culturable; and remaining quantity of land will be settled with him, and he will have to pay the Government revenue. It should be remarked that the khanabari and nankari lands will be settled at noabad rate, besides he will not have the responsibility of making bridge, &c.

South by Gur Cherry, north and east by Kazi Mahomed Sagri's abad land, Raktchery and Qekonea nala, and west by Shopleja dhebee and Hatia tank.

	RATE.	Rs. A. P.
First year, 1120M.S.	Map	(Rent free.)
Second year, 1121M.S.	Ryoti	1 8 0
	Unintelligible	0 12 0
	Khamar	0 8 0
Third year, 1122M.S.	Ryoti	3 0 0
	Unintelligible	1 8 0
	Khamar	1 0 0
Fourth year, 1123M.S.	Khamar	2 0 0
Dated 22nd Joomadil awal, 1120M.S.	Ryoti	6 0 0
	Unintelligible	3 0 0

The pattah bears no signature, but is stamped with a Government seal, and bears date 1120 Maghee, equivalent to 1758 A.D., or only two years before the cession of the province to the East India Company. It will be observed that the intention evidently was to allow the grantee to bring as much land as he could under cultivation; such land to be hereafter subject to measurement and assessment, a proprietory allowance of more than one-fourth, or over four kanis, being granted for every droon of land then found to be under cultivation. The allusion made to the noabad rate, on the khanabari and nankari lands, means that they are to go rent-free; at least such rent-free allowance was made when we come to measure the district a few years later, a measurement which was probably undertaken in strict conformity with Mahomedan usage.

16. It would appear that the Mahomedans merely confirmed the usage which they found prevailing, and without going down to the actual tiller of the soil, contented themselves with assessing the customary rate of rent on the reclaimer of waste, and looking to him for the due discharge of the Government demand, left him to make what arrangements he could to meet it The position thus assigned to the khoshbash ryot was, however, something more than what any one supposes to attach to that of ryot now, for the former were allowed a deduction, free of rent, of one-fourth as khanabari and nankar or pattahdari, *i.e.*, space for a house and offices, and allowance as proprietor or holder of the Government permission to cultivate. These men were something more than what we would call ryots, but it is evident that the Government did not look below them, or seek to record or regulate any rights below theirs. By custom and tradition the privilege to hold at a customary rent has attached to the person bringing land under cultivation, and he is the person entitled to consideration, and not the actual cultivator. The same idea prevails to this day; and in discussing this matter with talookdars, I have been told that the right to the land is vested in the person who, by his exertions, causes cultivation (chash kerwata), and not in the person who merely tills the ground (chash karta).

17. It is suggestive also to note how even to this day, in popular estimation, a distinct proprietary title is held to attach to a talook; ask almost any respectable looking Mahomedan villager you meet what he is, and he will answer a zemindar; by which he means that he has a share in possibly a small talook, only a few acres in extent. A tarafdar is not a zemindar, in popular estimation, but only a tarafdar; while the real zemindar, the proprietor of the soil, is the talookdar. The retention of this popular belief is all the more singular, as

the policy of our Government, for the last century, has been to exalt the tarafdars into the position of land owners and absolute proprietors.

18. By such means as I have described, the large tracts of jungle existing in Chittagong were taken up, in the first instance, by talookdars, or "khoshbash" settlers; while the work of subsequent reclamation went on by the agency of the same class; the cultivation, when discovered, being assessed, but assessed less one-fourth, granted rent-free as an allowance for the talookdar, under the designation of khanabari and pattahdari, *i.e.*, for homestead lands and allowance due to the holder of the pattah; these *bu-asi* proprietory ryoti-holders being the only recognized ryots, the only persons who were liable for the share of the produce of the country which Government was entitled to claim. Had this district never been measured, much of what I have asserted might be held to rest on mere surmise; but fortunately the district was measured, and the records of that measurement afford proof of the status and position accorded to the talookdars.

19. As I have said, the district of Chittagong was ceded to the British in 1760, and measures were at once taken to ascertain the resources of the country, and the revenue derivable therefrom. To do this, it was of coure necessary to ascertain what amount of land had been brought under cultivation at different times by the reclaimers of waste, what was the proper amount payable, and by whom. Accordingly, in 1765-69, the entire district was measured, and engagements entered into with the tarafdars for the amount of revenue assessed on the talookdars. Undertaken as it was, immediately on our assuming charge of the administration, we may safely assume that this measurement was made in strict accordance with native ideas, and that the state of things which records reveal was such as would naturally appear to the native mind without any admixture of European notions.

20. I need not enter into a minute description of these old records; suffice it to say that they show the assessment to have been made on the tolookdars or khoshbash ryots; the rents paid by actual cultivators are not recorded, their names only appearing in the chittah or measurement paper, which merely shows that when the amin came round, a certain person was in possession of certain plots, as cultivator, subordinate to some talook. The tarafdars again were liable for the assessment imposed on the aggregate of talooks, which went to constitute the taraf. The prominent feature in the proceedings is the khoshbash ryot or talookdars.

21. At the time of the decennial settlements, the engagements with the tarafdar became fixed and permanent, and it was the intention of the Government of Lord Cornwallis to fix also the demand against the talookdars, for reference is made to them, in the correspondence of the period, as our fixed jumabandi ryots, while the necessity of seeing that the zemindars do not exact from them sums in excess of their engagements, is insisted on. I have no doubt, that, *in fixing the demand against the tarafdars or zemindars*, it was the intention of Government *that the rents payable by the jumabandi ryots should be limited also, and that they should not be called on to pay any amount beyond that entered in the jumabandi*; but, at the same time, I do not find that any limit was implied, or intended to be laid, on the amount payable by the cultivators to the talookdar ryot; and as a talook might comprise land in half a dozen villages, it follows that the privileges of the ryot attached not to the cultivator, but to the person who personally, or whose predecessors, caused land to be reclaimed.

22. The authorities of the time evidently regarded these talookdars as the true ryots, and indeed they were khud-khast ryots in the fullest sense of the word, for though they could hold land in more villages than one, the lands so occupied were really *khud*, their own, that in which they had a most undoubted right, though the cultivation might be carried on by paikasht or pahikhasht ryots, *i.e.*, by non-resident cultivator, or migratory tenants-at-will. The land in a state of nature belongs to the State, but it was held that whoever cleared it, acquired a *quasi*-proprietary title, even though he might not be the actual cultivator; there was clearly no intention of relegating such a person, simply because he had cultivators under him to the position of an intermediate holder; for the responsibility of the payment of the State revenue rested upon him and not on the cultivators, who, in the first instance, must generally have been migratory and non-resident.

23. Gradually, however, some of the rights attaching to original reclaimers have passed to their subordinate tenants, not, however, in virtue of long occupation by the latter. At first, as I have mentioned, the khud-khast ryot generally maintained cultivation by means of migratory tenants, who held on to the land only so long as was convenient to them to do so—a system at once troublesome, uncertain, and involving risk, which the original ryot was only too glad to escape, by letting to permanent tenants. In order, therefore, to secure such permanent tenants, it became necessary to grant permanent leases to persons of the cultivating class, who took the places of the original reclaimer, and by payment of a fixed rent, relieved the former of all the trouble and risk of dealing with the migratory pahikashts. These holdings were called itmams, and did not necessitate actual residence in the village where the land of the itmam might be situated.

24. The itmam is only a modified form of the original holding, bereft of its *quasi*-proprietary character. The original conception of the lease includes fixity of tenure, and fixity of rent, but I do not find that the privileges of khanabari and pattahdari were ever handed on, or could be handed on, to an itmamdar. An itmamdar can grant a dur itmam, or a "kaimi" (permanent) ryoti lease, but in the chain, from the original reclaimer downwards, there must always be a lease, which is generally permanent; mere occupation of the land or residence in the village goes for nothing. The root of all sub-divisions is the 1,765 talookdars, from him they descend, partaking at any rate of his privilege of fixity of tenure and rent. Below these again come the mass of karsha cultivating ryots, who are practically

tenants-at-will, sometimes holding on a pattah, often on mere verbal agreements, who settle year by year the amount of land they intend to take up and the rate of rent, and who may cultivate the same lands, if it suits them, for a series of years, but who are not responsible for more than the year's rent, and may cultivate more or less land at pleasure.

25. It will be obvious, from what I have said, that the system in existence here is very different from that contemplated by the proposed law: here we do not find the cultivator acquiring certain privileges in virtue of his residence in a village, and continuous occupation of the village lands; but a khud-khast ryot here is one who derives his title from original reclamation, and enjoys certain privileges in return for the risk he incurs in keeping land under cultivation.

26. In Chittagong there is great variety in the tenure of land; some talookdars hold as of old, dealing directly with "chashas," and making settlements year by year, for more or less land, at higher or lower rates, according as the season is good or bad, promising or otherwise; others cultivate a portion and have cast the burden and responsibility of treating with chashas on to itmamdars; again some itmamdars cultivate with their own hands, some do not; some treat with chashas, some have granted dur itmams; but whatever may be the arrangement, the introduction of the new Act would be most disastrous, for every chasha could then lay claim to occupancy rights in lands belonging to half a dozen different estates. Every village comprises, as a rule, lands of several estates; without changing his residence, therefore, a cultivator could cultivate fresh land every year, and at the end of twelve years claim occupancy right in them all. It is not the zemindar who arbitrarily shifts his ryots, but the cultivators who change their holdings. It is almost impossible, for one who has not had practical experience of this district, to understand the way in which land is mixed up in it; a kaini ryot, in addition to his own patch, cultivating, as "chasha," lands belonging to a neighbouring talookdar; an itmamdar letting his lands which are at a distance from his house, while he cultivates as "chasha," land belonging to some one else nearer home.

27. The Chittagong landlords in their petition have alluded to this marked peculiarity, and referred to some figures given in Sir Henry Rickett's report on noabad, foot note to page 26, volume I of printed selections, which show the extreme diversity of tenure, which may be found, even in a very small village. Sir Henry Rickett writes:—

"The village contains 356 acres only; the tenures are distinguished by different colours. It is to be borne in mind that each description of tenure is held by many proprietors. There are no less than 213 holdings in this small village as follow:—

Tarafs	35
Talooks under khas tarafs	33
Noabad talooks	30
Noabad plots left unsettled	29
Lakhiraj mehals resumed and under enquiry	73
Ghosals' talooks	3
Confirmed rent-free	10
TOTAL	213"

In this village, I have no doubt that an interchange of lands, such as I have noticed, takes place; and that the small proprietors should regard the introduction of the proposed law, with apprehension is not surprising. The Bill is, in its principle, unsuited to the existing state of things here, and should not be extended to this district.

28. In Noakholly the state of things is much the same as here; estates are everywhere split up into talooks, and these again into howlas and nim-howlas, which latter very much resemble our itmams and dur itmams; there is no such allowance in this district as khanabari and pottahdari; but the talookdar has his land measured by a longer rod than he allows to the cultivating ryot; the howladar has the privilege of a longer rod than the nim-howladar, and so on.

29. As to Tipperah, that district has not been long enough under me to enable me to master, as fully as I could wish, its peculiar system of landed tenure, which, though it differs in some respects from that of Chittagong and Noakholly, is still not the same as that which prevails further north. I find here a system of charcha measurement in vogue, whereby the proprietors discover, through charcha amins, the amount of land for which each particular ryot is liable to pay rent. So far as I can ascertain, the rate prevailing in the village is accepted for all, but the amount of land under cultivation appears to vary, the agreement between the cultivator and his landlord being often verbal. On the whole, I do not consider that the new Act should be extended to any part of my division, since its provisions are clearly unsuited for application in Chittagong and Noakholly, where their enforcement must lead to a subversion of the relations existing between landlord and tenant.

30. Besides the inapplicability of the principles of the Bill, to the conditions of this division, there are one or two of its provisions, that appear to be open to objections on general grounds.

The provisions of chapter (IX) C as regards receipts for rent, statement of account, &c., could under no circumstances be introduced into this district, where a large proportion of the holders of talooks, and even of permanently-settled estates, are illiterate people who cannot and do not keep accounts properly so-called, for whom it would be quite impossible to carry out the provisions of the law. Many of the permanently-settled estates are exceedingly small, an acre or two in extent, and the owners, often women, are really peasants, from whom it is quite hopeless to expect elaborated receipts and statements of account.

31. Then, again, as to the voiding of contracts the proposed law appears to introduce a dangerous precedent. In certain cases the provisions of the law are to be held to override contracts entered into with deliberation; and this without any enquiry whether the contract was voluntary or not. So far as my experience goes, the ryots are very well able to look after their own interests, and hardly require to be thus hedged round with protective enactments, as appears to be thought necessary; they are only too ready to evade their contracts, if it is to their interest to do so; and are quite prepared to support such evasion, by every artifice that the law renders possible, as well as by means not strictly lawful; it seems hardly expedient, therefore, to teach such men that the law does not recognize the keeping of contract, and that self-interest can be held to be a valid excuse for contravening the terms of an agreement. Cases may arise where it is evident that an unjust and one-sided contract has been entered into, as the result of deception or force, but surely such cases may be left to be dealt with by the application of the laws of equity.

32. Objection has also been taken, and with some reason, to the constant reference of every petty dispute to the civil or revenue authorities. One native gentleman writes: "A country, of which the members cannot settle their disputes without the intervention of third parties, is a country which is on the high road to ruin."

"The landlord must take no enhanced rent; the ryot must agree to no enhancement unless a revenue officer or a civil court allows them to do so. These sections altogether prevent the possibility of mutual understanding between the two parties on the question of enhancement; and I am of opinion that their tendency cannot but be highly mischievous.

"The first principal objection to the Bill, as it stands, is the impossibility of doing anything without taking the aid of revenue officers or civil courts. The work of the executive and judicial officers will immensely increase, but that is nothing to the spirit of antagonism that will arise, and the state of chronic warfare which must ensue. Let landlords and ryots have recourse to registration or litigation only when they do not agree among themselves; but let us throw no obstacle in the way of their doing so. Let us not sniff fraud in every agrarian transaction.

"It is not those who are protected all round, but those who are left mostly to grapple with difficulties that succeed in life. It is not those nations that were protected by the State that are the most enterprizing; it is those who were most left to their own resources that have become the most enterprizing. Let the ryots be protected against force or violence, let them be protected against the more serious and gross forms of fraud, but in their own future and lasting interests, I say let us not try to save them against their stupidity, carelessness, or want of activity.

"The second principal objection is the way in which contractors are treated. A contract which purports to forego a right, arising from the mere lapse of time, should perhaps not be enforced; but a contract which purports to forego a right accruing on a certain contingency, must never be ignored. Truth and honesty must be taught to the nations of India before they can reach back the place which they believe they once occupied, or before they can become really civilized. The morality which considers covenants to be duties that must be performed has still to evolve in India, and it would be dangerous to override contracts and teach the tenantry that considerations of personal convenience are paramount over considerations of moral obligation.

"Clause 2, section 73, says that a contract in a certain case made in favour of the ryot must be enforced, while section 50 protects him from contracts which are against him. Clause 2, section 74, enforces a contract which is against the zemindar, while sections 87 and 90 repudiate contracts which are in his favour. These instances will teach the ryot that there is no moral obligation in promises, and that he must always consider his own convenience in dealing with others. This is a dangerous doctrine to teach to half barbarous people. If 90 per cent. of the tenantry have been able to acquire tenant rights under a system when contracts have been held valid, there is no need now to make them invalid; the pleas urged for the proposal in paragraphs 33 and 48 (objects and reasons) do not hold good.

"Customs also, when in favour of landlord, must be ignored, and, when in favour of ryots, must be enforced, clause 2, section 73, and clause 1, section 81, lay down, &c."

33. There is much truth in the above remarks, and I feel sure that in the event of any dispute arising between landlord and tenant, in any part of the country to which this Bill may be introduced, it will be found impossible to carry on work with existing establishments, even if such agency can stand the strain of applying the provisions of the law in ordinary times.

34. In conclusion, I may remark that I have not overlooked the saving clause as regards custom, but that clause is evidently meant to apply only to exceptional cases; and when the whole set of tradition and custom in a tract of country is against the fundamental principle of the proposed law, it seems to me inadvisable to extend such law to that tract, and have most of the cases decided outside its provisions.

35. There is, however, one provision of the Bill, which must be extended to this division, and that is the one regarding record-of-right. There is no district in Bengal where the right to land is so mixed and confusing, or where we know less of the laws which govern the relations existing between the different classes of cultivators; the division of the lands is infinite, the interchange of holdings constant, and we have too long regarded the varied tenures which exist, as governed by the same laws as those of the rest of Bengal; in fact, they differ in nature and working, and nothing would tend more to strengthen the adminis-

tration, and render possible the successful working of the numerous Government estates here, than a survey of the district of Chittagong, with a public and authoritative record-of-right, and a proper understanding of their relative value.

Dated Chittagong, the 11th June 1883.

From—NITHYANUND ROY and others, Zemindars and Talookdars, Chittagong Division,

To—The Commissioner of the Chittagong Division.

WE, the undersigned land-owners of Chittagong, beg respectfully to make this petition, for consideration of Government, in connection with the Rent Bill.

2. We submit that the provisions of the Rent Bill are generally unsuited to this district. In regard to land proprietorships and tenures, Chittagong is not like other districts. It has some peculiarities which deserve notice.

3. A reference to Sir Henry Ricketts' report, page 22, Vol. I, Noabad correspondence, will show that in 1848 there were in this district 663 *mehals*, of which the revenue was below 1 anna.

2,571	2 annas.
5,878	4 annas.
8,979	8 annas.
7,955	1 rupee.
26,046	

The number of each of the above descriptions of *mehals* must have considerably increased after that time.

4. Sir Henry Ricketts in the same report stated that in a small village, containing 356 acres, there were not less than 213 proprietors, holding the following descriptions of *mehals* :—

Taruffs	35
Taluks under *khas taruff*	33
Noabad taluks	30
Noabad plots left unsettled	29
Lakheraj mehals reserved and under enquiry	73
Ghoshals' taluks	3
Confirmed rent-free	10
	213

No note was taken at the time of the number of tenants under the 213 proprietors, but every one acquainted with this district can easily imagine that large number of tenants of different descriptions must have existed under each proprietor.

5. As an illustration of the proprietary holdings, we quote the following paragraph from Sir Henry Ricketts' report :—

"It is no exaggeration to say that such is the sub-division and enlargement of property, that in some parts a man cannot go to his field or from his field without committing a trespass. In other parts, small tenures are found divided into narrow strips, a few feet wide, one end of each sub-division joining a common pathway by means of which each petty proprietor may reach his possession. * * *"

6. The above description refers to a state of things which existed 30 years ago, but matters have gradually become worse.

7. The numerous petty proprietors, under the existing law, have no adequate relief for recovery of rents. They cannot sue for rents annually, the amounts being very small and the costs of suits being very high. They have to pay Government revenue by borrowing money. It is not only they, but the few big proprietors that we have here, who also, not being able to realize their rents, pay revenue by contracting debts, and many families have ultimately been ruined by so doing.

8. Your Honor is aware that at every revenue-sale a large number of *mehals* are advertised for sale. The proprietors in many cases submit to that being done for no other reason than that thereby they hope to induce their tenants to pay rents. They sometimes run the risk of losing their *mehals* by adopting such a course.

9. Among the big proprietors there are many here who have expressed their willingness to make over their estates to the Court of Wards. Their inability to realize rents is a great inducement for their doing so.

10. It is a fact that the ryots of this district have the upper-hand. The Government and the Court of Wards, with the exceptional procedure for realization of rents, are not able to realize rents with facility. Under the existing law we cannot obtain enhancement from tenants. When they combine we cannot even recover what is due at existing rates.

11. The enhancement law is a dead letter here. The proprietors have not been able to enhance rents according to the principles laid down in the law; the civil courts always adhering to the strict letter of it.

12. Here there is a class of proprietors, who are also tenants. They not only cultivate their own lands, but also those of others. Their position is comparatively safe.

13. But as regards the class whose lands are cultivated by others, we appeal to your own experience, and to that of Mr. Manson, to say whether they or their tenants are in need of protection here. These tenants abandon our lands in bad seasons and enjoy our lands in good seasons; we cannot realise our just dues from them by any summary mode.

14. In this state of our helplessness, the Rent Bill, instead of proposing to grant

adequate relief, proposes to make restrictions and limitations in respect of the existing remedies. There is to be no summary procedure for the recovery of rent.

15. The Bill certainly will be hailed by the tenants as a great boon. We continue responsible to Government for various duties as proprietors, and our lands remain liable for periodical sales for non-payment of Government revenue. But the tenants are now to be raised to the status of co-partners with us in our lands. They are to enjoy powers and privileges which we are bound to respect.

16. The Bill aims at a redistribution of property but not of liability. It does not propose periodical sales of all tenancies for non-payment of rent. It proposes to make occupancy ryots' rights transferable. There will be little objection to periodical sales of ryotees when these become transferable.

17. The Bill proposes to do away with private contracts, to put a limit to *khamar* land, to make ejectment practically impossible by limiting the *khamar* to its present extent, to give a new status to the tenants-at-will, and to make distraint entirely a process of court—all this is an interference with the just rights of the landlords.

18. The Bill makes a distinction between *khamar* or private land of the zemindar and ryoti land or land destined for occupation by ryots. It provides that the existing stock of *khamar* land cannot hereafter be increased. (Chapter II.)

19. It provides that there can be no contracts over-riding the incidents attaching to the right of occupancy. These incidents are—(1) That the ryot may use the land in any manner which does not render it unfit for the purposes of the tenancy. (2) That he may make improvements on it as provided by the Bill. (3) That he must pay rent at fair and equitable rates as determined by the Bill. (4) That he cannot be ejected except under a decree passed for breach of certain conditions, &c (5) That he may sub-let the land. (6) That his interest is to be transferable, subject to the certain rights reserved to the landlord. (7) That his interest is to descend. (Section 50.)

20. The bill gives the landlord a right of pre-emption in respect of occupancy tenure. The landlord so acquiring occupancy land may keep it for *nij* cultivation, but if he lets it the tenants shall have occupancy right. (Chapter V.)

21. The Bill prohibits all contracts for enhancement of rent by which a ryot engages to pay a rent more than six annas in the rupee higher than the existing rent, or more than one-fifth of the estimated annual value of the gross produce of the land, where the improvement is neither due to the landlord nor to the tenant, the tenant shall share half-and-half, but the rent shall not be raised in any case beyond one-fifth or 20 per cent. of the value of the gross produce. (Chapter VI.) Existing rents shall not, in any case, be more than double. (Section 76.)

22. The Bill allows sub-letting by occupancy ryots, an ordinary ryot or tenant-at-will shall be subject to rents agreed between himself and his landlord, but if he does not pay, he shall not be liable to be ejected, unless the landlord makes good the value of improvement made by him and gives compensation at ten times the annual increase for disturbance. In addition to this a landlord shall not eject an ordinary tenant except (*a*) for arrears of rent; (*b*) on the ground that he has broken some conditions; (*c*) or that he has refused to agree to an enhancement. (Chapter VIII.)

23. The ryots under the Bill shall have a preferential right to make improvements and to receive value of improvements when ejected. (Chapter X.)

24. The power of distraint is retained in a modified form, but it must be made entirely a process of Court. (Chapter XIII.)

25. In rent cases there shall be no appeal against Munsif's decree when the amount decreed does not exceed Rs. 50. (Section 198.)

26. A suit for relief by forfeiture shall not be unless the landlord has allowed the tenant opportunity to pay compensation for breach of conditions. (Section 202.)

27. In cases of large occupancy holding, they may be first put up for sale in execution with incumbrances, but if the sale proceeds do not cover the amount decreed, then without incumbrances. (Chapter XV.)

28. Section 45 defines how the status of a settled ryot shall be acquired notwithstanding any contract to the contrary.

29. We submit that the provision as to *khamar* is against all customs and usages of the district. We do not see why Government should tell the zemindars that they should keep so much land and no more, and that others should have the rest?

30. It appears that a settled ryot, as described in Chapter V, may have a right of occupancy in any land in the village without any reference to the period of his occupation, and in spite of any contract under which he held it. This is a radical change in the existing law.

31. The Bill for the first time creates a new kind of tenants-at-will. They are to have compensations for improvements and for disturbances amounting to ten times the yearly increase, which is excessive and unjust. This is an idea quite novel to our land system.

32. The value of *noabad* land in this district has already fallen from another cause. If this Bill become law, the value of other lands will also fall. Instead of inflicting us therefore with this Bill, the Government, if it considers the zemindar class unnecessary, may do away entirely with that class by granting reasonable compensations to them.

33. In fact, the proposal for further extension of occupancy right, for their transferability and the various restrictions to freedom of contract as also the limit of the maximum of enhancement to a fifth of the value of the produce if carried out, will totally interfere with the vested rights of the zemindars.

34. The zamindars' rights have been enjoyed by them at least for the last 90 years. These have been acknowledged by the law and the courts of British India; on this acknowledgment the zamindars have spent their capital; are these rights to be now interfered with on entirely insufficient grounds?

35 If a tenant made contract with any of us under Act X that his occupation should never give him any occupancy right, why should Government now declare that that contract is null and void? Then, again, if we have *khamar* land which came into our possession by a former tenant's relinquishment, why should it become the property of a ploughman, because it was let out wholly or partly for one or two years, and was not held by us continuously for 12 years?

36. According to the Bill, if one landlord purchase an occupancy ryoti and then let it, the tenant shall have occupancy right Then why shall the landlord pay the price as a fine? In the second year, if that tenant again wish to sell, shall the landlord pay another fine?

37. In this district the value of the rent-suit is generally below Rs. 50. The restriction imposed upon appeals is quite unsuited to this district.

38. The changes proposed are generally objectionable. The Bill has filled the Chittagong zamindars with great apprehensions. If the Bill is to be law, they cannot hope to be free from litigation to an alarming extent.

39. We pray, therefore, that should the Government finally decide upon passing the Bill in its present shape, Your Honor will be pleased to recommend the exclusion of this district from its operation.

No. 586 T. R., dated 24th August, 1883.

From—Under Secretary to Government, Bengal.

To—Secretary to Government of India, Legislative Department.

In continuation of Mr. Bayley's letter No. $\frac{2172}{787}$ C. R., dated the 13th August, 1883, I am directed to submit, for the information of His Excellency the Governor General in Council, the accompanying copies of reports* on the provisions of the Bengal Tenancy Bill, 1883, from the Collector of Bankura and the Deputy Collector of Howrah.

* Letters from the Collector of Bankura and the Deputy Collector of Howrah, enclosed with letter No 477, dated the 30th July, 1883, from the Commissioner of Bardwán.

No. 477, dated Chinsurah, the 30th July 1883.

From—John Beames, Esq, Commissioner of the Burdwan Division,

To—The Secretary to the Board of Revenue, Lower Provinces.

In continuation of my No. 339, dated 22nd June 1883, I have the honour to submit the reports noted on the margin regarding the Bengal Tenancy. The other reports received by me contain nothing worthy of notice.

Copy of Bankoora Collector's report and Mr Sealex' report in original, and Covenanted Deputy Collector of Howrah's report.

2 The Collector of Hooghly has, I find, quite unnecessarily sent a copy of his report direct to the Board.

No. 298G. dated Bankoora, the 21st June 1883.

From—C. A. Samuells, Esq, Collector of Bankoora,

To—The Commissioner of Revenue for the Division of Burdwan.

In accordance with your order, communicated in your No 38 of the 14th instant, I beg to offer the following observations on the revised Tenancy Bill.

The Bill is said to be an amending and consolidating measure; but it appears to contain certain principles, which, though beneficial, are certainly novel—such as the landlord's right of pre-emption of the occupancy right and the principle of compensation for disturbance. It will be advisable to review the provisions in order, offering such remarks as occur to me on each, and finally giving my opinion on the measure as a whole, and its probable effects.

CHAPTER II.

From the use of the term "zeraat," as applied to khamar lands, in the Statement of Objects and Reasons, I am inclined to think this chapter has reference chiefly to Behar. I believe khamar lands were not very common in Bengal. The chapter and definition is almost superfluous alongside of chapter X, under the provisions of which the ryot's interest merges in that of the landlord, unless he declares to hold as a ryot within three months. Neither chapter will prevent the zemindar who purchases occupancy rights from holding the land khas if he wishes; and it is much to be feared that, as that will be the only method open to him of barring occupancy rights, he will now largely resort to this practice, and the result will be a large increase of khamar land—being just the result which the Bill is designed to prevent. There are other ways in which khamar land must come into existence despite the wishes of the zemindar and the Act, namely, where a ryot dies, or vacates his holding or surrenders, and no one can be found to take his place. These lands must remain in the possession of the zemindar as his khas land; and it is therefore scarcely a subject for enactment. Even if the register is made the land is subject to decrease, and, as I have shown above, to increase also, so that the

survey will be merely waste of time, and prove a fertile source of litigation. Another point requiring decision will be, whether all lands held by "bhag-jotedars," or cultivators, who pay a share of the produce as rent, is to be considered "khamar" under the Act. It is generally so considered by the natives, but the tendency of this Act is, if I understand it properly, to regard them as ryots by whom rights of occupancy may be acquired.

CHAPTER III.

Section 16—Seems to go too far, for the reasons above stated. A bhag-jotedar is after all only a labourer under another name. This means of cultivating land is simply employed in lieu of wages, being preferable to wages in giving a man an interest in his work; and no one will be more surprised at the sudden change in his condition than the bhag-jotedar, who is quite accustomed to be changed at the pleasure of his landlord. These people really exist, because the zemindar cannot find a ryot, and that because the land will not pay for cultivation on any other way.

Section 17.—The separation spoken of in this section should be valid only if made with the consent of the landlord. The remaining sections of this chapter seem to be unobjectionable, and will guard the ryot against excessive enhancement: all hard-and-fast rules are liable to act harshly in particular instances.

D.—I look on the provisions regarding registration as very necessary, if they are only enforced; but I am afraid if this is left to the ryot they will be ignored. The District Officer should have power to call for, and examine, these registers, to ensure their being properly kept up. The rate in clause (*b*), section 27, is exorbitant, considering the ignorance that prevails regarding the law.

Section 29.—I see no provision for allowing the landlord to refuse compliance if he objects to the order, either on the ground that the nature of the tenure is improperly stated, or, if he objects to the amount of rent, as incorrect.

CHAPTER V.

This chapter, concerning rights of occupancy, requires no apology at the present time. It is now apparently admitted that only ryots of long standing (kadime) are entitled to these rights. The twelve years' rule is certainly maintained, but the principle involved in section 47 seems to me an almost ludicrous way of making it out. There is to be a perfect transformation scene on a day yet to be fixed. In this draft it is 3rd March 1883. On that date villagers who may be mere tenants-at-will, and may never have held one piece of land for more than three days at a time, will suddenly become ryots with rights of occupancy in the plot last held, *all* contracts to the contrary notwithstanding. This is directly opposed to the law as laid down in section vii of Act VIII of 1869, and renders all contracts under that Act mere waste paper. They would, probably, convert this right into cash at the first opportunity; but I cannot think the circumstances of the case will justify such flagrant infringement of the rights of the zemindar.

Section 49.—Appears to be the result of a confusion of ideas—that is, a confounding of khamar land as it is and as it ought to be. It is a contradiction of terms to speak of any one holding khamar land as a ryot, unless a bhag-jotedar is considered such; and I have pointed out that he is not looked on as a ryot, but as another form of labourer. Khamar land ceases to be khamar land once it is let out to a ryot. The tendency is to let out khamar lands, not to retain them, except, perhaps, in indigo factories.

Section 50—Bestows a number of valuable privileges, along with this right, on the ryot: would it be too much to ask that one provision be added on behalf of the man at whose expense, and, perhaps, in spite of whom we are so generous, would it be too much to add, as an incident, that the occupancy right is liable to be revoked for non-payment of the "fair and equitable rent" on the due date? We have taken great trouble to ensure the ryot against exaction. We have gone so far as to interfere with the liberty of contract between him and his master, and it will surely be only just to the zemindar that we insist on punctual payment from the ryot, as we insist on his punctually paying the revenue. If the zemindar is liable to lose his whole estate for non-payment of revenue on a fixed date, there can be no injustice in holding this right and interest conferred on the ryot as liable to sale for the same reasons. If some such provision is not made, I fear it will be considered that the Act is one-sided. It is all for the ryot. I hope no such impression will be allowed to prevail.

Section 51, clause 4.—Any sale of the right in contravention of the law should be held invalid.

Section 56.—This is an innovation on present practice; the right, in this case, is acquired by the landlord and not by the ryot. We may be sure if the ryot comes in he will have to pay for his right what it cost the zemindar; and, under those circumstances, he should be considered as having purchased his title. No legislation is required for this. The effect of the section in other cases will be to cause the zemindar to hold the land as ryot and cultivate by hired labour. It will be a bad day for the country when the landlord makes up his mind to have no more tenants, only labourers; and yet, it looks as if we might come to this.

CHAPTER VI.

Section 59.—I am glad to see the liberty of the subject recognized; but the effect is completely spoilt by clause 2. Even when they agree, which is not often, a Revenue Officer must needs interfere. We legislate for the ryot on the principle that he is a man, but we treat him as if he was a child.

Section 61.—This section is again subversive, of all the laws of political economy and everything else. If the land is capable of bearing a higher rent, why should the zemindar be compelled to let it at a lower rent?

As regards clause 2 and the one-fifth limit, I shall have something to say later on.

B.—Admitting that rents are no longer to be fixed by consent, the next best thing is a table of rates. It is another question how such a table is to be prepared, and it pre-supposes a certain dead level in the outturn of lands, as if improvement and industry were of no account. It is, however, the only substitute for contract; and though a rough system, will answer, where we can err in favour of the tenant without injuring ourselves. Judging by the rents prevailing in this district, a rate, the maximum of which is fixed at one-fifth of the annual value of the gross produce at harvest time, would lead to a general reduction of rents, except in a few cases of "do" lands, or lands producing more than one rabi crop. Baboo Sitikanto Ghose, Deputy Collector, has, at my request, drawn up a statement showing the effect of such a rate on the various classes of land in this district. It has been very carefully compiled. and is based upon settlement records, road cess papers, and the nirikhbandi of Mr. Keating. The latter has for a long time supplied the place of a table of rates for this district, and so little change has occurred that it might be adopted almost as it stands. It has been followed in all settlement cases, and is regarded by the local zemindars and people as an authoritative document. It is dated 1791, and shows different rates for different tarafs, as contemplated in the Bill.

Section 76.—I can see no reason for an arbitrary limit. The only recognized limit should be what is fair and equitable; and it is not necessary it should bear any relation to previous rent. In some tracts in this district the bigha rate is not prevalent, and blocks of land are held at a merely nominal rate, and neither landlord nor ryot has any idea of the area so held. In these cases it would be most unfair to him, a landlord, not to accept more than double even if offered, *see* section 59, clause 2.

Section 78.—This section will compel zemindars to enhance, once for all, to the highest possible figure. As I said before, if it can be proved that an increased rent can fairly be paid, it should be exacted. A railway through a remote part of the country would treble the value of land and be due neither to zemindar nor ryot, why should the latter reap all the benefit.

CHAPTER VII.

Section 86.—The ryot being liable to ejectment only on breach of conditions under which he holds should not be entitled to any compensation. He will virtually eject himself; and what is of value to the ryot may be of no value to the landlord. He might be allowed to sell, and his successor recognized by the landlord.

CHAPTER VIII.

Section 89.—The ordinary ryot who most requires protection appears to get very little, and yet, to be competent to make an agreement which the landlord will respect. He acquired a certain fixity of tenure, and cannot be called on to pay more than $\frac{5}{8}$ths of the value of the produce (section 119); but he can, apparently, exercise his discretion. The rate for such a ryot has usually been fixed at $\frac{3}{16}$ths, so that, in his case also, we may look for a general reduction of rent, unless he agrees to pay more, which is not likely, once he is in possession, and not liable to ejectment as long as he pays at the rate of $\frac{5}{8}$ths. If not "bound" to pay more than $\frac{5}{8}$ths can be legally compelled to do so on an agreement.

CHAPTER IX.

The provisions of this chapter are very wise, especially as regards receipts; but section 101 is scarcely practicable if we consider that one zamindar may have thousands of ryots.

Section 100 clause 4.—I would not feel disposed to put a further permission on forged receipts.

As Government has prescribed a form, it would greatly tend to its being adopted generally, if receipt cheque-books could be bought at a public office, and would further operate as a restraint on fraud.

Sections 112 to 117.—I would make the civil court the arbiter, and not the Collector. The expense of the former would do more than anything else to check these petty disputes.

CHAPTER X.

Section 129.—This section would be harmless, as any class of improvements is concerned; but it will afford a spur to law suits founded on imaginary improvements, and supported with all the wit and ingenuity shewn in such cases by a people prone to litigation.

Section 144.—In case of tenures the Judge should appoint, and the word tenure be excluded from clause (*a*). Further, I consider that the section will be made use of by landowners to get their estates managed by the Court of Wards. Some penalty should be devised to prevent this. I think, on the whole, it would be better if the Judge appointed a manager in all cases.

CHAPTER XI.

Provided the revenue officer's decision is final, I think great benefit will result from this procedure. These officers, however, have not much spare time to devote to intricate disputes, and it will involve an increase of establishment, for which the parties benefited should pay.

CHAPTER XIII.

I am glad to see the law of distraint has not been abolished as was proposed. There is nothing that calls for special remark in this chapter.

The rest of the Bill has reference to the procedure of the civil courts. I have not been able to obtain any opinion from zamindárs. They have not read the Bill; and appear to take a languid interest in a measure which so vitally affects their well-being. I think it must be allowed that the position of the zamindar under the Bill will be scarcely better than that of a mere rent charger. Neither he nor his tenants can effect a compromise in future; they must be ranged in hostile camps; and the rules of the contest are rigidly fixed. The need for a law of this severe nature does not seem quite clearly made out. A member of council has stated that 90 per cent. of the ryots in Bengal have occupancy rights. In another place I find it stated, that "it is on all hands admitted to be the fact that, with or without right, the great peasant population of Bengal has for long held the land at very low rates, *far below* the market rack-rent:" these are Sir George Campbell's own words. If the above statements on good authority be correct, then the mere fact of a few riots in Pubna, due, perhaps, to an overzealous officer, are not sufficient excuse for legislation. The condition of Behar has long formed the subject of complaint; but I am inclined to think the land laws are not entirely to blame. Tenancy bills are of little use to a ryot in Bettia sub-division, if he has to trudge all the way to Mozufferpore or Chupra for a hearing; and, therefore, a more paternal system is required, by which the people could be gradually inoculated with certain rights: and once understood and enjoyed, they would be sufficiently tenacious of them to baffle the most grasping zamindar. This is an idea which will be considered out of date; but I equally regard an act which abolishes freedom of contract between landlord and tenant as a backward step in legislation. I have nothing more to add, except that I would not have offered an opinion on the subject, unless I had been called upon to do so. I cannot help observing in conclusion, that the zamindars suffer from a daily increasing difficulty in the collection of their rents and cesses; and I think it behoves us to strengthen their hands to the utmost. Let us, if we will, restrict the demand on the ryot, if we can do so without breach of faith with the zamindar, but afford the latter some sure means of collecting that little. Consider the large arrear in Government estates where the manager is armed with an exceptional procedure and the whole power of Government, what must be the difficulties of a private individual, whose only remedy is a civil suit, which is worthless as a resource if his ryots combine against him.

I should have stated that Mr. Sceales, Agent for Messrs. Gisborne and Company, has favoured me with his views, and his letter is forwarded in original.

Dated Bankoorah, the 16th June 1883.

From—J. O'B. Sceales, Esq., Zamindary's Manager for Messrs. Gisborne and Company, Calcutta,
To—The Magistrate and Collector, Bankoorah.

I have the honour to acknowledge yours of the 9th May, requesting my opinion on the subject of the Bengal Tenancy Bill, No. 5 of 1883.

The act of confiscation (for such it is) bearing the above title honestly looked at, has scarcely a redeeming feature to recommend it; it fails to improve the status of the ryots, that is the cultivator or kurpa ryots, and on the other hand is an act of robbery as far as the landlord is concerned.

The advantages, but none of the liabilities the zamindar now possesses, are to be transferred to the occupancy ryot. He is not to be responsible for revenue. Sunset law will not affect him; he will put in his rent when quite convenient; he will pay his road and Public Works cesses also, when it happens to suit him. As fresh taxes occur the same form will be gone through, *viz.*, the landlord will be made to pay the money into Government, and collect if he can (?) at his leisure; but pay the landlord must, and on a given date and hour. His source of income, the tenant, not only pays when he chooses, but the present Rent Act is such that it discourages punctual payment. Under the present law, from the date of institution of a balance of rent-suits to the date of decree, interest ceases, and after that the decretal money is recoverable at Rs. 6 per cent. interest. Hence, the position of landlord *versus* ryots is this: the former, unable to collect from his tenant, must borrow to pay revenue, paying any interest his mahajun may choose to ask him—usually Rs. 36 per cent. per annum, and frequently much more. The occupancy ryot, who is often a money-lender, loans out the rent to his constituency at, say, Rs. 36 per cent. that by rights should go to his landlord. After a year's litigation the landlord gets his decree for balance of rent without interest, the occupancy ryot getting Rs. 36 per cent. during this period for money not really his: why should he pay? To remedy this, I would suggest that, upon the landlord producing three years' jumma-wasil-bakies and thoka, and in fact making out a *primâ facie* case, the sum sued for be decreed; the ryot may then become plaintiff in his turn for, say, a re-hearing; but should his case fail, *i.e.*, prove frivolous and vexatious, he should be made, not only to pay Rs. 12 per cent. from the date of instituting the suit to the date of decree, but the same interest. Rs. 12 per cent. should run till date of collection, not Rs. 6 per cent. as at present decreed, and to this damages at 25 per cent. should also be enforced. As it is, a clause (44) exists in Act VIII of 1869 to this effect. The lower court has it in its power to decree damages to the plaintiff, supposing the defence to be frivolous; but the weak part of this otherwise sensible condition is, that it is optional; it should be made compulsory upon the court.

If the above suggestions were carried out the Bal of rent-suits would be reduced by three-fourths. The present state of the law encourages ryots not to pay.

What applies to the tenant would apply equally to the landlord: he likewise would be punished for instituting unjust suits, and it is so provided in section 45 of the same Act.

The Government puts itself to a deal of trouble to satisfy itself that zamindars are not landlords in the true sense of the word—that they are in fact mere rent collectors. For the sake of argument admit this I am rent collector for a Calcutta firm: what would describe the conduct of the said firm if, instead of putting every facility in my way and giving me every help in their power, they were to lay themselves out to thwart and discourage my efforts?

This, however, is the policy pursued by Government, they say in effect:—"At sunset on such and such days we want our rents, we are perfectly indifferent as to whether you collect or not—indeed, we put every obstacle in the way of your collecting—but pay or be sold up." I ask if the above is a fair description of the law and procedure as it now stands, and if so, is it just?

Another mode of insurance against a false defence on the part of a ryot, in a Bal of rent-suits, would be to insist upon his depositing at least half the amount he is sued for as Bal of rent; this would, in the first place, secure the zamindar against loss, and invariably lead to a settlement of the landlord's claim, the argument on the part of the ryot being that, as he had to deposit half the amount under any circumstances, it would not be worth his while to set up a vexatious defence.

As to enhancement suits, I concur in thinking they might be handed over to the Collector. A little broadness of view and common sense is sadly required by moonsifs in dealing with them. The idea has got about that the High Court discourage enhancement, however reasonably it is sued for, and the result is that every subordinate officer seizes upon the merest and meanest quibble, in both questions of law and fact, to dismiss the suit.

Independence and common sense in the department are much required.

As to road and public works cesses they press with terrible severity upon the poorer landholders; and the Government should find a means of relieving them of this duty. As to the truth of what I state, let me call your attention to the fact that every estate in this district is in arrears on account of these cesses—witness Samsoonderpore, Phulkeeswa, Ambicanagore, and other pergunnahs—all have been up for sale on the above account, and the money has been with great difficulty deposited by the landholder to save his estate—that he will ever recover his debt from the tenantry is hopeless. These cesses mostly consist of small sums, to be got from hundreds of tenants. None but men of the largest means could plunge so largely into law I have been long puzzled to know why Government have shown such marked dislike to the zemindar: he is supposed to rack-rent and tyranise over the occupancy tenant. It appears to me that this view of the question is an entirely mistaken one.

The curse of Bengal is not the zemindar (I do not know what Government will do without him), but the occupancy ryot, whose responsibilities are nil, and whose emoluments are of the largest. The kurpa ryot is the victim, whose interests Government should look to. Occupancy ryots, taking them all round in this district, pay rent at the rate of from 3 to 10 annas per bigah to the zemindars, but they cruelly rack-rent their undertenants. From Rs. 2-8 for good paddy land to Rs. 8 and Rs. 10 per bigah for sugarcane land is charged on the cultivating ryots, and these are common rates all over the district. In the face of this the zemindar is told that he tyranises and rack-rents; if so, what term is to be applied to the occupancy ryot, acting as I have described—the occupancy ryot is the annuitant, not the landlord.

The political feature of the question, or its legality, with reference to the permanent settlement, I do not attempt to discuss. Various associations are at work all over the country, and they will doubtless make themselves heard in good time. But as to necessity for such a Bill, as the one proposed, I have a word to say. Could it be proved that the proposed alteration in the law of landlord and tenant was to be of sufficient benefit to anyone as to warrant such a stupendously important step as the Government propose to take, one might welcome the alteration; but as a matter of fact, the evil greatly counterbalances the good. Government will lose, because it chooses to dispossess its rent-collectors (zemindars) of the little power they at present have to collect the Government revenue. The zemindars lose in having their property and rights made over to the occupancy ryots. The kurpa ryots will be dissatisfied, because the stronger the position of the occupancy ryots, the more the kurpa ryot will be rack-rented. Even the occupancy ryot will suffer; the more easy it becomes to transfer holdings, the more easily they will be to alienate, so that, as a matter of fact, no one gains. I confess I look upon the present proposals to alter the law as a mistake. Act X of 1859 and Act VIII of 1869 were doing the work well, and matters settling themselves fast. The present proposal, if carried out, will lead to a renewal of litigation of the same costly and cumbrous nature that went on for 15 years after the passing of Act X of 1859.

Affairs between landlord and tenant have of late been remarkably amicable, and the law on the subject, known as Judge-made law, was sufficient, and fairly sensible. Statistics declare that thousands, not to say millions, of mourasi pottas were being given out yearly, and as each mourasi holding means a complete cessation of hostility between landlord and tenant, indeed, implies the most amiable relations, why disturb such a state of affairs.

To quote the Pubna disturbances as necessitating a change in the law is childish. The same agitation took place ten years ago, and might easily have been stopped by a strong executive.

Pre-emption means that the landlord having already purchased the zemindari at 20 year's

purchase, will have the right of again purchasing a portion for another 20 years' purchase—a valuable boon—having paid twice for what was probably not worth the fresh payment. He must either cultivate it himself (figure to yourself Hatua, Durbhunga or Burdwan cultivating a jumma), or give an occupancy right at an equitable rent to a tenant to cultivate: freedom of contract is non-existent under the new law. Maximum enhancement should not be limited to Rs. 25 per cent., but should be left to the discretion of the courts.

Reams might be written on the above subject, but I, for one, have not the time. Briefly, I think, the proposed alteration unnecessary, and likely to cause the most serious disturbance of the present amiable relations existing between landlord and tenant.

The facility for the recovery of rent by the zemindar is required; and this might be carried out somewhat in the way I have suggested. As the remainder of the Act appears to be no improvement on Act VIII of 1869, I can see no occasion for any change.

The Government insisting on zemindars collecting road and public works cesses, they are bound in common fairness to afford them facilities for doing so.

No. 467, dated Howrah, the 23rd July 1883.

From—E. V. Westmacott, Esq., Collector of Dacca, Officiating Deputy Collector of Howrah,
To—The Commissioner of the Burdwan Division.

From the Board of Revenue, No. 342A. of 13th June 1883.
From the Secretary to the Government of Bengal, Revenue Department, No. 322T.—R., undated.

With reference to your circular No. 38 of the 14th ultimo, with enclosures as per margin, calling for a report on the Bengal Tenancy Bill, I have the honour to submit that my views have already been laid before the Government of India at some length as regards the proposed legislation, and that the principles of the Bill being assumed, I have not much to say regarding its details.

2. My personal experience as a revenue officer has been gained principally in the Rajshahye, Dacca, and Chittagong Divisions. I know scarcely anything of the Burdwan or Presidency Divisions, and what I have learnt respecting the tenancy question in Behar, has been from information at second-hand, supplemented by such enquiries as I have been able to make while on tour in several of the Behar districts.

3. In the part of the country which I know well, if any legislative interference is required, it is rather on behalf of the landlord—I use the term loosely for the receiver of rent—than on behalf of the tenant. In Behar I understand that whatever the historical position of the tenant may have been with reference to his rights in the soil, the landlord has practically a monopoly in the land, and competition among the tenants has rendered him master of the situation. Very few ryots appear to have been able to maintain a right of occupancy. This appears to be due entirely to the pressure of population on the land which is less fertile than Bengal, and to the habits of the people, which led them to look to agriculture alone for a livelihood. The ryots feel that it is absolutely necessary that they should obtain land, and they close their eyes to the possibility or impossibility of fulfilling the terms to which they agree in order to obtain it, and, at the same time, of being able to maintain themselves and their families. The result of this is unreasoning competition for land, and hopeless poverty for the cultivator. Even when the Behar ryot is in possession of land, I find that the landlord is able to dictate to him what crops he shall grow, and that indigo, for instance, cannot be grown without consent of the landlord. In the eastern districts such interference is impossible. The cultivation of jute has greatly extended of late years, as being a more profitable crop than rice, but the landlords in vain endeavour to secure a share in the increased profits of the ryot. It appears a monstrous thing that a tenant having taking land on certain terms should not be able to cultivate that land as he thinks most to his own advantage. The English question of exhausting the soil, and leaving it impoverished at the end of the tenancy, does not arise in India, and the landlord's interference arises only from a wish to share in the ryot's increased profits besides receiving the stipulated rent. The weakness, however, of the Behar ryot appears to arise from the fact that there is less land than the cultivators require, even as in Eastern Bengal the ryot is strong, because there is more land than the ryots can cultivate, so that the landlord who endeavours to extort from his ryots more than they are willing to pay finds his land uncultivated altogether. It is not only the number of persons per square mile that must be considered, but the inferior fertility of most of the land in Behar, as compared with that in Bengal. I should say that population would press less heavily on the soil in Rungpore with 600 persons to the square mile than in Behar with only 400.

4. It must then be considered whether the natural law which impoverishes an agricultural population when too numerous for the land, can be counteracted by legislation, and whether the same legislation will not produce more evil than good if applied to tracts in which fertile waste land is carrying out for cultivators.

5. It may be possible to place restrictions on the power of the present landlords of Behar, and there may be historical grounds for believing that the ryots once enjoyed such rights in the land as would justify such restriction, but it would have been impossible for the landlord to improve his own position and to destroy the rights of the ryot had he not been aided by the action of a natural law, the law that an increasing population on a limited culturable area must impoverish an exclusively agricultural people. It is possible to restrict the power of the present landlord, and to strengthen the position of the present tenant, but during the continuance of the action of the natural law, to which I have referred, it will be impossible to improve the position of the rent-paying cultivator at the expense of the rent-receiver. In

curtailing the powers of the present rent-receiving landlord, you can only transfer them to another person, namely, to the rent-paying ryot, but the consequence will be that the said ryot will become a rent-receiver, and will sublet his land to cultivators who will be poorer than the present cultivators, because their competition for land will be absolutely unchecked by any traditional respect for rights of the ryots in the soil. The profits of the present landlords will be curtailed, the rent-paying ryots of the present will become rent-receiving middlemen, and the land will be cultivated by a class absolutely unprotected by any feeling that the cultivator has rights in the soil, and at the mercy of rent-receivers whose attention is confined to a limited area, and who are, therefore, able by closer supervision to screw more out of their tenants than the landlord of extensive estates. I quite admit that it is possible, and perhaps just, to make the present Behar ryot into a wealthy and thriving man at the expense of the zemindar, but those who think that such a step will make the actual cultivator one whit less wretched than he is now, will find themselves grievously disappointed. So long as there are too many people for the land, to support, and so long as the only means of supporting those people is derived from the land so long will rents be forced up by competition, and the cultivator be a pauper. The action of the proposed law will only be to make the occupancy ryot the rack-renter instead of the present landlord, and the actual cultivators will be none the better for it.

6. I may illustrate the change in the position of the occupancy ryot by a passage in a report on rents which I received from one of my Deputy Collectors a few days ago. He said that a certain rate of rent was so high that it was impossible for the ryot to make a profit except by cultivating the land himself. The Deputy Collector evidently considered that for a ryot to be obliged to cultivate his land himself was a hardship, and that he had a right to a position in which he could sublet the land, or hire ploughs and labourers to cultivate it for him. The present pauper ryot of Behar may be raised to such a position as this by curtailing the powers of the zemindar, but there will still remain the mass of struggling cultivators, ready to promise any rent, as long as they can secure a crop from the land, and, the rights of occupancy being vested in those to whom they promise their rent, they will be themselves absolutely unprotected. I believe that the proposed law will personally benefit the present generation of ryots, but I do not think it can contribute anything to the solution of the problem which meets the statesman in Behar.

7. To resort to the emasculating interference of legislation on behalf of the weaker in free bargain between man and man has been tried over and over again in the history of the world, and has as often failed in its object. The weak cannot be made strong by law because the strong will find means of evading the law. The evil, however, is not without a remedy, and that remedy is already in course of application. I may say that there are two such remedies. One of them is the diversion of the surplus labour of Behar from agriculture to other spheres, and the other is emigration. I find men working in Howrah in mills and factories, as carters, grooms, or labourers, and easily earning six or seven rupees a month, while employers tell me that they want more hands. I question these men, and find they come from Behar districts, in which the Magistrates have told me that three rupees per month is far more than it is necessary to pay as wages to the village watchman. Few of the emigrants as yet bring their families with them, and most of them return to their homes after a few months' work, but the number of permanent settlers is increasing, and the demand for labour is such that it must continue to increase. I have seen how the position of the English farm-labourer has improved in consequence of emigration, till a farmer in Sussex has told me that he has difficulty in hiring a carter for a guinea a week and a free house, and I feel confident that emigration will gradually raise the position of the Behar ryot.

8. I observe that most of the Behar labourers attracted by British capital to Howrah and Calcutta come from the districts south of the Ganges, served by the East Indian Railway. There is a striking absence of men from the districts north of the great river. From this I argue that the statesman who desires to raise the position of the masses in Behar should push on railway communication between those districts and the great manufacturing centres, and with the districts, such as Dinagepore and Dacca, in which thousands of acres of fertile land are lying waste for want of hands to cultivate them. I believe that emigration would be stimulated by a continuous line from Chumparun through Purneah and Dinagepore to the Northern Bengal Railway, and parts of such a line are already made or in course of construction.

9. I have purposely abstained from all comment on the proposed regulation of relations between landlords and tenants in Behar, with reference to supposed rights of the latter, because I do not consider that my experience qualifies me to speak on the subject. I can only say that I do not believe the proposed law will have any effect whatever in raising the condition of the masses.

10. Turning to the parts of Bengal with which I am well acquainted, I find that the proposed law is all in favour of the ryot, who is already so strong as to be able to withhold from the zamindar that to which he is justly entitled. In Behar, if a zamindar deprives a ryot of his land, I persume the ryot must starve. In Bengal it would be the zamindar that would starve, and the ryot would migrate gaily to another estate, of which the proprietor would welcome an additional tenant, and an increase in his rent-roll. I use the term Bengal with reference to the divisions of Rajshahye, Dacca and Chittagong, in each of which I have gained some experience. Not only is the zamindar unable to enhance the rent beyond what a reasonable ryot thinks it just that he should pay, but in many instances dishonest ryots maintain their position on the land without paying any rent whatever, and the result is litigation and violence.

11. I believe that it is less the pecuniary necessities of the zamindars that have led them to create tenures intermediate between themselves and their ryots, than the difficulty of realising rents without more detailed supervision than the proprietor of extensive estates can exercise. In order to secure an income without direct collection from the ryots, the Maharaja of Burdwan has granted *putnees* to middlemen, and they again, I believe, have created tenures over lesser areas subordinate to their own. The Paikpara zamindars in Noakholly have promoted all their ryots to be petty talookdars, so that the rents may be collected by sale procedure in the court of the Collector. The Maharani of Dinagepore grants villages in farm for five years to one or more of the principal residents in them, while individual ryots often hold lands for which they pay more than a hundred rupees as rent. The foundation of the strength of the ryots' position is the quantity of land available for cultivation beyond what the existing population can cultivate, and the zamindars are too short-sighted to offer sufficiently liberal terms to encourage that immigration which would increase the competition for land. To speak of the wretchedness of Bengal ryots as notorious, argues absolute ignorance of the facts of the case, and can only excite ridicule in those who know anything of the ryots of Dinagepore, Backergunge or Noakholly, to say nothing of other Bengal districts.

12. I have no wish to represent the Bengal zamindar as an injured innocent who wants no more than his just due; on the contrary, I know that he is ready enough to grasp at all he can get, and the only reason that he has not reduced his tenantry to the condition of the Behar ryots is that the natural law of the pressure of population on the land has been too strong for him. At the same time, I think, he now in most instances gets somewhat less than his due, and if legislative interference is warranted, and likely to prove efficient, it should be in the direction rather of helping the zamindar to obtain his due than of further strengthening the position of the ryot.

13. I think the ryot generally recognises that there are at least two just grounds for enhancing his rent, one being the discovery by measurement of more land in his possession than he has been paying rent for, and the other a permanent increase in the money-value of the produce of the land. I do not mean to say that a ryot will not resist enhancement on these grounds as well as on any other, but if defeated, he will look on it as the fortune of war and not as an injustice. As regards the first ground of enhancement there is no doubt whatever, and many Dinagepore ryots are paying a cess, or *mangon*, in consideration of the landlord's foregoing the right of measurement, rather than submit to any enhancement of the substantive rent, which nominally remains unchanged. The second ground of enhancement, permanent increase in the money-value of produce, would be disputed more often than the former, but I have many a time known ryots year after year pay a *mangon* which varied with the goodness or badness of the crop, in addition to their rent, and I have heard of many cases in which ryots contumaciously withhold payment of rent, and yet pay their *mangon* cheerfully. If a ryot has been paying a rupee a *beegha* for fifty years, and knows that fifty years ago his grandfather in the best of times could get no more than eight annas a maund for paddy, he feels that now, when he can always get a rupee, the zamindar may justly ask for a *mangon* every year in addition to the rent. The rent, however, must not be enhanced—once alter the substantive rent, and the ryot feels that he will be safe no longer. I have no doubt that the ryot's feeling as to the justice of enhancement with reference to the value of produce, is a traditional survival from the days when all rents were paid in kind. It is a grave error to look on all *mangons* as illegal cesses. They are virtually enhancements of the rent, to which the ryot has agreed, because he feels that the zamindar is justly entitled to them, and it is a mistake and a robbery of the zamindar for the legislature to disallow them.

14. The question of enhancement on the ground of increase in the money-value of produce was a tolerably easy one so long as rice continued to be the principal staple. Sugar-cane does not appear to have disturbed it, but now the enormous extension of the cultivation of jute has introduced serious complications. Tracts which once grew rice enough for export, in addition to what sufficed to feed its population, have now so large an acreage under jute as actually to be importing rice from elsewhere. The zamindars see how the jute trade enriches the ryots, and desire to share in the profits, while the ryots deny the zamindar any right to enhance, except upon a rise in the value of rice, which was the old staple. In the proposed law I find no attempt to do justice between landlord and tenant in this matter.

15. One great difficulty in dealing with the agricultural question is the co-parcenary system. The proposed law takes some cognizance of this evil as it applies to the landlord, but none whatever as it applies to the tenant. I have known instances in which a petty ryoti holding belongs to over thirty co-sharers, many of them widows, many married to husbands who are not co-sharers. I believe I could find instances where the co-sharers were twice as many. Such a tenantry as this is very difficult to deal with, no co-sharer considering himself responsible for more than his own share of the rent, and the tenants suffer from it as much as the landlords. The laws of inheritance, both Hindoo and Mahomedan, have by many intelligent natives been admitted to me to be the curse of the country, and their effect on the question of tenancy is well worth a statesman's attention.

16. I will now proceed to comment in detail on some of the features of the proposed law.

CHAPTER II

17. C

has little, if any, practical application in Bengal.

18. *Sections 14 to 16.*—This is not new, but in the case of ryots I have always thought it unjust as regards money-rents, and whereas the decennial settlement alienated all right of

Government to share in increased money-value of produce, I have always considered that it compared most unfavourably with the commutation of tithes in England, a system under which the rent-charges vary from year to year on a sliding scale regulated by the average price of corn for seven years. I think it unjust to zamindars, and inconsistent with the feelings of the people, that money-rents should be fixed without reference to changes in the value of produce. The rent was originally a proportion of the produce, and this should in my opinion be borne in mind.

19. Government deliberately gave up all right to share in the proceeds of any increase in the money-value of the ryots' crop, and in so doing gave up revenue to which the State was entitled. It is not now the question whether the equivalent secured by fixing the revenue in perpetuity was sufficient compensation for the future loss to the revenue, but it does not appear that this action with reference to the revenue justifies the State in compelling the zamindar to make similar sacrifice. Rents in India are based on a division of the crop, and it is opposed both to equity and to the traditions of the people to allow the cultivator to monopolise all benefit from increase in the money-value of his crop. If a ryot pays a certain rent when he only gets eight annas per maund for his rice, he should pay so much more when he gets double that price.

20. *Section 21.*—A number of tenures are created at the same time, on the same rates of rent, covering a considerable area. The time comes when enhancement is legitimate, and a landlord in the centre of the said area proceeds to enhance. He cannot enhance beyond the customary rate, and he finds that every tenure, for miles round, is paying at the same rate, so that he is precluded from enhancing. If no landlord can enhance until the majority of his neighbours have enhanced, it is clear that enhancement can never be commenced, and therefore the right of enhancement becomes a dead letter.

21. *Sub-section (4).*—The reference is to *jungle-booree* tenures. A tenant taking land on a *jungle-booree* lease looks to recouping his expenditure on reclamation during the period of his lease, and to allow him to continue to hold on exceptionally favourable terms after the expiry of the lease is inequitable and contrary to all the customs of the people, so far as I know them.

22. *Section 22.*—Where a tenure has been granted rent-free for a term, what is to be the limit of the rent at the expiry of that term? The double of nothing is nothing.

23. *Sections 23 and 24.*—I think very fair.

24. *Section 27.*—It would be to the advantage of both landlord and tenant that all transfers should be registered; but as each party wishes to defraud the other, if possible, both endeavour to avoid registration or any definition of the terms of tenures. The interchange of *pottas* and *kabooliyats* prescribed by law has always been steadily evaded by whichever party was strong enough to avoid it. Registration can only be secured by the courts rigidly refusing to take legal cognizance of any right which has not been registered, and it is not safe to leave it to the dishonest amla of the zemindar's cutcherry, who will always burn their books when advisable. Just as notice of relinquishment is given to the Collector, so must notice of transfers be given to the same officer, who will give notice to the landlord, and no ryot or co-sharer in a ryoti tenure should be recognised as possessing any rights unless his succession to the holding has been registered. The fee on registration, to which I consider the landlord entitled, can be paid by stamp to the Collector at the time of application. The proposed law appears to contemplate registration as being solely for the benefit and protection of the tenant. Having had extensive dealings with tenantry in estates belonging to the State or to Court of Wards, I can certify that registration of transfers would be a great boon to a landlord. For years rents are paid in the names of dead tenants, until a day comes when rents are withheld, and then it is a matter of difficulty to find out who is in possession of the holding. There may be a score or two of co-sharers, male and female. This is only one exemplification of the principle on which the proposed law appears to proceed, namely, that it is the tenant alone who requires protection, and that the landlord is only a tyrant, whom it is necessary to control. If registration is carried out by the State, and not left to the landlord, I would apply it to all ryots as well as to tenure-holders.

25. *Section 37.*—I have been informed that there are *putni* tenures which are not permanent, and I think this provision of the law uncalled for.

26. *Section 45.*—I believe this provision is necessary to protect ryots in Behar; it is not required in Bengal. The right should be confined to cases in which lands have been held in one village or *mouza.* To bring an 'estate' into the question is quite a new idea, not warranted by any custom of the country.

27. *Section 50 (a).*—This provision appears to open the door to endless litigation to determine what renders land unfit for the purposes of a tenancy. I do not consider rural moonsifs by any means likely to decide justly in such a matter from what I have known of their modes of thought.

28. Free transfer may not always have been an essential feature in a ryot's occupancy right, but, so far as my experience goes, it has become recognised as customary, and ought to be legalised. Giving notice to the landlord, and giving the landlord a right of pre-emption, is not the custom, and I do not think it necessary. There are many practical difficulties in the way. For instance, shares in ryoti holdings are often transferred, and transfers sometimes give a right of re-entry on repayment of a loan.

29. *Section 51.*—It appears to be supposed that the owner of an occupancy right is always a tangible individual. I have already pointed out that such a right is frequently subdivided among a number of male and female co-parceners, and these co-sharers sometimes dis-

pose separately of their shares. There are peculiar difficulties with reference to the women in Mahomedan families who inherit fractional shares and marry out of the family. Of these I think a rent law should take cognizance.

30. *Section 53.*—What would be the landlord's right when a ryot raises money on mortgage, giving the mortgagee possession for a term with right of re-entry? This is not infrequent.

31. *Section 58.*—The presumption is a false one. If a ryot has held for a considerable number of years at a fixed rent, and the average money value of produce has permanently risen in the interval, the presumption is that the rent has ceased to be fair or equitable, and that it is just that it should be enhanced.

32. *Section 59(2).*—In Dinagepore, where there are large areas of waste land, a ryot frequently holds twice or three times as much land as he nominally pays rent for, and no one would attempt to prove that he was not liable to pay rent for the whole if it were measured. Why should the law step in and say that he was only to pay rent for ⅗ths in addition to what he nominally holds? Section 60 does not meet the case. If, as is probably the case, the landlord cannot prove when the excess land was added to the holding, and when the area of the holding was originally understated by a dishonest *ameen*, I am quite sure that a Moonsiff would hold that no addition had been proved. Whatever may be stipulated as to rates of rent, the landlord ought to be allowed to recover rent for every foot of land which a ryot holds.

33. *Section 64.*—The rates of rent ordinarily paid are no clue to what rents ought to be if they were fixed at a time when produce was cheaper on the average than it is at the time of inquiry, and I think the provisions of this section very just. They will, however, be easily evaded by raising questions as to the classification of specific plots of land.

34. *Section 75(c).*—Instead of saying that the landlord and ryot shall each have one-half of the benefit, I think that the increased rent should bear the same proportion to the old rent that the increased prices or the increased produce do to the old.

35. *Section 79.*—Why should a ryot be allowed to apply for reduction year after year, when a landlord cannot apply for enhancement, even on proved increase of area, oftener than once in ten years?

36. *Section 83.*—These lists to be of any use must be far more carefully prepared than at present. In one district I found that because the returns for one or two outlying thannas never came in, in time to be entered in the fortnightly return, there had not for years been any entry made in the returns of the prices in those thannas. I had important settlements in hand in those thannas, and was very desirous to observe the fluctuations in prices, but found nothing on record. The original police reports had been destroyed, and the returns were blank.

CHAPTER VIII.

37. I would prefer looking on the occupancy ryot as the ordinary ryot.

38. *Section 91.*—Any law fixing the rent of a ryot without a right of occupancy will always be a dead-letter.

39. *Section 92 (2).*—Ten weeks is a short time I think to allow a Moonsiff to dispose of a contested case, and, as a general rule, a landlord must let his land in April at latest, or he will not let it at all for that year. The question should be settled absolutely before the end of *Choitro.*

40. *Section 93 (b).*—I think this compensation to a ryot, who has no rights of occupancy, is iniquitous. I cannot understand on what grounds it can be considered just. If a ryot does not agree to pay the enhanced rent, and does not give up his holding, he is considered liable to pay the enhanced rent for the next year. I do not see why the law should change this. The ryot has no right of occupancy, and I do not see why he should be allowed to hold on if he does not mean to pay the rent. The present arrangement seems a very just one, and I think the landlord has reason to complain if section 93 becomes law. If a ryot has no right of occupancy, I think the landlord has as much right to enhance his rent after due notice given, as the owner of house property in Calcutta. You will never be able to distinguish practically between ryots and under-ryots, or tenures and subletting ryoti holdings.

41. *Section 96 (a).*—The language of this clause scarcely applies to the very common cases in which a ryot holds originally more land than the nominal acreage of his holding, by the dishonesty of the zemindars' servants, or for the cases in which there is no proof that the holding was ever originally measured, but in which the ryot has imperceptibly added pieces from the waste, or from abandoned holdings. The landlord's right to measure and to assess all land at full rates is always admitted, but it might be difficult to prove that land held in excess of the nominal area of a holding was an addition to the holding. The landlord might be called on to show when and how it was added. I therefore think that the wording of this clause might be improved.

42. *Section 100.*—The name of the person making a payment should be added in every receipt.

43. *Section 101.*—How would this provision apply to the case to which I have already drawn attention, in which a ryoti holding belongs to a number of co-parceners? Who is entitled to the receipt?

44. *Section 114.*—It appears objectionable that litigious persons should be allowed to re-open a question in court when disposed of by the Collector's commissioner with assessors. I think it would be enough that the Collector should have powers of revision.

45. *Section 119.*—I think it objectionable to pass a law which will in practice be evaded, as will certainly be the case with the limitation of the rent to $\frac{5}{16}$ths of the gross average produce. In Noakholly there is a quantity of land which remains uncultivated for years together, and is only taken up when the price of rice is exceptionally high. The men who then take it up are called *jotedars*,—not to be confounded with the substantial ryots called *jotedars* in Dinagepore and Rungpore—and I think it impossible to interfere with the free contracts which they make. I have never had any trouble in the settlement of any questions arising from such free contract, and the rents are often very high indeed. There is no average annual produce in lands only occasionally cultivated, and I think that any attempt at legislative interference with free contract in these cases will hinder cultivation, if not practically evaded.

46. *Section 123.*—I think there would be very grave injustice to zemindars in such a provision as this. It is possible that in Behar it may be required, but in Bengal it would deprive the zemindar of what is really rent to which he is fairly entitled, and which the ryots have agreed to pay, because they recognised the justice of the demand. The ryots have always opposed any alteration of their nominal rent, even when admitting the zemindar's right to receive more. In Dinagepore it is extremely common for the ryots, fully aware that they hold much more land than they nominally pay rent for, to agree to pay the zamindar regular cess of so much on every rupee of the nominal rent on condition of his foregoing his right of measurement. This is a compromise made with the full consent of both parties. It prevents litigation and possible rioting, and is in accordance with the feelings of the people. If the law declares that the zemindar shall not receive such a cess as this, he will be driven to actual measurement, very much to the dissatisfaction of both parties, cultivation will be interrupted, and it is very probable that agrarian riots would ensue. In other cases, independently of the question of measurement, the ryot pays a similar cess, in consideration of the increased money value of the produce of his holding, rather than allow his nominal rent to be enhanced. With such a compromise as this, again, it appears to me neither politic nor equitable to interfere. On the other hand, there are fees levied by zamindars as market dues, mooring dues, taxes on sales of cattle, and the like, often levied, as at the sudder station of Dinagepore, at markets for which year by year the zemindar draws money from Government as compensation for the abolition of *sayer* duties. With such cesses as these I would most certainly interfere, and advocated interference eleven or twelve years ago.

47. Between these two classes of cess, one which I consider absolutely mischievous, and the other which I consider quite unobjectionable, there is a third class respecting which I think very full enquiry should be made. I refer to contributions made by the ryots on the occasion of the zamindar's marriage, or when it becomes necessary to reinforce his fleet of elephants. The question to be decided is how far such contributions are voluntary and how far compulsory. In Dinagepore they are certainly voluntary. If a zamindar asks his ryots for more than they think just, he will not get it, and if he makes any attempt at compulsion they will either leave his land or perhaps even resist him forcibly. There is some remainder of feudal feeling among the ryots, and they would consider it derogatory to their own self-respect to refuse a reasonable contribution on a special occasion. With such a state of affairs I should object to interfere. There is no evil requiring redress. Then there is the universal tax of *tohreer* paid by ryots as a percentage on their rents to the cutcherry *amla* and *piyadas*, whose pay received from the zamindar is nominal. The ryots do not complain of paying this, and when I enquire about it, even in wards' estates, they try to conceal the fact of payment. Officers without revenue experience will ridicule my statement, but it is a fact that the ryots like making these irregular payments, and even when in an attitude of combined resistance to all demand of rent, fighting their zamindar both in the law court and in the field, they continue cheerfully to pay the cesses which it is proposed to declare illegal. Whatever they may think it just to pay they will pay, so long as it is not legally recoverable, but if the zamindar relies on the courts for the realization of his dues they tell him to go to the courts, and make the most he can out of it. The natives cling to custom, and abhor legal definition of rights, and therefore legislative interference disturbs the peaceful relations between landlord and tenant.

48. It must be remembered, however, that I speak of ryots who have a strong position, from which they can successfully defy any attempt at injustice on the part of the zamindar. If the ryot of Behar is so utterly powerless as I am led to suppose, I admit that legislation may be necessary to protect him. If the zamindar has power enough to compel the ryot to pay illegal cesses against his will, I do not object to the interference of the State, but where both landlord and tenant are content with the indefinite relations between them, understood and freely accepted by both parties, but indefinite when brought before the tribunal of the moonsiff, I think that very serious economic evils are likely to ensue from any attempt at legal definition, or limitation, however attractive to a theoretic and sentimental statesman. The result of such an attempt will be to set class against class, where relations are now friendly, as following the cherished customs of the country and the natural economic laws. The proposed provision may be beneficial for Behar, but in Bengal would be positively mischievous.

49. *Section 126 (2) f.*—In waste land, it is very just that the reclaiming ryot should be allowed to erect a dwelling-house, but in settled estates I doubt the justice of it. Where the ryots holding, generation after generation, becomes the property of an ever-increasing number

of co-sharers, the extension of homestead land may very seriously curtail the arable area, and consequently the power of the holder to pay its rent. The landlord will not be allowed to assess the newly converted homestead lands at the increased rent, which homestead lands generally pay, and it has further been proposed that a ryot ejected from his holding cannot be ejected from his dwelling house. If the holding adjoins an increasing bazar, I think this provision would enable the ryot to obtain an unfair advantage.

50. *Section 133.*—I fully approve of the concluding proviso in this section, but am unable to see why the holder of *lakhiraj* or revenue-free land should be deprived of his right to measure. There appears to be some omission in this chapter. I presume it is intended to allow the landlord to assess rent on all land found in a holding, but I do not see that this is stated. Measurement would be of very little use without it.

51. *Section 139.*—Application to the court or the Collector should be allowed in any case. The ryot generally lies when he says he has tendered to the landlord, and if he really has done so, the zamindar's amla will always deny it. It is objectionable to retain a provision which is practically null and void.

52. *Section 142.*—It should be clearly stated what constitutes actual possession of an interest. I have known it ruled that a co-sharer who had obtained a decree for possession of a share, but who had never succeeded in getting any share in the rents, was not in actual possession.

CHAPTER XIII.

53. The only cases in which I have known distraint much employed in Bengal has been where ryots from the main land, cultivating land in the islands, sell the crop on the spot to merchants who come with their boats, and return to their homes, perhaps never cultivating the same land again. The ryot cannot pay the rent until the moment of sale, and will not pay if once the crop is removed, and therefore it seems just that the zamindars should be allowed to prevent removal, and unfair on both parties that he cannot do so without the expense of litigation. As regards settled ryots I have no objection to the proposed restrictions on distraint.

54. *Section 208 (c).*—Gives the tenant power very seriously to injure the tenure while reserving to himself all real profits by *benamee* alienations. Much litigation might also rise from the disposal of the dead, or planting a *toolsee* plant.

55. I have not observed any points beyond what I have noted, which appear me to call for adverse comment, and I have made no remark upon provisions which appear unobjectionable or beneficial. I think the proposed Act generally will do more harm than good in the Bengal districts with which I am well acquainted.

Description of Land.	Description of staple crops grown on the land.	Average amount of produce per beegha.	Price at harvest time.	Present average rate of rent per beegha as far as known.	One-fifth of the average value of the produce.	Remarks.
			Rs. A. P.	Rs. A. P.	Rs. A. P.	
Sali jole (low-lying rice land), 1st class.	Haimanti rice	3½ mâps or 14 maunds	8 12 0	2 12 0	1 12 0	The existing rates of rent vary from Rs. 2 to Rs. 3.
Ditto ditto, 2nd class	Ditto	3 mâps or 12 maunds.	7 8 0	2 4 0	1 8 0	The existing rates of rent vary from Re. 1-8 to Rs. 2-8
Ditto ditto, 3rd class	Ditto	2 mâps or 8 maunds.	5 0 0	1 12 0	1 0 0	The existing rates of rent vary from Re. 1-4 to Rs. 2.
Sali kanali (strip of low-lying land between two high lands), 1st class.	Ditto	3 mâps or 12 maunds.	7 8 0	2 4 0	1 8 0	The existing rates of rent vary from Re. 1-9 to Rs. 2-12.
Ditto ditto, 2nd class	Ditto	2 mâps or 8 maunds.	5 0 0	2 0 0	1 0 0	The existing rates of rent vary from Re. 1-3 to Rs. 2-5.
Ditto ditto, 3rd class	Ditto	1¼ mâps or 6 maunds.	3 12 0	1 10 0	0 12 0	The existing rates of rent vary from Re. 1 to Re. 1-14
Sali mat aul (flat rice land next in quality to the kanali lands), 1st class.	Ditto	2 mâps or 8 maunds.	5 0 0	1 13 0	1 0 0	The existing rates of rent vary from Re. 1-7 to Rs. 2-5.
Ditto ditto, 2nd class	Ditto	1 mâp 6 salis or 7 maunds.	4 6 0	1 8 0	0 14 0	The existing rates of rent vary from Re. 1-1 to Rs. 2.
Ditto ditto, 3rd class	Ditto	1½ mâps or 6 maunds.	3 12 0	1 4 0	0 12 0	The existing rates of rent vary from annas 13 to Re. 1-13.
Sali danga or high land on which only rice is grown, 1st class.	Ditto	1½ mâps or 6 maunds.	3 12 0	1 2 0	0 12 0	The existing rates of rent vary from annas 14 to Re. 1-4.
Ditto ditto, 2nd class	Ditto	1 mâp or 4 maunds	2 8 0	0 14 0	0 8 0	The existing rates of rent vary from annas 10 to Re 1-2.
Ditto ditto, 3rd class	Ditto	4 salis or 2 maunds	1 4 0	0 9 0	0 4 0	The existing rates of rent vary from annas 8 to annas 12.
Ausha danga or high land on which only aush or early rice is grown.	Aush or early rice	6 salis or 3 maunds	1 14 0	0 10 0	0 6 0	The existing rates of rent vary from annas 6 to Re. 1 1.
Do. karpa or high land on which karpas (cotton) is especially grown, 1st class.	*Karpas* (cotton)	3¼ maunds	14 0 0	7 2 0	11 0 0	These are exceptionally good lands, and are to be found in *tarat* Balsi, thana Indus, and in village Telliberia, and in the neighbourhood thana Ouda, and in certain parts of thana Bishenpore, such as Hatia, &c. The existing rates vary from Rs. 3 12 to Rs 9
	Til (oilseed)	3¼ "	7 0 0			
	Jab (barley)	2½ "	5 0 0			
	Gum (wheat)	2½ "	7 8 0			
	Boot (gram)	2 "	5 0 0			
	Musori (a kind of pulse).	1½ "	4 8 0			
	Sharisa (oilseed)	3 "	12 0 0			
		Total	55 0 0			

Description of Land.	Description of staple crops grown on the land.	Average amount of produce per bigha.	Price at harvest time.	Present average rate of rent per bigha as far as known.	One-fifth of the average value of the produce.	Remarks.
			Rs. A. P.	Rs. A. P.	Rs. A. P.	
Ditto ditto, 2nd class .	Ditto .	A little less than above.	45 0 0	6 2 0	9 0 0	The existing rates vary from Rs. 4-4 to Rs. 7-12.
Ditto ditto, 3rd class .	Ditto .	Less than the produce of the 2nd class.	35 0 0	5 6 0	7 0 0	The existing rates vary from Rs. 3-10 to Rs. 7-12.
Do ikhu or *do* land on which sugarcane is especially grown, 1st class.	Sugarcane . .	13 maunds .	39 0 0	6 10 0	9 13 0	The remarks against *do* karpa lands apply to these lands also *Aush dhan* is also sometimes grown after sugarcane is cut. The existing rates vary from Rs. 4-5 to Rs. 8-7
	Til . . .	2½ ,, .	5 0 0			
		Total .	44 0 0			
Ditto ditto, 2nd class .	Sugarcane . .	12 maunds .	36 0 0	5 6 0	8 0 0	The existing rates vary from Rs. 3-5 to Rs. 4-11.
	Til . . .	2 ,, .	4 0 0			
		Total .	40 0 0			
Ditto ditto, 3rd class .	Sugarcane . .	10 maunds .	30 0 0	4 8 0	5 6 0	The existing rates vary from Rs. 2-14 to Rs. 6-8.
	Til . . .	1 maund .	2 0 0			
		Total .	32 0 0			
Nij suna or suna proper,* 1st class	Sugarcane . .	6 maunds .	18 0 0	4 1 0	4 0 0	The existing rates vary from Rs. 2-7 to Rs. 5-15.
	Til . . .	1 maund .	2 0 0			
		Total .	20 0 0			
	Karpas . .	1½ maunds .	6 0 0			
	Sharisa . .	1 maund .	4 0 0			
	Jab . . .	1 ,, .	2 0 0			
	Boot . . .	1 ,, .	2 8 0			
	Musori . . .	1 ,, .	3 0 0			
	Gum . . .	1 ,, .	3 0 0			
		Total .	20 8 0			
Ditto ditto, 2nd class .	Ditto . .	Little less than the 1st class.	15 0 0	3 4 0	3 0 0	The existing rates vary from Rs. 2-1 to Rs 4-3.
Ditto ditto, 3rd class .	Ditto . .	Little less than 2nd class.	12 0 0	2 9 0	2 6 0	The existing rates vary from Re. 1-10 to Rs. 3-2.
Suna karpa or suna land on which karpas (cotton) is especially grown, 1st class.	*Karpas* . .	3 maunds .	12 0 0	5 2 0	9 2 0	The rates vary from Rs. 3-4 to Rs. 6-2.
	Til . . .	3 ,, .	6 0 0			
	Sharisa . .	2 ,, .	8 0 0			
	Jab . . .	2 ,, .	4 0 0			
	Gum . . .	2 ,, .	6 0 0			
	Boot . . .	2 ,, .	5 0 0			
	Musori . .	1½ ,, .	4 8 0			
		Total .	45 8 0			
Ditto ditto, 2nd class .	*Karpas* . .	2½ maunds .	10 0 0	4 4 0	7 1 0	The rates vary from Rs. 2-14 to Rs. 5-2.
	Til . . .	2½ ,, .	5 0 0			
	Sharisa . .	1½ ,, .	6 0 0			
	Jab . . .	1½ ,, .	3 0 0			
	Boot . . .	1½ ,, .	3 12 0			
	Musori . .	1 maund .	3 0 0			
	Gum . . .	1½ maunds .	4 8 0			
		Total .	35 4 0			
Suna karpa or suna land on which karpas (cotton) is especially grown, 3rd class	*Karpas* . .	2 maunds	8 0 0	3 13 0	5 0 0	The rates vary from Rs 2-7 to Rs. 5.
	Til . . .	2 ,, .	0 0			
	Sharisa . .	1 maund .	4 0 0			
	Jab . . .	1 ,, .	2 0 0			
	Boot . . .	1 ,, .	2 8 0			
	Musori . .	½ ,, .	1 8 0			
	Gum . . .	1 ,, .	3 0 0			
		Total .	25 0 0			
Suna ikhahu or suna land on which sugarcane is especially grown, 1st class.	Sugarcane . .	12 maunds .	36 0 0	4 12 0	8 0 0	The rates vary from Rs 4-1 to Rs. 5-15
	Til . . .	2 ,, .	4 0 0			
		Total .	40 0 0			
Ditto ditto, 2nd class	Sugarcane . .	10 maunds .	30 0 0	3 14 0	6 10 0	The rates vary from Rs. 3-11 to Rs. 3-4.
	Til . . .	1½ ,,	3 0 0			
		Total .	33 0 0.			
Ditto ditto, 3rd class	Sugarcane . .	8 maunds .	24 0 0	3 2 0	5 3 0	The rates vary from Rs. 3 to Rs. 3-4.
	Til . . .	1 maund .	2 0 0			
		Total .	26 0 0			
Sharisa danga or high land on which sharisa (a kind of oil seed) is grown.	Sharisa (oil-seed) . .	1 maund . .	4 0 0	0 15 0	0 13 0	The rates vary from annas 12 to Re. 1-8.
Til danga or high land on which til (a kind of oil-seed) is grown.	Til . . .	2 maunds .	4 0 0	1 0 0	0 13 0	The rates vary from annas 12 to Re 1-4.
Biri danga or high land on which biri (a kind of pulse) is grown.	Biri . .	2 maunds .	4 0 0	0 14 0	0 13 0	The rates vary from annas 10 to Re 1-8
Musori danga or high land on which musori (a kind of pulse) is grown	Musori . . .	1 maund .	3 0 0	0 11 0	0 10 0	The rates vary from annas 8 to Re. 1-8.

No. 686 T. R., dated 3rd September, 1883.

From—C. W Bolton, Esq., Under Secretary to the Government of Bengal,

To—The Secretary to the Government of India, Legislative Department.

In continuation of my letter No. 586 T. R., dated the 24th August, 1883, I am directed to submit, for the information of His Excellency the Governor General in Council, the accompanying copies of report* on the provisions of the Bengal Tenancy Bill, 1883, from Dr. Ram Das Sen, zemindar of Berhampur, submitted through the Commissioner and the Board of Revenue.

* Received with memorandum No 267K.L., dated the 1st August, 1883, from the Commissioner of the Presidency Division.

Dated Berhampur, the 15th July, 1883.

From—Dr. Ram Dass Sen, Zemindar, Berhampur,

To—The Collector of Moorshedabad.

With reference to your circular No. 91G., dated the 7th April last, I have the honour to submit the following opinion on the Bengal Tenancy Bill. The delay that has occurred in sending this in was unavoidable. The matter is important and required study, and I was waiting to hear and read what the press and public had to say upon it.

That legislation has become necessary upon the subject it is now too late to deny. The zemindars to whose class I belong, have moved for some amendment of the existing law. But what is wanted just now, in my opinion, is legislation providing an easier scheme for the settlement of rents and increased facilities for collecting the same without changing the substantive law on the subject What changes have been effected in that law by Act X of 1859, and judicial interpretations of the provisions of that Act, though trenching upon the vested rights of landlords, constitute a sufficient fulfilment of the promise held out to the ryots at the time of the permanent settlement; and it would be going too far to say that to redeem that pledge the legislature are bound to unsettle a state of things that has obtained for three quarters of a century by what has been called by some of the speakers of the Legislative Council a redistribution of property at the expense of the zemindars and to the advantage of the ryots.

Before proceeding to comment on some of the leading principles and details of the Bill, I beg to observe that the framers of the Bill, in their anxiety to secure the advantage of the subordinate tenure-holders at the cost of the zemindars, have overshot the mark by conferring all the benefits of the proposed measure upon intermediate tenure-holders or middlemen instead of upon the actual cultivators in whose interest it professes to have been framed. These latter, if holding under a superior tenant, will not acquire the right of occupancy and will have to pay a higher rent than if they held directly under the zemindars.

CHAPTER II.

Sections 5-13.—This chapter is highly objectionable. Perhaps the provisions of the chapter are based on the supposition that in the interest of the Government revenue the largest quantity of land appertaining to each mehal should be let out to ryots, and that therefore, the right of the zemindar to increase the extent of his khamar or zerati land should be closely curtailed. But as a matter of fact, so far at least as Bengal is concerned, land is not so much in demand, and competition for it is not so sharp as would justify the theory upon which this chapter rests. But even if there were such competition, and there were strong economic reasons for the change, I believe that the Legislature could not, in the face of the permanent settlement, effect the change without laying itself open to the charge of breach of faith towards the zemindars. What means proprietary right if the zemindar could not be allowed to exercise actual ownership over lands which are not in the possession of occupancy ryots or ryots of any description, which are just now lying fallow, but which the zemindar has not used or may not have had occasion to use continuously for 12 years next before passing of the Act. I do not object to a cadastral survey of land in Bengal, and let ryots in actual occupation be protected in their rights, so far, of course, as such rights are consistent with the rights of the zemindars. But would it not be fair to the latter to let them deal with the remainder at their pleasure? It is a mistake to suppose that zemindars do not, or cannot, make as good or better use of land than ryots. We have khamar lands in our mehals and we can bear testimony to such lands being the best cultivated.

CHAPTERS III AND IV

embody and re-enact the law as it stands at present, but section 17 introduces a change which cannot be supported upon a construction of the present law or upon principles of equity, for a separation, unless made with the sanction of the zemindar, would involve a distribution of the rent and amalgamation with other land, for however short a time would attach permanency to the tenure in respect of the additional lands.

Section 22 puts a limitation upon enhancement by declaring that in no case more than double the rent previously payable can be demanded. Why so, if more than double be considered to be a fair and equitable rent? I should think the Legislature had better leave it to the courts to decide what would be fair and equitable rent in any particular case, without providing any arbitrary limitation in that behalf.

CHAPTER V.

The changes sought to be introduced by this chapter are quite novel, and open to serious objection. One most remarkable feature of this chapter is that it takes away the power of private contract between zemindar and ryot whenever such contract is opposed to its provisions. Do the framers of the Bill suppose that the ryots, specially the ryots of Bengal, are so ignorant of their rights that stringent provisions in restraint of the power of contracting should be introduced? If so, they are mistaken, and even if not mistaken, it is opposed to the principles of the law of contracts, and to the principles of political economy also to impose such restrictions. The provisions as to the acquisition of occupancy rights ought to be so framed as to leave the power of private contract untouched.

Section 45.—The words in this section "and though the land so held by him at different times during that period may have been different" ought to be omitted. There could be no

harm if the ryot commenced with a quantity of land, and at the close of the 12th year it was found to have been reduced. But it wou'd not be fair to give the ryot the status of a settled ryot in respect of additional land which has come under his cultivation during the 12 years, say, for instance, a large addition made in the 11th year.

Section 47.—The objection as regards section 45 applies to this section also. The settled ryot ought not to be held to have acquired the right of occupancy in respect of lands which he has held for less than 12 years.

Section 56.—This section appears to be a necessary corollary to Chapter II, for if the zemindar cannot extend his khamar or zerati land beyond its present limits, all ryoti land, though it might revert to him by purchase, would continue to retain its character of ryoti land. But it goes further, and proposes to give to the ryot with whom zemindar may settle it, after such purchase, the same status which the previous tenant acquired after 12 years' occupancy, notwithstanding any contract to the contrary. While if a ryot acquired it he could sublet it, the sub-lessee acquiring no right of occupancy. Under the present rent law the right of occupancy is a personal right, accruing to a tenant under certain conditions and being transferable only according to custom. But this section proposes to declare to be a quality attaching to the land and inseparable from it after a certain tenant has acquired the right of occupancy in respect of it. In short, it is to be a personal right in regard to the first occupancy tenant, but a right attaching to the land after that tenant gives up, or the zemindar acquires it otherwise. This section neutralizes the effect of the foregoing provisions as to right of pre-emption of zemindar, for no zemindar would choose to lay out capital in the purchase of such tenures with the incident of the right of occupancy inseparably attaching to it.

This section and the six sections preceding it are calculated to create different grades of tenures intermediate between the landlord and the actual cultivator, who will acquire no right of occupancy, and whose position, which the Bill professes to ameliorate, will remain the same as it is.

CHAPTER VI.

The restraint upon the freedom of contract is inequitable, and the objection upon this ground to the provision of Chapter V applied also to this chapter.

The limitation of the zemindar's demand when rent is paid in money to a fifth of the average annual value of the gross produce of the land in staple crops (article 59, column 2, section 61, clause 2, section 64 and section 75) is opposed to the spirit of the permanent settlement, and finds no support either from reason or history. While the Hindus were the ruling race the ordinary *pyekast* ryots were entitled to 50 per cent. of the produce, and the immigrant *khadkastas* to 45 per cent. Numerous authorities might be quoted in support of this proposition, but I consider it useless. The original *khadkastas*, however, paid a higher rent than either the pyekastas or the immigrant khadkastas, their share being less than 45 per cent. But the present Bill, by fixing the share of the occupancy ryot at 50 per cent., would place him at a higher position than his forefathers, the original *khadkastas*, enjoyed. The supporters of the Bill would say that under British rule a strong competition for land has come into existence and the khadkasta now pays a lower rent than the pyekast. To them my reply is that, while they recognise competition by rendering all occupancy tenures transferable, they ought to recognise the same by leaving rents payable by ryots open to be determined by competition. They tell us, zemindars, whatever may be extent of demand for land, and however strong the competition for it, you will not be entitled to more than a fifth of the value of the produce if paid in money, and to a half if paid in kind (which half by the way may be commuted to money rent at the instance of the tenant, section 82), and all the profits arising from increased competition must go into the pockets of the innumerable intermediate tenure-holders, petty taluqdars in their own way, whom we want to introduce, but we will take good care that the actual cultivators are not rack-rented, and we provide section 119 for that purpose. But if there be any competition, it will be strongest amongst cultivators, and section 119 will, I fear, be found to be quite inoperative, for, as pointed out by Rajah Siva Prosad, there will be nothing to prevent tenure-holders from insisting on the payment, in an underhand way, of more than the amount limited by section 119. By the permanent settlement, the State share of the produce was given to the landlords, and the revenue assessed represented that share. Looking at the state of things at the time of the settlement, we find that the State share of the produce, and consequently the revenue, represented more than half. How can the Government now go back and settle money rent at one-fifth?

Section 81, clause (a), limits the zemindar's demands when paid in kind to a half. As a matter of fact, in Behar $\frac{9}{16}$ths is now willingly paid by the ryots. Why interfere with rates settled by custom, specially when serious consequences will follow from the discontent that will necessarily be created among the land-holding classes?

Sections 82-84.—The same objection on the ground of restraint upon the freedom of contract, though payment in kind is very rare in Bengal, and Bengal zemindars are never unwilling to receive payment in money.

CHAPTER VII.

The present rent law does not contain any specific provision in regard to bastu land, but judicial decisions have declared such holdings to be the subject of contract, express or implied. Section 85 is directly opposed to the current of such decisions. In this section also we meet with the words "notwithstanding any contract to the contrary." But in section 86 it is provided that a bastu ryot shall be liable to ejectment on breach of any condition of a written contract between himself and his landlord, consistent with the provisions

of this Act. I for one cannot concur what such a contract may be. There is the Act itself between the landlord and the tenant, and a contract consistent with its provisions is a misnomer. But such contract or no contract, even if the court decrees ejectment, the landlord must pay compensation for houses, &c., which he may not require, and the materials of which the ryot might sell or remove at his pleasure.

CHAPTER VIII.

This introduces novel changes, which even official Members of Council characterized as dangerous. The non-occupancy ryots or tenants are granted privileges which they never enjoyed: they shall not be ejected notwithstanding any contract to the contrary, except as provided in clauses A, B and C of section 90, and if ejected on refusal to pay enhanced rent, they shall be entitled to compensation for improvements, and a further sum for disturbance equal to ten times the yearly increase of rent demanded; their rent shall never exceed $\frac{5}{16}$ths of the value of the gross produce (section 119). The compensation clause introduces a provision which is quite opposed to the spirit of the law of land tenures of this country. It is an offshoot of foreign law sought to be engrafted upon the historical land law of this country with a view perhaps to try an experiment. But experiment in this direction will never succeed, as it has perhaps in matters of adjective law, evidence and contract. As regards the rent payable, a distinction is attempted to be made between occupancy and non-occupancy ryots, a distinction which has never been countenanced by the law of Bengal.

CHAPTER IX.

Sections 100-102 will greatly increase the cost of collection, and to prepare a full statement at the close of the year will be found impracticable in many cases. Then again the expression *close of the year* is not clearly defined. Does it mean the 30th day of Choitra where the Bengali year prevails? If so, it would be impossible to expect adjustment of accounts with the tenants on that day. As regards the penalty provided in sub-section 3 of section 102, what if gomastas or niabs neglect or contumaciously refused to do the needful? Suits against gomastas and tehsildars are of so frequent occurrence that the framers of the Bill ought to have taken note of it.

D. Section 103, sub-section (*a*) is calculated only to create disputes between landlords and tenants on trifling causes. Where tenants have combined against landlords it will add strength to such combination. Under the existing law, refusal on the part of the zemindar to receive rent only entitles the tenant to deposit, but under sub-section (*a*) the tenant will be able to deposit if only he has reason and not even *bonâ fide* reason to believe that payment will be refused.

F. Section 117.—The penalty is opposed to even current decisions which lay it down that there can be no criminal trespass in respect to joint property. And when the landlord is entitled to a share of the crop it would be inequitable to hold him guilty of that offence. It may so happen that there may be no time to proceed under section 112, while it may be highly necessary that the landlord should cut and store the crop.

G. Section 119.—It is arbitrary and impolitic to fix the rent payable by under-ryots and non-occupancy ryots at $\frac{5}{16}$ths. This provision will be merely a dead letter, as explained above.

CHAPTER X.

Section 126, sub-section (*f*).—Dwelling-houses are always erected by ryots; and leaving the holding they leave the dwelling-house, unless by special arrangement with the landlord, they are allowed to retain the dwelling-house. To include dwelling-houses in the definition of improvements for which the zemindar, in case of ejectment, will have to pay, is improper.

CHAPTER X.

With reference to this chapter, I beg to repeat what I have already said above, that an unnecessary and inequitable limitation is sought to be imposed upon the right of private contract, section 132, and that the proposed compensation for disturbance introduces a strange innovation into the land law of this country. If you want occupancy and other ryots to make improvements, let them do so under contract with their landlords.

CHAPTERS X AND XII.

Not quite objectionable, though extensive powers are proposed to be conferred on Settlement Officers.

CHAPTER XIII.

This chapter is highly objectionable in taking away from the landlords the powers to distrain without the intervention of the courts, which they have enjoyed for a considerable length of time. The power of distraint is said by the supporters of the Bill to be an offshoot of the English law. But it has also been shown that the power is exercised in Native States, where the old land law of the country is still in force. The intervention of the courts will render the provisions as to distraint not only ineffectual, but expensive in the highest degree. To the best of my knowledge very few cases of wrongful distraint have been brought before the courts, and the restrictions upon the power in the shape of penalty in case of wrongful distraint is a sufficient guarantee that no unwarrantable use would be made of that power.

The remaining chapters of the Bill deal with the adjective or procedure part of it. It is, however, the substantive part of it that is chiefly objectionable, the procedure portion being necessarily but a sequel to it.

No. 810G., dated Berhampur, the 24th July, 1883.

Memo. by—The Collector of Moorshedabad.

Copy forwarded to the Commissioner of the Presidency Division, in continuation of this office No. 698G., dated the 10th instant.

No. 267K.L., dated Calcutta, the 1st August, 1883.

Memo. by—J. MONRO, Esq., Commissioner of the Presidency Division.

Copy submitted to the Board of Revenue, Lower Provinces, in continuation of this office letter No. 188R.L., dated 2nd July last.

Notes by Hon'ble T. M. Gibbon.

CHAPTER. I.

Section 3 says:

"The following definitions and rules shall apply in the construction of this Act unless there is some thing repugnant in the subject or context:—

In the Bengal Rent Commission's Bill this clause stands as follows:—"In this Act the following words and expressions are used in the following senses unless a different intention appears from the context." The clause as it stands in the Bill is not an improvement on the above. In reference to any rights belonging to a landlord likely to be affected, the definition here given is ample, but it is worth while considering how far the interests of the raiyats would be affected by it. To do so it is necessary to read 43B with it.

"(1) 'Estate' means land included under one entry in any of the general registers of revenue-paying lands and revenue-free lands prepared and maintained under the law for the time being in force by the Collector of a district."

43B says:—"Where two or more estates have been created by one or more partitions taking place since 1st January 1853, the area comprised in the parent estate of which they would have formed part if no such partition had taken place shall be deemed to be a single estate."

Section 45 (1) says:—"A raiyat who has continuously held any land for a period of 12 years shall become a settled raiyat of that estate."

Section 47 says:—"Every settled raiyat of an estate shall have rights of occupancy in all land held by him on that estate." As I read the Act, the raiyat of a landlord holding his estate registered under two or more towjee numbers may have occupancy-rights in land situated in one portion of the estate, and not in another.

"(3) 'Tenure' includes an under-tenure and the interest of every tenant of the class referred to in section 14.

The definition should, I think, be so far modified as to embrace the whole estate (as one estate) of one proprietor. No direct definition of the term "tenure" is here attempted. Section 14 and the illustrations here given are intended to cover all classes of tenures.

"*Illustrations.*—(*a*)—A dar-patní or si-patní interest or a mokurreree holding is a tenure, (*b*)—A dar-ijarah or a farm for a term of years is a tenure."

Although a jághir is a service-tenure and liable to be cancelled at the will of the landlord, it may be necessary to modify the above definition in such a way as to cover such and all tenures, or raiyats holding from tenure-holders may be deprived of their holdings.

Section 14 says—"Where land has been held by a tenant and his predecessors in interest at a rent which has not been changed from the time of the Permanent Settlement, then, subject to the provisions of this Act, the rent shall not be liable to enhancement, and the tenant shall be deemed a tenure-holder for the purposes of this Act.

The Rent Commission defined a tenure (1) "as a rent-paying interest in land immediately subordinate to that of a proprietor and superior to that of raiyat; (2) a revenue-free or rent-free interest in land when there exists no rent-paying interest in the same land between the proprietary interest and such revenue-free or rent-free interest." The definition given by the Rent Commission of the term, modified in so much as to include all mokurrerees, all holdings under section 14, would be preferable to the one given in the Act.

"(5) A person shall not be deemed to be a raiyat in respect of any land, or to hold that land as a raiyat, unless he holds it for the purposes of agriculture, horticulture or pasture, or he or his predecessors in interest came into possession of it for such purpose: Provided that a person shall be deemed to hold as a raiyat any bastu or homestead land included in the same holding with other land held by him as a jote.

A negative definition such as this is, is not sufficient; we require a positive one. It is not sufficient to know who "is not" a raiyat, we require to know who is to be considered one. Either the term "raiyat" should be properly defined, or an English term that is generally known used throughout the Act. The general meaning of the term "raiyat" is a "subject," also a "cultivator." It should be so defined as to include all persons engaged in agriculture, &c.; it should include European as well as Native cultivators of the soil.

It should not be left open to every moonsif in the country to put his own interpretation on the term

"*Explanation.*—A person may hold land for a purpose mentioned in this clause though he has sublet it."

"raiyat," or to deem a planter to be a raiyat or not as he thinks right. If not deemed a raiyat under the Act, all occupancy rights the planter may have already acquired would be forfeited.

The Rent Commission properly defined a raiyat to be "a person who holds land, or who occupies and cultivates land, if such person or his predecessor in title was originally let into possession of such land for the purpose of cultivating it or bringing it under cultivation. A person cultivates land or brings land under cultivation within the meaning of this definition when the cultivation is carried on by himself or by members of his family, or by servants or by hired labourers, or by persons to whom he has sublet the land or any part of it, or partly by some and partly by others of these persons.

The word "person" should be substituted for "tenant."

Sub-section (6) *says*:—"'Under-raiyat' means a tenant holding land whether immediately or mediately below a raiyat."

Sub-section (8) *says*:—"'Tenant' does not include any person who is not a tenure-holder, raiyat or under-raiyat or the tenant of a bastu holding."

Here, again, we require a positive instead of a negative definition. If the term "raiyat" is hereafter so defined as to include planters, a definition that would cover the parties mentioned will be sufficient. If any English term is hereafter substituted for the term "raiyat," the definition of the term "tenant" should be so altered as to cover whatever term may be used.

As it stands, it would appear as if we were to be left out in the cold. The Rent Commission defined a "tenant" as "a person liable to pay or deliver rent."

"(14) 'Agricultural year' means, where the Bengali year prevails, the year commencing on the first day of Bysakh, and, where the Fasli year prevails, the year commencing on the first day of Assin."

In Behár, for all purposes of agriculture, that is to say, in reference to charge of lands, possession of lands, &c., the agricultural year ends on the last day of Jeth and commence on 1st day of Assar. The rents become payable from Assin. Sections 45 (2) and 57 declare that a person shall be deemed to have held as a raiyat any raiyatí lands held as a raiyat by a person whose heir he is.

"(17) 'Succession' includes both intestate and testamentary succession."

If it is possible to use the word "succession" in reference to property acquired by purchase, assignment or transfer, the definition should be so drafted as to allow of its being done, so that it may be taken for granted that the transferee succeeds as a matter of right to all the rights owned by the transferer.

In reference to the words "class" and "staple."

The word "class" is often used in the Act in reference to raiyats, tenants and lands; the word "staple" in reference to produce. Is it necessary to define the terms, or are their meanings made sufficiently clear from their context?

In reference to "class," I would ask this particularly, as to the effect section 74 (1) will have on our interests. In reference to "staple," I would ask whether a definition should be given to the term, or it be left to the Board of Revenue, as the Act says, to declare what shall be declared "staple" for the purposes of the Act.

When criticizing the provisions of chapter VI, I will again refer to the subject.

Remarks on Chapter II.

Section 5.—"'Khamar land' means—

"1st, land situated elsewhere than in Bihar which a proprietor has held, whether under the name of khamar, nij-jote, sir or otherwise, as his private land for 12 continuous years before the commencement of this Act; and, 2nd, land situate in Bihar which (*a*) is recognised as zerat by a village-custom established before the commencement of this Act, or (*b*) is proved to have been held by a proprietor as zerat for 12 continuous years immediately before the commencement of this Act."

Khamar lands, spelt in the old Regulations as komer or khomar lands, are throughout this Bill looked upon as one and the same as nij-jote, sir or zerát lands.

Does a Bengal ryot look upon them as such? If there is a difference, where lies the difference? Bell, in his glossary to Act VIII of 1869, says "'khamar' land, of which the revenue was paid in kind, or of which the produce was divided in determinate shares between the cultivator and the revenue-payer or zemindar, applied also to lands originally waste, but which, having been brought into cultivation, were retained by zemindars or were let out at a very small rent." "Khamar" is defined in Wilson's glossary as "a threshing-floor; the general threshing-ground of a village, to which all the crops are brought to be cleaned, and from which they cannot be removed until the landlord's claim is settled; land of which the revenue was paid in kind, or

of which the produce was divided in determinate shares between the cultivator and the revenue-payer or zemindar." "applied also to lands originally waste, but which, having been brought into cultivation, were retained by the zemindars in their own hands or were let out at grain-rent. At the decennial settlement, these lands, previously unassessed, were declared subject to assessment."

If the above definitions are correct, "khamar" lands cannot in any way be considered nij-jote or zerat, but are to all intents and purposes the same as our "bhaoli" lands; and, under the present law, it would not be necessary to show direct possession by the landlord to constitute them "khamar."

I believe in Bengal all lands lying waste, all drains, "duggers," roads, water-courses are looked upon as "khamar."

It is now proposed that a landlord shall have a right to claim such lands only as khamar, nij-jote, sir or zerat as he has held as his private land for twelve years continuously before the commencement of this Act.

What is to constitute "his having held as private land for twelve years continuous?" Is the possession of the ryot to be looked upon in these cases as the possession of the landlord, or is he to be allowed to retain in his possession only such lands as he has held and cultivated at his own expense for twelve years? Act VIII of 1869, section 6, says:—

"Every ryot who shall have cultivated or held for a period of twelve years shall have a right of occupancy in the land so cultivated or held by him" .... "but this rule does not apply to khamar, nij-jote or sir lands let by him on a lease for a term, or year by year."

That is to say, if lands were once declared zerat or nij-jote, whether they were let to ryots or held directly, and cultivated at the zemindar's expense, they still remained zerat.

Is it the intention of the Act to dispossess the landlords of all lands they may have leased to others on the faith of this Act? If such is the intention, landlords should be allowed at least a twelvemonth to resume such lands after the present leases lapse.

Under section 27 of Act VIII of 1869, a ryot who had been ejected from his holding was compelled to bring his suit within a twelvemonth from the date on which cause of action accrued.

In sections 224 and 225, and schedule IV, which determine the periods allowed for the institution of suits under the Act, no mention is made of the period such a suit would run. Is it intended to compel the landlords to prove their titles to all lands they at present hold, to set aside titles perfected by the lapse of time; in fact, to allow ryots to challenge the claims of zemindars to lands in their possession, by increasing the term allowed for bringing such suits, from one to twelve years, with a retrospective effect?

Whatever time may be allowed to persons claiming in the future to be wrongfully or forcibly ejected from their lands, the present law should hold good as regards the past.

Section 6.—"All land which is not khamar land of some estate shall be deemed to be ryot land, and all land shall be presumed to be ryot land until the contrary is proved."

By casting the onus of proof on the zemindar, ryots will be directly encouraged to encroach on the landlord's rights.

A ryot is entitled to the possession of only such lands as he may have fairly received possession of, with the consent direct, or implied consent, of his landlord, and on which he pays rent.

Hitherto all waste lands, all alluvion (other than land reformed on old holdings), all jungle, have been considered at the disposal of the landlord; but from the Statement of Objects and Reasons, published with the Bill, it would appear as if the landlord's rights to hold land was to be limited to the land he may show that he has held for 12 years; the rest is to be considered destined for the occupation of the ryots.

At the time of the Permanent Settlement, the discussion arose as to whether the land lying waste was to be considered the property of the Government or the property of the landlord, and decided in favour of the landlord; there was never any question as to whether it should go to the landlord or to the ryot.

To cast the onus of proof on the zemindar and not on the ryot is wrong in theory, and will be equally inoperative in practice. The Rent Commission, under section 81 of their Bill, define zerat land "as land the cultivation of which has been carried on for 12 years continuously wholly on behalf of the proprietor, and at his sole risk, with his own stock, or by his servants, or by hired labourers, or partly by some and partly by others of those persons."

This definition, excepting in so much that the landlord must prove 12 years' continuous holding, and only refers to proprietors, not landlords in general, is correct.

In North Bihar, and I believe in Bihar generally, the custom was formerly that zerat lands leased to the ryots on the "bhaoli" system reverted to the landlord whenever he required them, but, once leased on a money-rent, they were merged in the rest of the ryoti lands, and the landlord had no more right to resume them than he had to resume other ryoti holdings.

Acts X of 1859 and VIII of 1869, contrary to custom, declared lands once zerat, always zerat. In this respect they have done much to unsettle ryoti holdings, and I would gladly see the former custom reverted to. A landlord at present holding land and cultivating it himself as zerat should be confirmed in his title.

Any landlord who has, in accordance with the provisions of Act VIII of 1869, leased to ryots any zerat lands that he has cultivated at his own expense any time during the last five years, should be allowed to resume those lands within a given time after the expiry of the term for which they are at present leased; lands not resumed within the terms allowed to be ryoti.

If necessary, claims to land, the leases of which do not expire for some time after the passing of the Act, might be registered. A ryot claiming land that he has been forcibly dispossessed of to be allowed one year to file his suit, in cases where the lands have been given to other ryots, and three years in cases where his lands are held directly by the landlord; that is to say, one year to perfect ryot's title, three years for zerat, after passing of Act. All lands lying waste should be at the disposal of the landlord, to cultivate himself, reserve as grazing-grounds or to lease to ryots.

The word "khamar" may cover these in Bengal; zerat certainly does not in Bihar.

These sections refer to lands held by the "proprietors;" they say nothing of lands held by landlords generally.

Section 7.—"The Local Government may direct that a register shall be made of khamar lands situate in any district or part of a district."

Sections 7 to 13 inclusive direct that a register of khamar lands shall be made.

I do not object to these sections as they stand by themselves, but, coupled with the foregoing, they will lead to endless litigation.

The Act does not say who is to pay for the preparation of the register.

CHAPTER III.

Of tenure-holders.

A.—The Right to hold at fixed Rents.

Section 14 says—"Where the land has been held by a tenant and his predecessors in interest at a rent which has not been changed from the time of the Permanent Settlement, then, subject to the provisions of this Act, the rent shall not be liable to enhancement, and the tenant shall be deemed a tenure-holder for the purposes of this Act."

Section 15 says—"Where land has been held by a tenant and his predecessors in interest at a rent which has not been changed for 20 years, then, subject to the provisions of this Act, it shall be presumed, until the contrary is shown, that it has been held by them at that rent from the time of the Permanent Settlement."

Sections 14 and 15 of the proposed Tenancy Bill are the same in substance as sections 3 and 4 of Act VIII of 1869. They equally allow all ryots, who have held their lands at one rental from the time of the Permanent Settlement, to hold their lands at such rental in perpetuity. By creating a presumption of law in favour of the ryots, they throw the onus of proof on the zemindars.

They differ in so much only that section 14 of the Tenancy Act says, where the ryot has held at "a rent" which has not been changed, section 3 of Act VIII of 1869 says "at fixed rates of rent."

They are wrong in principle and injurious in practice, and the legislature, in decreeing to the ryots a right to hold their lands at fixed rates in perpetuity, in granting them the means of acquiring further rights in the future, has exceeded the powers it reserved to itself at the time of the Permanent Settlement. It has transferred the proprietary right in the soil from the landlord to the tenant. They are injurious in practice, as they have destroyed the landlord's faith in the consistency of our laws, and compelled many landlords, who might otherwise have been lenient to their ryots, to raise their rents every few years, for fear of losing the power to do so for ever: they have rack-rented many estates. In my humble opinion, although the Government, at the time of the Permanent Settlement, distinctly reserved to itself and to its successors the power to enact such laws as they might deem necessary for the protection and welfare of their subjects, it nowhere reserved to itself the power of, or the right to transfer the proprietary interest in the soil from one class of people to another; and unless it can be shown from the laws then passed that it was intended that the rents then paid for land by ryots was not to be enhanced at any subsequent period, the Government of 1859 went beyond the spirit of the Settlement in providing ryots with the means of acquiring a right to hold at fixed rates in perpetuity.

It may be open to dispute as to the extent the Government of the day intended zemindars to participate with the ryots in the future prosperity of the country; but to me there is no doubt whatever that they did intend them to participate proportionately in it, and that they had no intention whatever of reducing them to the position of annuitants on their estates.

Many of the able men who have lately written on the right to enhance have quoted despatches and correspondence which passed between members of the Government to show the "intention" of the legislature at the time; but, for us planters, our brief is confined to the regulations and the rules laid down for the guidance of the Revenue officers; beyond these we cannot tread. Not one in a hundred of us, who will be affected by the law, have an opportunity of perusing the correspondence, nor would it, if produced in a Court of law, affect our rights in the slightest degree.

When the subject of enhancement of rents was discussed by the Bihar Rent Commission, I was not able to attend. When I wished to re-open the question at a subsequent meeting, it was decided that the question of the zemindar's right to enhance had been fuly discussed, and the question would not be re-opened.

The Bengal Rent Commission in their report say:—"*Section 24.*—We have also retained the presumption, provided by the existing law, that, when the rent of a tenure is proved not to have been changed for a period of 20 years before the commencement of the suit, it shall be presumed that such tenure has been held at that rent from the time of the Permanent Settlement, unless the contrary be shown or it be proved that such rent was fixed at some later period. It has been decided that this presumption may be rebutted by evidence of the creation of the tenure at some period subsequent to the Permanent Settlement, and we have introduced words to that effect into the section of the Bill. It has been pressed upon us that this presumption bears very hardly upon zemindars; that, if a tenure-holder succeeds in proving payment of rent for 20 years at the same rate, it is very difficult, if not impossible, for his landlord to rebut the presumption which upon this is raised by the Act; that it thus becomes dangerous to allow tenure-holders to remain undisturbed, paying the same rent for 20 years; and that zemindars are in consequence forced into litigation, lest their rights should pass away *sub-silentio*. We have considered these arguments, and they failed to convince the majority of us that a case has been made out for altering the law, especially now that more than 20 years have elasped since the statutory presumption was created. If the law were now changed, the change would destroy titles which have become perfected by the presumption. The zemindar has it in his own power, by preserving a proper record of transactions affecting tenures not entitled to the benefit given by the presumption, to prevent prejudice to his own interests in the future. Looking at the question from another point of veiw, it is very much more difficult for a tenure-holder to prove a title from the time of the Permanent Settlement than for the zemindar to prove that the tenure was created or the rent fixed at a

later period, or that the rent has been changed on one or more occasion since the Permanent Settlement."

The above arguments refer to tenure-holders under the present law. Under paragraph 27 they have made them equally applicable to ryots. It will be observed that the Commission makes no attempt to show that ryots were accorded the right to hold at fixed rates in perpetuity at the time of the Permanent Settlement. It simply says that, were the law now changed, the change would destroy titles which have become perfected by the presumption.

If I understand the object of the new law rightly, it is to reinstate people who have suffered at the hands of the legislature in their rights; and, although it would be an injustice to destroy titles perfected by the presumption, it is only an act of justice to the zemindars to cancel the ryot's power of acquiring fresh rights in the future. Unless it can be shown that Act X of 1859 only confirmed the ryots, in their rights, or that the legislature of the day reserved to itself the right to fix the amount to be received by the zemindar as rent for his land in perpetuity, the zemindar will have a grievance and a right to ask for redress. If the law remains in force, it would surely and certainly undermine the zemindar's title, or rack-rent the country or, the instant an attempt is made to prepare a record-of-rights, ruin both ryot and zemindar with litigation.

Regulation I of 1793, better known as the Act of Permanent Settlement, does not, as far as I can judge, contain one word to show that, in settling the zemindars' jamma in perpetuity, it was intended to fix the rents then paid by ryots for their lands in perpetuity also; whereas much in many Regulations passed subsequently goes to show that the legislature had no such intention.

Some writers have founded the ryot's right to hold at fixed rates on the wording of some of the clauses of Regulation VIII of 1793, overlooking the fact that Regulation VIII was simply a reprint of Regulations passed in 1789 and 1790; that, if Regulation I of 1793 had never received the sanction of the Court of Directors, Regulation VIII would still have been the law of the land, and the term allowed to zemindars for revising and consolidating *abwabs* and issuing pattas had expired two years before the clause was embodied in Regulation VIII of 1793.

Had the legislature of the day intended the ryots to hold at fixed rate in perpetuity, it would, I think, have taken measures to ascertain at what rates the ryots were really holding their lands, to keep some record of them, and not forbidden their officers to enquire into the subject, as was done under the circular orders issued to the officers making the settlement and also under the Regulation.

In making the settlement with zemindars, no attempt was made to ascertain at what rates ryots held their lands: the farming jammas or rent paid by the mootahids was alone called for. It was only in 1817 that it was thought necessary to keep a record of the ryots' holdings, and that Collectors were allowed some control over patwaris' accounts.

If it had been intended that ryots should hold at fixed rentals in perpetuity, section 56 of Regulation VIII of 1793 would not have remained law, nor would the term of the leases to be given to ryots have been limited to ten years.

Had the legislature intended to allow the ryots to hold their lands at fixed rents in perpetuity, they would not have allowed purchasers at revenue-sales to set aside all previous engagements made by the defaulters with their ryots; if they intended to do so, they were guilty of great injustice. Under Regulation VIII of 1793, only a certain class of mukarari tenures were upheld; the rest were declared illegal.

I am sorry to say I cannot see the force of the arguments advanced by the Rent Commission for allowing the 20 years' presumption in favour of the ryot to remain law. I do not believe that the lawyers who sat on the Commission would, if sitting in judgment on a case, allow them to hold good in reference to a dispute regarding any other class of property.

Because one party to a dispute has it in his power to prove his side of the question more easily than the other party, it is no valid reason for casting the whole onus of proof on such person; if one person were to lend a thing to another, and that other were to say he had given it to him, and not lent it, I do not think the judge would enquire who could most readily prove his assertion, and cast the onus of proof on that person.

I may say at once that I do not think it possible for any ordinary ryot to trace his holding back to the time of the Permanent Settlement: men holding mukarari leases under mukarari sanads would be able to do so, but, never anticipating, being able to acquire a right to hold at fixed rates, they would naturally be careless of their proofs. I do not think they could in many instances trace their pedigrees, or tell who were the heads of their families at the time. It has been repeatedly stated that it is very easy for a landlord, by producing the records in his office, to prove his right to enhance the rents of the land. Before they repeat the assertion, I would recommend the persons who make it to try and produce evidence that will satisfy a Court of Law. Heaps of documents may be lying among one's records which are perfectly trustworthy and believed to be true by the person in whose possession they are, but of no value in a Court of law, because their *bona fides* cannot be proved or authenticated.

The Hon'ble Mr. Evans, in his speech in Council, states—"Any number of papers may be produced,—jammabandis, jammawasilbakis and the like,—but they are worth nothing. I don't say the zamindars have anything to do with the presentation in Court of untrustworthy documents; many of them are very respectable people; but the naibs or managers think nothing of fabricating a set of papers." And this I believe to be the opinion of every Judge in the country.

When once the Judge commences to try one's suit, believing any evidence one will bring forward has been fabricated, it is hard work to persuade him of the justness of one's claim.

It may be replied that, if the zemindar cannot lodge evidence that will be accepted as trustworthy from among his own records, it might be easy to procure copies of village-records from among the records filed in the Collectorates. When tested, this source also fails us. If all the earlier Regulations and reports of the Settlement officers are carefully perused, it will be seen how careful the Government of the day was to satisfy the zemindars that they did not wish to pry too closely into their private transactions with their ryots. The Collector of Sarun, sending in his report dated May, 1793, after first saying that all the records in the Sarun Collectorate had been burnt, and none were procurable for Sarun from kanungos, states that the kanungos furnished him with a very particular account for Chumparun for 1196, 1198 and 1199, &c., which he considered as sufficiently minute for the purposes required as far as relates to that part of the district.

In paragraph 4 of his report he says:—" The accounts kept by the Mufassal kanungos of Chumparun are always referred to on occasions of any difference between the landlords and farmers and ryots; and, as I have never seen their authenticity disputed by either party when produced in evidence, I considered them as entitled to perfect credit. It is necessary to observe, however, that the amount specified in their accounts is neither what is actually paid by the ryots to the farmer, nor by the farmer or thikadar to the proprietor, but the amount of the engagement contracted by the under-farmer, to whom, according to a very general practice in this district, the lands are rented by the person who holds in farm immediately from the proprietor. Of course, the jamma specified therein includes no part of the collections, which comes under the description of Mufassal akrajat." And, when we find the same officer later on excusing himself for being obliged to act contrary to the spirit of the 46th article of the Regulations and for calling for " abstracts " of their accounts from the patawris, I think we may take it for granted that no detailed jammabandis were taken at the time of the Permanent Settlement.

For 20 years after the Permanent Settlement the Collectors were forbidden to enquire too closely as to what rents were received by zamindars from their ryots. In what year the order was passed to lodge copies of jammabandis in the collectorate I do not know. The earliest jammabandis I have ever seen are dated 1229 Fasli, &c., or 1822 A.D. Until 1873 the Government insisted on their patwaris filing their yearly accounts, and much valuable information was collected. A few years ago there was a new departure; the records of years were looked upon as rubbish and burnt.

We can now only fall back on the road-cess papers, which in many instances afford little or no information of the kind required, and are modern.

Section 16.—" When a tenant has paid as rent a fixed share or the value of a fixed share of the produce of the land, the rent shall not be deemed to have been changed within the meaning of sections 14 and 15 merely by reason of the amount paid having varied from year to year, or by reason of the rent having been commuted to a fixed money-rent."

I do not quite realize the effect the last words—" or by reason of the rent having been commuted to a fixed money-rent "—will have.

If sections 14 and 15 are to hold good, the first portion of section 16 should also hold good: the latter portion of the section will create (I think) great confusion, and should be struck out.

Sections 17 to 24.—I do not think they call for any remarks from me. If 14 and 15 are hereafter modified or withdrawn, some of these sections will require to be altered; if 14 and 15 are to remain law, these should remain as they are.

C.—Of the Incidents of Permanent Tenures.

Section 25 says: " Every permanent tenure shall, subject to the provisions of this Act in respect of registration, be capable of being transferred and bequeathed in the same manner and to the same extent as other immoveable property."

Ryots claiming to hold from the time of the Permanent Settlement are, under the provisions of sections 14 and 15, tenure-holders. Unless the legislature is prepared to alter the present registration law and make the registration of wills compulsory, or specially provide for the registration of ryots' wills, I do not think it advisable to give the ryot the power to bequeath his property to others; and I think some distinction should be made here between tenure-holders whose titles are undisputed and ryots who claim to hold at fixed rates, but whose claims have never been directly acknowledged in a Court of Law or by the landlord.

D.—Of the Registration of Transfers of, and Succession to, Permanent Tenures.

Section 27 to section 35, sub-section (2).

Section 27.—" Landlord bound to register voluntary transfer or succession on application."

Section 28.—" Application may be served through a Revenue officer."

Section 29.—" Registration in case of transfer by sale in execution of decree other than decree for rent."

This I believe to be a very important chapter—of importance to the zemindar as well as to the ryot—a necessity to us as traders.

Its utility should be increased—

1st, by laying down some rules for the guidance of the zemindars in cases of disputed titles;

2nd, by giving zemindar some power to make a temporary division among heirs;

Section 30.—" Registration in case of transfer by sale in execution of decree for rent or by summary sale."

Section 31.—" Effect of omission to register voluntary transfer."

Section 32.—" Application to Court to compel landlord to register."

Section 33. —" Application by landlord to compel registration."

Section 34.—" Landlord to give copies of entries in the register."

Section 35.—" Board of Revenue to make rules regarding registration."

3rd, by declaring the effect a certificate of registration from the zemindar's court is to have; whether it is to carry the same value as a decree of possession passed by a criminal court, or what?

The payment of all arrears of rent due to the landlord at the time of transfer should be compulsory.

It should also be declared that any right of pre-emption the landlords may claim under subsequent sections of the Bill shall not be vitiated by registration of transfer being compulsory under this chapter.

Section 33, sub-section (*3*), should carry costs.

CHAPTER IV.

OF PATNI TENURES.

Section 36.—" Patni tenure means a tenure of the kind described in schedule II annexed to this Act, and includes the dar-patni and other similar under-tenures referred to in that schedule."

Section 39 says: " When a patni tenure is transferred otherwise than by sale in execution of a decree, or by summary sale under section 42, the landlord may refuse to register the transfer under Chapter III of this Act until the security required under section 38 is furnished."

Section 42 allows " recovery of rents by summary suit."

The zemindars should, I think, have the power to refuse to register unless all arrears of rents are paid; but I hardly think it necessary to demand security from this class of tenure-holders; the tenure itself is security sufficient. The tenure-holder's duly authorized agent should also have power to register.

I am also of opinion that the procedure laid down in regard to patni tenures should be extended to all permanent tenures other than ryoti tenures referred to in sections 14 and 15.

CHAPTER V.

OF OCCUPANCY-RYOTS GENERALLY.

" Village" and " Estate."

Section 43 with sub-sections (*a*) and (*b*) interpret the terms. I have already referred to the interpretation put on " estate." I will only now say that I think a ryot holding lands in two villages the property of one person should acquire occupancy-rights in both. Because the two villages are entered under different towjee numbers should make no difference to the ryot.

Section 44.—" Every ryot who, immediately before the commencement of this Act, has, by the operation of any enactment, by custom having the force of law, or otherwise, a right of occupancy in any land, shall, when this Act comes into force, become, for the purposes of this Act, an occupancy-ryot of that land."

Section 44 is intended to confirm all who have acquired occupancy-rights under any custom or law now in force in those rights. It speaks for itself.

Section 45 (1).—" Every person who for a period of twelve years, whether before or after the commencement of this Act, has continuously held, as a ryot, ryoti land situate in any village or estate, shall, notwithstanding any contract to the contrary, and though the land so held by him at different times during that period may have been different, be deemed to have become on the expiration of that period a settled ryot of that village or estate."

(2) " A person shall be deemed for the purposes of this section to have held, as a ryot, any ryoti land held as a ryot by a person whose heir he is."

The period of 12 years' continuous holding, necessary to acquire a right of occupancy, is, in my opinion, too long a term. Ryots receive leases usually for five years; it therefore necessitates the ryot taking three leases of his lands before he can acquire an occupancy-right; but, as the Supreme Government has definitely accepted the 12 years' test, there is nothing to be gained in discussing the subject. Seven years would, in my opinion, have been preferable—five years for the usual lease and two years over to show tacit consent of landlord. On the other hand, it is necessary to take precautions against allowing ryots to acquire occupancy-rights in lands they have not fairly leased from their landlords, and I do not think sufficient precautions against trespass have been taken in the wording of this section.

The same should be said of the person purchasing the rights of an occupancy-ryot and transferees in general. The Act, as far as I can remember, nowhere defines the position of a transferee.

Section 46 says: "If a settled ryot of a village or estate has ceased for a period of one year, whether before or after the commencement of this Act, to hold ryoti land as a ryot in that village or estate, either alone or as a co-sharer with others, he shall be deemed to have ceased on the expiration of that period to be a settled ryot of that village or estate."

The word "estate" should, I think, be left out of the section. The section should also say that the landlord may take possession of the land without suit.

A ryot may hold in several villages of a large estate paying rents to different landlords or ijaradars or tenure-holders; it may suit his convenience to abandon the lands in one tenure and not in the others, and yet, as the section is worded, the landlord would be debarred from taking possession of the land.

Section 47.—"Every settled ryot of a village or estate holding after the second day of March 1883, as a ryot any ryoti land comprised in that village or estate, shall, notwithstanding any contract to the contrary, be deemed to acquire, or have acquired, in that land a right of occupancy under the law for the time being in force:

"Provided that a person shall not acquire a right of occupancy under this section in respect of any land held by him alone as owner, tenure-holder or ijaradar."

Great exception has been taken by sundry persons who have advocated the cause of zemindars to the words "notwithstanding any contract to the contrary" being entered in sections 45 and 47.

In my opinion, they are absolutely necessary to prevent the ignorant from contracting themselves out of their occupancy-rights.

In the majority of such cases, the ryots contract themselves out of their rights without receiving any consideration, compensation or equivalent in return.

The word "solely" should be substituted for "alone," or "alone" should be placed at the end of the sentence.

Section 50 says: "When a ryot has an occupancy-right in respect of any land, the following provisions shall, notwithstanding any contract between him and his landlord to the contrary, apply, namely:—

To the ryot this is infinitely the most important part of the Bill, and the only portions of it that I would wish to be altered are the following:—

"(*a*) He may use the land in any manner which does not render it unfit for the purposes of the tenancy.

"(*b*) He may make improvements on the land as by this Act provided.

Sub-section (*b*) to have the words "for the purposes of his tenancy" added. My reason for wishing to see this alteration made, is that I think the ryot should be allowed to do anything to his land that he thinks will add to its productive powers, but that he should not be allowed to constitute himself the judge of other people's requirements.

"(*c*) He shall pay rent at fair and equitable rates, determined as by this Act provided.

"(*d*) He shall not be ejected by his landlord from the land, except in execution of a decree for ejectment, passed in accordance with this Act, on the ground that he has used the land in a manner which renders it unfit for the purposes of the tenancy, or that he has broken a condition consistent with the provisions of this Act, and on breach of which he is, under the terms of a written contract between him and his landlord, liable to be ejected.

"(*e*) He may sub-let the land or any part thereof.

Sub-section (*e*) to have the words "in accordance with the provisions of this Act" added.

The ryot should be allowed to sub-let under three restrictions: the first is, that he should be allowed to sub-let only for a term of years; the second, that he does not sub-let his lands for a less sum than will cover his land lord's rents; the third, the land he sub-lets must be free of incumbrances.

"(*f*) His interest in the land shall, subject to the rights reserved to the landlord by this Act, be capable of being transferred and bequeathed by will, in the same manner and to the same extent as other immoveable property.

Sub-sections (*f*) *and* (*g*).—The power to bequeath should not be accorded to him.

" (g) His interest in the land shall, if he dies intestate in respect of it, descend in the same manner as any other immoveable property; Provided that, in any case in which, under the law of inheritance to which he is subject, his other property goes to the Crown, his interest in the land shall go to his landlord."

From the wording of sub-section (g) it would appear as if it were intended that the power to bequeath should over-ride the ryot's right to inherit, and this I think contrary to the Hindu law of inheritance. The power to bequeath should not be allowed unless registration of ryots' wills is made compulsory; and I am not sure but that the power of gift in the case of absconding ryots will not be a hardship to the landlord.

Whether the ryot should be allowed the power to transfer or sell his holding has of late been a very disputed point. I myself believe it has now become a demand that cannot well be withheld from the ryots. In the interests of zemindars and traders, it should be legalized and controlled. All over the country we see ryots selling their holdings, mortgaging them for paltry sums. We see them daily being sold up for debt by decrees of Court, and the zemindars powerless to prevent them. We see the ryots compelled to part with their holdings at one-quarter of their proper value, owing to the uncertainty of the purchaser's tenure. We see zemindars selling up their ryots' occupancy-rights under decrees of Court for rents, and still declaiming that such sales should be declared illegal.

The landlords' interests have, I think, been amply cared for in the Bill. In the interest of the trader, I think the ryot should be allowed to transfer, subject to incumbrances. In the interests of the ryot, the person in whose name the holding stands should have the sole power to transfer, and some provision should be made for the management of minors' estates.

The most landlords can now claim is, that the law shall be left in its present state; anything more deplorable could not well be conceived.

What they now deny to the ryots as a right, they will soon ask the legislature to accord to the ryot as a favour to themselves.

Section 51 declares landlord's right of pre-emption, and requires of ryot to give one month's notice to landlord prior to sale. Section 54 and sub-section declares landlord's right to purchese in case of gift by ryot.

The ryot should be obliged to state in the notice the terms on which he intends to transfer.

Under sub-section 4, the landlord must declare his intention to purchase within six months rom date of gift. It would be better that his right to purchase should run from date of aplication to register.

Section 56.—" Notwithstanding any contract to the contrary, when the landlord of an occupancy-ryot acquires, under the foregoing section or otherwise, the occupancy-right in any land comprised in the holding, any person thereafter holding the land as a ryot shall have a right of occupancy in respect of it, and, if immediately before the acquisition of the right by the landlord, the rent of the land was a money-rent, shall be entitled to hold at a money-rent fixed in accordance with the provisions of this Act."

There is nothing in this section to prohibit the landlord holding the land himself, and cultivating it by his own servants or with hired labour. If the landlord leases the land to a ryot who already has occupancy-rights on his estate, by all means allow the ryot to whom he makes over the purchased land to acquire occupancy-rights in that land.

But why a ryot who did not previously possess occupancy-rights on the estate should acquire them with the land over made to him I do not see, nor can I understand why the landlord should not be allowed to make his own terms with the imcoming ryot regarding the amount of rent he is to receive for it.

CHAPTER VI.

OF THE RENT PAYABLE BY OCCUPANCY-RYOTS.

A.—Of money-rents generally.

Section 58 says: " A money-rent payable by an occupancy-ryot shall be presumed to be fair and equitable, and shall continue to be paid by him until it is enhanced under this Act, or reduced."

Under this section it would be open to a ryot to repudiate every condition under which he held his lands at a low rate of rent, and yet claim to hold the lands at the former money rental. It would be more just to declare that a ryot shall be presumed to hold his lands on the same terms and under the same conditions that he has previously held them on, until they are changed under the provisions of this Act.

Section 59. (1) " A money-rent payable by an occupancy-ryot may be enhanced by a contract in writing approved of and registered by a Revenue officer appointed by the local Government in this behalf."

Interference with the private affairs of individuals could not go much further than it is proposed to go under the provisions of sections 59 and 61. Better at once declare that the Revenue officers are to make a complete settlement of all estates, and that their will is to be the law.

(2) "A Revenue officer shall not, under this section, approve or register any contract by which a ryot engages to pay a rent more than six annas per rupee greater than that previously payable, or more than one-fifth of the established annual value of the gross produce of the land in staple crops calculated at the price at which ryots sell at harvest time, or any contract, until he has satisfied himself that it is fair and equitable, and that the ryot in entering into it acts as a free agent."

Under section 59 (1) a money-rent payable by an occupancy-ryot may be enhanced when approved of by a Revenue officer. By implication it may also be vetoed. Sub-section (2) positively forbids the Revenue officer to register any lease the rent of which is more than six annas per rupee greater than that previously payable, or more than one-fifth of the estimated average yield in staple crops.

That is to say, if the landlord, claiming his right of pre-emption, recovers possession of any ryoti lands, or purchases the occupancy-rights of any ryot sold up under a decree of Court, he cannot, whatever the market value of that land may be, re-let it on his own terms, but if he lets it at all, he must let it at an increase of only six annas in the rupee.

The lower the rates at which the ryot holds his lands the better price they will fetch at auction. If this section remains law, no landlord can afford to bid against an outsider for land: an outsider can do whatever he likes with the land: the landlord will only receive so much interest on his purchase-money as six annas in the rupee increase on the former rental will represent.

We need not discuss whether the one-fifth share of value of produce allotted to the landlords is sufficient or not, or whether they have a right to claim a larger share; nor is it necessary to discuss here what should be considered a rack-rent, as the Government have declared that the one-fifth proportion is at present only tentative.

Sections 59 and 61 also forbid the Revenue officer approving of any contract until he has satisfied himself that it is fair and equitable, and that the ryot in entering into it acts as a free agent.

The legislature of course have every right to declare that its officers shall satisfy themselves, before registering documents, that all parties to a contract act as free agents; but to do more than this I should hardly think necessary. If the Act allowed the Revenue officers to cancel the agreement, placing the two parties to the contract in the same positions they were previously in, the one keeping his land, the other his money, there would be some show of fairness in the transaction; but to dispossess one party of his land, and allow the other to keep both land and money, goes, I think, a little beyond fair play.

The wording of section 60 might be slightly altered with advantage. It might run—"Except as provided by section 59, or on account of the land being proved by measurement greater than the nominal area of the holding, a money-rent payable by an occupancy-ryot," &c., &c.

B.—Of the preparation of a table of rates and produce, and of suits to enchance money-rents where such table is in force.

The whole chapter is admirable in theory, but will, I am afraid, be found to be unsuited to the genius of the people—in fact, impracticable.

Had the basis of our present assessment of the rents of the country been founded on any given system, there would have been something to work upon; but with a dozen rates current for each class and quality of land in each village, it will be impossible to draw up any table of rates that will satisfy the parties concerned.

That the Government of the day have the right to declare what shall be considered a rack-rent in the future, as it has done in the past, we may at once concede; but, before it can enforce the provisions of this chapter, it must be prepared to remodel the whole rent-system of the country, and be prepared to hear that parties who may suffer by it will have a tangible grievance and claim compensation. Any ryats who may now be paying more than the declared rack-rent of the country have a right to demand that their rates shall be reduced to the present rack-rent without the landlords having any claim to compensation.

Should the rack-rent rate of the country be reduced, to be consistent, all ryots who may be paying a higher rate for their lands would have a right to claim a reduction in rent; but the landlords would have a fair claim to compensation for any loss they might suffer from such reduction. Unless Government are prepared to settle all claims in a fair and liberal spirit, it would be politic to leave the rack-rent limit where it is.

To carry out the provisions of this chapter in their integrity the executive must ride roughshod over the feelings and prejudices of all concerned.

It is now proposed, under the provisions of this chapter, to reduce the rackrent limit to one-fifth of the estimated average annual value of the gross produce in "staple" crops.

The Bill, under section 84 (c), leaves it to the Board of Revenue to determine what shall be considered staple crops. Although we may not all agree as to the exact shares into which the produce of the land had to be divided, between landlord and ryat, we are, I think, all agreed that under Native rule, and afterwards under English, the Government of the country was entitled to collect through its zamindars a fixed share of the produce of all lands, first as revenue, afterwards as rent.

This share or portion of the crop the Government of the day claimed as their right, without any reference to the quality or value of such crop; the more valuable the commodity,

the greater its revenue; and, although Government could, before the Permanent Settlement, and did actually in the instance of sugarcane, waive its right to claim an increase in rents on account of the greater value of the commodity, it does not seem to have reserved to itself the right to prohibit zamindars from enhancing rents on that account.

At the Permanent Settlement the Government omitted, as far as I am able to judge, to make any such reservations; in fact, there is nothing to show that it intended to continue the prohibition after a settlement was come to with the zamindars.

Article 46, Regulation VIII of 1793, says: "It is expected that in time the proprietors of land, dependent taluqdars and farmers of land and raiyats will find it for their mutual advantage to enter into agreements in every instance for a specific sum, for a certain quantity of land, leaving it to the option of the latter to cultivate whatever species of produce may appear to them likely to yield the largest profit."

The sanads granted to zamindars as late even as 1840 enjoin the issue of pattas to raiyats, and the taking of kabuliyats or counter-agreements from them at money-rents; but they also say that, in a case where the raiyat fails to lodge a kabuliyat, the landlord may claim 22½ seers out of every 40 as his by right.

Regulation IX of 1805 went a step beyond this, and allowed nine-sixteenths of the produce to be collected from all lands three years under cultivation in the Peshwa's territory.

That the legislature of the day intended zamindars to exact the last farthing permitted by law I do not for a moment wish to say; in declaring the landlord's share of the produce to be 22½ seers out of every 40, it only meant to declare that it was to be the rackrent limit; that is to say, when a raiyat positively refused to come to a settlement for his lands at a fair rental,—the rate current in his pargana,—the landlord was allowed to claim his full rights.

As long as the landlord could claim a fixed share of the produce of the land, he would necessarily bring some pressure to bear on the raiyat to grow the most valuable crops, the more so as all special knowledge and care required for their growth, all extra cost, would fall to the share of the raiyat.

No fixed rules were laid down for the assessment of a money-rent; but landlords were urged to come to a money-rent settlement with their raiyats. Money-rents were intended to be, and were, a compromise between the value of the landlord's share of the more valuable commodities and the ordinary cereals of the country: the money-rent per bigha was in most instances greater than what the landlord received from the yield of his bhaoli lands. By fixing a money-rent for the land a zamindar waived his right to dictate to his raiyat the crops he should grow. It was nowhere intended that the landlord's power to enhance should be regulated by the relative value of cereals alone, but by the market-value of all crops grown.

Until one knows what crops the Board of Revenue would consider staple crops, or what rules it would lay down for the guidance of the Revenue officers in order that they may make out a list of staple crops, we can form no opinion as to the extent the zamindars' or raiyats' interests will be affected by the rule: if only cereals are to be accepted as staple crops, many claims for reduction in rents may be made: if all "marketable" commodities are included under "staple," zamindars will have no valid reason to complain if one-fifth or one-fourth of the gross value of crops be declared the rackrent limit. A serious matter such as this is should not be left to the caprice of others. In speeches in Council, in reports of Revenue officers, our landlords are accused of rackrenting their estates and arbitrarily enhancing the rents of their raiyats; the province, in fact, is declared to be already rackrented. I have gone carefully through the speeches in Council, and, when I have had the time, perused the correspondence published with the Bill; but, as well as I am able to remember, little or no attempt has been made to show what is at present a rackrent under the law. In one able speech—and the only one—a rackrent is described as a rent trenching on the actual labour-wage of the cultivator. In another a comparison is made between the value of the crop per head in each province to show that others are better off than we are; but no mention is made of the area of land per head or pressure of population. I think it might be found on enquiry that the value of the produce per acre is greater with us, but that there are more to feed on it. Mr. Finucane, whose reports are largely quoted, enters more fully into the subject. He has taken the relative prices of edible crops now and some forty years ago as the basis of his argument; but he has made the mistake of considering staple crops to consist of cereals only. He has omitted to take the area under opium, potatoes, tobacco, cotton-fibres of sorts, dyes of sorts, turmeric, ginger, sugarcane, oilseeds, &c., &c., into consideration; and he has failed to take into consideration the extraordinary increase that has taken place in the cultivation of these crops since the Permanent Settlement.

In 1840, Government distributed 37 lakhs of rupees throughout India for opium; in 1881-82, it distributed nearly six times that sum. To make an exact estimate of the value of the gross produce of the country in 1793 and now I presume to be impossible, and, until it is done, all comparisons between the average value of lands at the time of the Permanent Settlement and now must be deceptive. We planters, without any access to figures, can but form our opinions from what we see going on around us; we can but see that the province has made most extraordinary strides in prosperity of late years, and we believe that it was the intention of the legislature that the zamindar should share in it with the raiyat.

Whether nine-sixteenths, half, one-fourth or one-fifth of the produce is to be the rackrent limit in the future remains for the Government to decide, but any limit that does not take under consideration all crops that may be grown will be faulty.

That some raiyats on each estate may be rackrented is not only possible but very probable;

some estates may be in a like condition; but, until we know what is to form the basis of a rackrent limit, it will be impossible to know with certainty to what extent they are so. Some lands may be rackrented at two rupees an acre, whereas lands in their vicinity may be cheap at ten rupees. It is difficult to believe that a district which is able to pay the greater portion of its landlord's rents from the produce of any one crop grown in it is rackrented, and that it requires the drastic remedies people have recommended for it.

Chumparun, which pays its landlords in round figures some 24 lakhs of rupees, and has a million and a half acres of land under cultivation, receives from 16 to 18 lakhs of rupees per annum for 70,000 acres under poppy. Shahabad and Gya might meet their landlords' rents from the proceeds of their sugarcane crops alone; the value of the sugar carried by the Gya State Railway from the town of Gya was valued at 37 lakhs for one season.

Tirhoot and Darbhanga might pay their rents from the proceeds of their tobacco crops.

That sudden, arbitrary and excessive enhancement of raiyats' rents are a very great hardship to raiyats is certain; with the evidence placed before us, there can be no doubt that such have taken place; in fact, I have no doubt that we could all give many more instances of such enhancements.

Every effort should be made to put a stop to such practices, but I do not think the measures recommended will be effectual. The fault with most of the measures recommended lies in their punishing the innocent with the guilty. The remedy lies in encouraging landlords to give long leases instead of frightening them into giving short ones; encouraging the interchange of registered documents, instead of prohibiting their issue by making them too costly; above all, we should not hedge round the registration of documents with so many restrictions as to make the act of registration a nuisance and a trial to one's temper. In reference to the Tirhut cases cited, I cannot speak from personal knowledge; I would only say that they seem to me to have occurred on estates where the landlords had previously kept the rents very low, in order to secure a permanent settlement on easy terms from Government, and then jumped the rates; but for all that it was none the less hard on the raiyats to do so.

In reference to the Dooho Sooho case cited, I will only remark that the bigha mentioned is equal to 2½ acres, which would bring the average rental to Rs. 3-4 per acre.

Section 119 we will discuss in its proper order. I will content myself with calling attention to the fact that, under its provisions, the rackrent limit for ordinary raiyats and sub-raiyats is five sixteenths, instead of one-fifth, of the produce.

Of Suits to enhance Money-rents where a Table of Rates and Produce is not in force.

Section 74 (1) says—"The landlord of a holding held at a money-rent by an occupancy-raiyat, and situate in a local area for which a table of rates and produce prepared under the foregoing sections is not in force, may, subject to the provisions of section 78, institute a suit to enhance the rent on one or more of the following grounds, namely:—(1) that the rate of rent paid by the raiyat is below the prevailing rate payable by the same class of raiyats for land of a similar description and with similar advantages in the vicinity."

Section 156 (a) divides "tenants" into classes, and says the class to which he belongs is a tenure-holder, occupancy-raiyat, tenant of a bastu holding, ordinary raiyat or under-raiyat." Section 207 (b) divides "tenants" into the same classes as the above. Section 74 (1) gives the landlord power to enhance the rent of a "raiyat," provided it is below the prevailing rate payable by his "class," but does not denote what is to constitute a class among raiyats. It is very necessary to declare what is intended to denote a class among raiyats, and, when defining a class, to see that planters do not form a class in themselves. On my part, I object to raiyats paying according to their "classes;" they should pay according to the value of their lands.

D.—Rules applicable to suits to enhance money-rents generally.

Section 76 allows no enhancement beyond double the rent previously payable. Section 59 (2) allows only six annas in the rupee enhancement. Section 77 gives the Court power to order progressive enhancement.

Section 77 should hold good, but section 76 should, I think, be struck out. Cases may occur where the landlord's interests would suffer under a hard-and-fast rule as this is; and, so long as the Court has the power to declare progressive enhancement, the raiyat will be protected.

F.—Special rules regarding money-rents payable for pasture lands.

Section 80. (1) "Sections 62 to 79, both inclusive, shall not apply to land fit to be used, or which in accordance with local usage is used, only as pasture; but, when such land is held at a money-rent by an occupancy-raiyat, the landlord may, subject to any contract between the parties, institute a suit to enhance the rent on the ground—

"(a) that the rent payable by the raiyat is below the prevailing rate payable by the same class of raiyats for land of a similar description and with similar advantages in the vicinity; or

I would be very glad to receive any information our friends are able to afford me in reference to the terms on which raiyats and others are allowed to graze their cattle in their respective districts.

The question of cultivator *versus* grazier is a very important one, and becoming more urgent every day; but, whether the question has as yet been sufficiently ventilated to permit of its being authoritatively settled, or whether it is possible to settle it under the provisions of this Rent Bill, I am not sure.

The raiyats of this district, as a rule, pay nothing to the landlord for being allowed to graze their cattle, which they keep for "agricultural" purposes, on the purtee lands, excepting their skins when dead; they usually feed their cattle from the proceeds of their own fields grazing them on any lands lying fallow, or on stubble,

"(b) that, having regard to the increase of rent on arable land in the vicinity since the rent payable by the raiyat was fixed, it is reasonable to enhance that rent.

"(2) Where an enhancement is applied for on the ground mentioned in clause (b), the Court shall fix the rent at such rate as it thinks fair and equitable."

some few, but very few, and they well-to-do raiyats, lease an acre or two of grass lands from their landlords, which they set aside for their cattle.

The professional grazier, on the contrary, leases no land for his herds, nor is any land specially set aside for his use; he as often looks after herds belonging to other people as he looks after his own.

The land leased to the "raiyat" as grazing ground is usually leased to him at a very low rate, but I have never heard of a raiyat claiming an occupancy-right in that land.

In the civilized portion of the district, the grazier pays a certain amount per head of cattle; on the *dearahs* the same. In the jungles they pay a certain charge per buffalo, and a certain charge is made per "bhuthan," or cattle-shed, for the rest of the cattle in their charge. Many persons, I know, are anxious to see a certain quantity of land set aside in each village as pasture, some even going so far as to think the zamindars should be compelled by law to see that land is set aside for the use of their raiyats' cattle; but I would ask such to tell us how they propose limiting the number of cattle that shall be allowed to graze on it, how they propose preventing the graziers bringing the cattle belonging to outsiders to graze on it, or how they propose preventing a few sturdy *gwalas* from appropriating it to their own use, and dispossessing the people for whom it should be set aside. Many landlords would, I believe, be glad to set aside a portion of their lands for the use of the cattle belonging to *bonâ fide* raiyats and used for agricultural purposes; but the grazier stands in their way.

Numbers of Chumparun herdsmen make a living by pasturing Sarun and Gorakhpur* cattle on Chumparun lands.

The Bill, I presume, intends raiyats paying for pasture lands to have a right of occupancy in those lands. I cannot see any hardship in giving rights of occupancy in such lands, but the raiyats ought in all instances to be obliged to pay the same rents for such pasture lands as they do for the rest of their holdings.

If the landlord allows them to hold them at privileged rates, they should not have a right to claim occupancy-rights in them; care should be taken that the rights of the landlord in *purtee* lands are not alienated by the Bill, by turning all *purtee* into "common."

If a raiyat is to be permitted to have occupancy-rights in pasture lands, and to hold them at privileged rates, some provision should be made in the Bill for cases in which the raiyat turns pasture into arable land. Should he forfeit his title to the land, or should the landlord have the right to claim extra rent from him?

G.—Of rents payable in kind, or varying with the crop.

Section 81 and its sub-sections forbid the landlords taking more than one-half the produce as their share of the crop.

Some landlords divide the crop on the threshing-floor. Very many others in North Bihár send out amíns, and have the crops assessed on the fields. The latter proceeding is very lenient to the raiyats, as the raiyats usually manage to get their crops assessed at one-half their value.

On all crops assessed a small percentage is added for the patwárí and gumástáh. If this percentage is declared illegal by the Courts, the consequence will be that all landlords will elect to divide and not assess.

Section 82 allows "commutation of rents."

Sub-section (2) says: "The money-rent shall be fixed at the discretion of the Court—

"(a) according to the prevailing money-rent payable by the same class of raiyats for land of a similar description and with similar advantages in the vicinity;

"(b) according to the average value of the rent actually received by the landlord during the preceding five years."

"(3) When a money-rent is fixed under clause (b), a reasonable deduction shall be made by the Court from the average value aforesaid, in consideration of the whole risk of cultivation being taken by the raiyat."

Under this clause all the raiyat has to do is to take little or nothing out of his lands for the next five years to get them for nothing. Not satisfied with running counter to the custom of the province, a deduction is to be made in favour of the raiyat for running a risk the landlord is happy enough to take upon himself.

If this section is to hold good in favour of the raiyat, why should the landlord not be allowed an equal right to have the rent commuted into a money-rent; why should he not be allowed to bring some pressure to bear on the raiyat to cultivate properly?

This section is one-sided.

H.—Supplementary provisions.

Section 84 allows "the Board of Revenue to lay down rules—

" (*a*) for the guidance of officers engaged in the preparation of the tables of rates and produce under this chapter;

" (*b*) for the guidance of officers engaged in the preparation of price-lists under section 83;

" (*c*) for determining what crops shall be deemed to be staple crops for the purposes of this chapter in any local area;

" (*d*) for the guidance of any Revenue officers registering contracts under sections 59 and 61;

" (*e*) for the guidance of Revenue officers and Courts in estimating the average annual value of the gross produce of land for the purposes of sections 59 and 61 and 75, clause (*d*)."

These supplementary provisions place the fate of every man who has anything to do with land in the hands of the members of the Board of Revenue, without appeal. With a stroke of the pen the Board may reduce the rent of a district, by omitting some of the most valuable produce of a district from the list of its staple crops.

If " staple " crops are to regulate the rents of a district, we require some more exact definition of the term.

In the vernacular translation of the Bill, it is translated by the word " *khás*."

The powers allowed to the Board under sections 59 and 61 I objected to in a former memorandum.

The power of the altering the registration-rules as the whim takes them I object to most strongly. The inconvenience we are now put to, by having the rules altered every few weeks, is immense. We should have something definite to work upon.

I am strongly of opinion that the recommendation of the Bihár Rent Committee should be adopted; and the simpler the procedure the better for us all.

CHAPTER VII.

Of the Rights of a settled Raiyat in Bastu Lands.

Section 85. (1) " A person who is under Chapter V a settle raiyat of a village or estate as defined in that chapter, shall, notwithstanding any contract to the contrary, have a right, permanent, heritable and capable of being transferred and bequeathed, in any *bastu* or other homestead land in that village or estate which is not comprised in an occupancy-holding, and which is held by him as the site of, or for purpose of, erecting a dwelling-house suitable for himself and his family, together with all necessary out-offices.

(2) " A person having a right under sub-section (1) in any land in a village or estate shall not lose that right merely by reason of his ceasing to be a settled raiyat of that village or estate."

Section 87.—" When a person has, in respect of any land, a right under section 85, and the rent of the land has not been enhanced during the previous ten years, the landlord may, unless barred by any contract between the parties, enhance the rent, so that it may be equal to the rent paid by other tenants for land in the neighbourhood, having similar advantages and used for similar purposes, or, at his option, so that it may be equal to five per cent. of the market-value of the land."

A cultivating raiyat pays us rent for his *bastu* land and cannot transfer it. He is left in possession of it as long as he resides on it, when he leaves it, it lapses to the landlord.

The house he builds on it may be sold up under a decree of Court, but the purchaser is bound to take away the materials with which it is built; the purchaser can only reside in it, or allow it to remain standing, with the consent of the landlord. The cultivating raiyat who has been sold up under a civil Court decree may build another house on the same spot.

The *bastu* lands of cultivating raiyats do not go with their "jotes," and should, therefore, be non-transferable, non-purchasable, without power being allowed the landlords to evict them from them. If the raiyats abandon their land, it should lapse to the landlord; the raiyats should not be charged rent for it, but they should not be allowed to use it for any other purpose than the one for which it is set aside, namely, to reside upon. If the raiyat builds a house and resides on land for which he pays rent, his *bastu* land would then go with his holding. Traders pay for the land they reside on.

In towns where the majority of the residents belong to the non-agricultural class, rent is demanded for the land, and the land is to a certain extent transferable.

The purchase-money is usually divided between the tenant and the landlord, the tenant receiving three-fourths, the landlord one *zur chowt*. The Bill deprives the raiyats of a very substantial right.

CHAPTER VIII.

Of Ordinary Raiyats.

Section 89.—" An ordinary raiyat shall, subject to the provisions of section 119, pay such rent as may from time to time be fixed by agreement between him and his landlord."

Section 119 limits the landlord's demand to five-sixteenths of the value of the gross produce in staple crops of all lands leased to raiyats after the 1st March 1883.

I do not object to the rackrent limit here given, but I cannot understand on what principle one-fifth of the

gross produce is to form the rackrent limit of an occupancy-holding and five-sixteenths for that of an ordinary raiyat, or what is to be considered the rackrent when the ordinary raiyat acquires occupancy-rights.

I think, when the landlord in the first instance leases land to a raiyat, he and the raiyat should be allowed to make their own bargain. If the landlord afterwards wishes to enhance the raiyat's rents, he should be bound to keep within the rackrent limit whatever it may be.

Section 91.—Notice, of enhancement must be served through the Court—such notice to be served six months before the commencement of the year for which enhancement is to be demanded.

The six months' notice required under section 91 is too long a period; three months are sufficient.

93. (2) "If the defendant does not appear, or if, on appearing, he does not agree to pay the enhanced rent demanded, the Court may pass a decree for his ejectment on condition that, within 15 days from the date of decree, the landlord deposits in court—

"(*a*) such a sum as may be declared by the decree to be payable to the raiyat as compensation for improvements; and

"(*b*) a further sum as compensation for disturbance equal to ten times the yearly increase of rent demanded."

Compensation for improvements and compensation for disturbance I do not approve of.

If the raiyat does not appear to answer for himself in court, I do not quite see how the Court can be in a position to assess the cost of his improvements. If the ordinary raiyat, who holds under a terminable lease, is allowed compensation for improvements and also for disturbance, compensation cannot justly be withheld from sub-raiyats who are ousted from their holdings at the end of their leases.

It would be preferable to reduce the number of years a raiyat must continuously hold land to be constituted an occupancy-raiyat.

I am not sure that it would not be preferable to allow the ordinary raiyat to purchase occupancy-rights of his zamindar, by paying down, say, a couple of years' rental as a bonus.

Why a landlord should be compelled to pay a raiyat compensation for demanding a rent that the Court considers fairly demandable, I do not understand.

Section 95.—"Fresh proceedings not to be taken for ten years."

If this section holds good, the raiyat agreeing to pay the enhanced rent would acquire occupancy-rights at once.

CHAPTER IX.

A.—Of alterations of rent consequent on alterations of the area of the holding of a tenure-holder or occupancy-raiyat.

96. (1) "Notwithstanding anything in Chapter III or VI, every tenure-holder shall, in the absence of a contract to the contrary, and every occupancy-tenant shall, notwithstanding any contract to the contrary,—

"(*a*) be liable to pay additional rent for all land added to the area of his holding by alluvion or otherwise, unless he can show that the land has re-formed on the site of land which was formerly included in that area, and for the loss of which he has had no abatement of rent; and

"(*b*) be entitled to a reduction of rent in respect of any diminution," &c.

(2) "The amount added to the rent shall be calculated at the rates payable by occupancy-raiyats for lands of a similar description and with similar advantages in the vicinity, less a deduction in the case of a tenure-holder of thirty per cent. for profits, risk and cost of collection."

By implication this section as it stands allows tenure-holders, raiyats entitled to hold at fixed rates and occupancy-raiyats to claim all alluvion as theirs by right, whether they have suffered by diluvion or not, unless they have previously forfeited their right by receiving abatement in rents for diluvion. Under sub-section (2) of this section, the occupancy-raiyat would pay rent for these lands at the same rate as other occupancy-raiyats pay for lands of a similar description and with similar advantages in the vicinity.

The tenure-holder and the raiyat who holds at fixed rates (who is also a tenure-holder under the Bill) would be entitled to claim a deduction of 30 per cent. on the above rates for risk and cost of collection.

Under clause (*b*) they would be allowed a deduction in rent for all land lost by diluvion.

Under sub-section (3), "the amount abated from the rents shall bear the same proportion to the rent previously payable as the diminution of the total yearly value of the holding bears to the previous total yearly value thereof, or, in default of proof of the yearly value of land lost, shall bear to the rent previously payable the same proportion as the diminution of the area lost to the previous area of the holding."

Regulation VIII of 1793, clause 51, implied that zamindars might claim extra rents from tenure-holders for all alluvion. Section 17 of Act X of 1859 and section 18 of Act VIII of 1869 permitted the landlord to demand enhanced rents from his raiyats, provided "the quan-

tity of land held by the raiyat has been proved by measurement to be greater than the quantity for which rent has been previously paid by him."

Raiyats who lose lands by diluvion should be allowed to claim abatement in rents: where any special rate is payable for the land lost, at that rate; or where a table of rates is in force, at the rates entered in the table of rates; if no special rate is payable for the land lost, at the average of their holding. If they elect to continue paying rent for the land lost by diluvion, they should be entitled to claim the land again when it re-forms by accretion.

But more than this should not be allowed. To allow them to claim all accretions by alluvion is to introduce a very dangerous principle, a fruitful source of litigation. In Bengal and some parts of South Bihár, the land when thrown up may be brought under cultivation at once and be very valuable: in North Bihár it may lie useless for years, and in some instances the right to hold some hundreds of acres may be at stake.

If the raiyat is to claim a right to all alluvion, how long is the landlord to await his pleasure before charging him rent for it?

There is nothing to prevent a raiyat claiming all alluvion, only to dispose of it to the highest bidder.

Raiyats holding at fixed rates run no extra risk in collecting their rents; there is, therefore, no reason for allowing them a deduction of 30 per cent.

The law as it at present stands is sufficient protection to the landlords as against encroachment on the part of "raiyats;" it is unwise to afford raiyats further facilities for encroaching on the landlord's rights.

In reference to tenure-holders, other than tenures under section 14, it is necessary to define their rights in alluvion.

C.—Of receipts and accounts to be given to tenants.

Sections 100, 101 and 102.—Section 100 entitles a raiyat to demand a receipt from his landlord, declares what it shall specify, declares the landlord must keep the counterpart of it, declares that any receipt which does not state the particulars required by law shall be an acquittance in full.

Section 101 entitles a raiyat to receive a copy of his yearly account from his landlord.

Section 102 and sub-section imposes a penalty on the landlord for not delivering receipts and accounts to his raiyats.

Section 100 should have the words "from his duly authorized agent" added.

The landlord will be compelled under the Bill to keep a counterpart of the receipt he gives to the raiyat. One might have some object in view in insisting on the landlord keeping a "counterfoil" of the receipt he gives the raiyat, but none in keeping a counterpart of it only: as evidence it would be valueless.

In the interest of both landlord and raiyat, any one, not duly authorized, found collecting rents from raiyats should be liable to prosecution either on the initiative of the landlord or of the raiyat. Power should be given to the landlord to tender the receipts and accounts to his raiyats through the Courts, and not leave him at the mercy of the raiyat.

If this is not allowed, the raiyat may at any time, whether he has received a receipt or not, put his landlord to great inconvenience by bringing a suit against him. Six months allowed a raiyat is too long a period to allow him; he should be obliged to claim a receipt within a month from the time he paid the money.

D.—Of the deposit of rent by a tenant in a public office.

Sections 103 to 107.—The difference between the procedure laid down in sections 46 and 47 of Act VIII of 1869, and the procedure laid down in sections 103 to 107 of this Bill, lies principally in the power given to the Court to decide to whom the rent deposited is actually due.

I think the Collector should have the power to call upon the raiyat wishing to deposit rent under 103 (*c*) to show from whom he received the land, or under what lease or right he was entitled to pay rent for the land or be in possession of it; otherwise it will be in the power of every raiyat in the country to set neighbouring zamindars quarrelling under section 106.

E.—Arrears of rent taken by division of crops.

Sections 108 to 118.—I would only remark that some limit should be put to the expense landlords and raiyats are to incur when applying to the Courts for assistance as provided under the provisions of these sections.

G.—Further provisions regarding rent.

Section 119 says a raiyat or under-raiyat shall not be bound to pay more than five-sixteenths of the value of the gross produce of his holding in staple crops, notwithstanding any contract made after the second day of March 1883. I do not think it necessary to make this rule applicable to under-raiyats.

Section 120.—"The rent payable by a tenant in any agricultural year shall be presumed to be the rent payable by him in the following agricultural year, until the contrary is shown."

The raiyat should not have the right accorded to him to hold his lands at the same money-rents, ignoring the conditions on which he held the land.

CHAPTER X.

A.—Of improvements on raiyats' holdings and compensation therefor.

I look upon this chapter as quite unnecessary.

A raiyat with a permanent interest in his holding, and a raiyat with occupancy-rights in, his holding, can only be ejected from their lands in execution of a decree of a competent Court

passed in accordance with this Act, on the ground that they have used the land in a manner which renders it unfit for the purposes of the tenancy, or that they have broken a condition consistent with the provisions of this Act, and on breach of which they are, under the terms of a written contract between them and their landlord, liable to be ejected (*vide* sections 25 and 50 (*a*)).

The Bill has taken every precaution to secure to the raiyats the proceeds of their labour, by debarring landlords from claiming enhanced rents owing to improvements made at the expense of the raiyats.

A raiyat with occupancy-rights can only be ejected on the above two grounds; if he is ejected by the Court because he renders his holding unfit for the purposes of his tenancy, I cannot imagine under what circumstances he would be entitled to compensation for improvements.

If he is liable to be ejected for breach of contract, as described above, he knows the risk he runs; let him fulfil the conditions of his lease. The law is, I believe, very lenient, and will allow him every opportunity to fulfil such conditions before it enforces the penalty.

The new Agricultural Holdings Bill does not go so far as it is proposed to proceed in this Bill; it makes no mention of compensation to tenants who can claim fixity of tenure, and who make themselves liable to ejectment; it allows the landlord to claim a set-off for waste; and it compels the tenant to return to the fields, in the shape of manure, all straw, &c., the produce of the farm. All that it is necessary to declare is, what may be considered an improvement under the Act, that the landlord and raiyat may know where the boundary lies between improvement and rendering the holding unfit for the purposes of his tenure.

Section 126, clause (3), is, I think, totally wrong in principle. It declares: "A work which benefits several holdings shall, for the purposes of this chapter, be deemed to be, with respect to each of them, an improvement." It is wrong, insomuch that it allows one raiyat to be the judge of other people's requirements. If a raiyat's occupancy-rights are sold up under a decree of Court, it is to be presumed the value of his improvements are taken into consideration by the would-be purchasers.

"If" compensation for disturbance is to be allowed, the tenants of holdings under a certain area should be barred from claiming it. If a precedent is required for this, it is to be found in section 23 of the English Agricultural Holdings Bill. "If" compensation is to be allowed, it should be for improvements made after the passing of the Bill.

"If" compensation is to be allowed to any class of raiyats, it should be allowed to ordinary raiyats, in preference to raiyats with assured tenures: but if it is allowed to ordinary raiyats, it cannot be well withheld from under-raiyats, and an allowance should be made for measures, &c., in preference to compensation for the unseemly holes made all over the country dignified by the name of tanks.

I believe compensation for improvements unsuited to the genius of the people, will be misunderstood by them, and may in time become the means of persecution.

B.—Of the landlord's right to measure land.

Act VIII of 1869, sections 25, 37 and 38, respectively declared the landlord's right to measure his estate; in case of opposition, allowed a competent Court to permit the measurement; and, under certain circumstances, allowed the Courts to order the measurement to be made by their own officers. Act VIII of 1869 was faulty, insomuch that neither landlord nor tenant could apply to the Courts for the appointment of an amín to measure the lands, unless they could first show that a dispute had occurred. The provisions of the new Bill (in many ways an improvement on the former procedure) nowhere distinctly say that the Court may "order" the land to be measured by its own officers. Section 137 (1) only implies that it may be done. Section 135 (1) merely says that the landlord may apply to the Court to direct the tenant to permit the measurement.

Both Act VIII and the new Bill compel the landlord to declare that he has been obstructed in the measurement of the lands, before they will afford him any assistance in the matter.

It would be a great convenience to all parties concerned to allow the landlord to apply to a Revenue officer to have his estate measured, without being first obstructed by his tenants. A landlord cannot always procure a trained amín, and some of the bitterest quarrels between landlords and raiyats are caused by the ignorant men sent out by the landlords to survey their estates.

Under section 133 the landlord is prohibited from measuring his estate oftener than once in ten years: this may in many instances be a great hardship to him, especially in estates bordering on large rivers.

The landlord might be prohibited from having a cadastral survey of his estates carried out under the supervision of a Government officer oftener than once in ten years; but he should be allowed to measure his lands as often as he pleases, or he should be allowed, for any reason which is satisfactory to the Court, to measure individual raiyats' fields; otherwise how is he to check encroachments? I am not sure that this section does not run counter to section 207 (*a*).

Regarding the length of the pole. When the registration of all estates was made under Act VII of 1876, the lengths of the poles used on such estates were recorded. If such record is not sufficient, it might be as well to have the length of the pole used on each estate authoritatively settled once for all.

C.—Of surrender and abandonment.

The right to relinquish his holding at the end of the agricultural year is not among the incidents attached to an occupancy holding under section 50. Every raiyat has a right to

relinquish his holding under section 20 of Act VIII of 1869, always provided he gives his landlord ample notice of his intention to do so. Every raiyat should be allowed to relinquish his holding, provided he relinquishes it as a whole, gives his landlord ample notice of his intention to do so, and provided he does not hold it under a contract.

Care must also be taken to secure the right of pre-emption to people who may have advanced money to the raiyat on the security of his holding.

Abandoned lands the landlord is permitted to re-let as soon as they are abandoned. A raiyat who changes his residence, or goes off like a thief in the dark to avoid his creditors, without giving his landlord notice of his intention to retain his holding, should forfeit it after an absence of three months.

In some parts of Bihár a landlord would find it absolutely impossible to induce people to take up land that had been allowed to run to waste for a twelvemonth.

D.—Of Merger.

This chapter I think a very important and a very necessary one.

I think our interests are amply secured, and see nothing to alter in it.

E.—Of the appointment of a manager on behalf of a co-owner of an estate or tenure.

The provisions of this chapter are very necessary to protect the weak against the strong, but they hardly go far enough.

The Court should not only have the power to manage the estates, but should also have power given it to make a summary and, if I may use the word, a tentative division among shareholders, with power reserved to shareholders to apply within a certain time for a formal "batwara."

The appointment of a manager should not debar shareholders in a managed estate from applying for a "batwara." The proprietors should have power given to them to challenge accounts rendered.

CHAPTER XI.

Of the Settlement of Rents by a Revenue Officer.

Sections 151 to 163 allow the Revenue authorities to settle the jammabandi of an estate or a class of tenants in cases where—

(*a*) a large proportion of the tenants or landlords wish it, and deposit costs;

(*b*) where such an order is calculated to avert a serious dispute;

(*c*) where the settlement of revenue is being made.

Section 163 allows the Local Government to decide on whom the cost of settlement shall fall.

I think it very necessary that the Revenue authorities should have the power here granted them to prevent agrarian disputes, but think the powers should be very sparingly used, and only in cases where the disputes occur between landlords and large bodies of raiyats. Power should be given to the Revenue authorities to measure the estate also. Section 159 says the jammabandi settled is to come into force from the commencement of the agricultural year next following the publication; it says nothing as to the rates raiyats are to pay during the time the estate is under settlement.

The settlement should take effect from the commencement of the dispute, and, when settled, have the force of a decree. Section 151 (2) (*a*) should be an Exception to 163.

CHAPTER XII.

Of the preparation of a Record-of-rights by a Revenue Officer.

The only alteration I would wish to see made in the provisions of this chapter is to require any special conditions under which the raiyat holds his lands entered among the particulars to be specified. If sections 14 and 15 hold good, this chapter should be struck out.

CHAPTER XIII.

Of the Recovery of Rent from Raiyats and Under-raiyats by distraining the Produce of the Holding.

The Statement of Objects and Reasons published with the Bill says:—"This chapter may be said to be the result of a compromise. The Rent Commission, concurring with the Bihár Rent Committee, proposed to abolish the existing law of distraint as an offset of English law, of which the efficacy was impaired by the legislation of 1859, and which had been abused in Bihár, and not always applied in a regular manner in other parts of the country. To this strong objections were urged, and the procedure provided by this chapter was then devised by the Government of Bengal, as being likely to secure to the landlords most of the advantages offered by the existing law, without exposing their tenants to the evils complained of." I am as strongly of opinion as I was at the meeting of the Bankipore Committee, that the power to distrain growing crops should be abolished. I am of opinion that, as long as the power to distrain in any shape remains law, so long will the raiyats submit to its abuses.

If they are once given to understand that it has been finally abolished, the abuses will die a natural death. The raiyats now submit to private distraint, or, more correctly speaking, restraint of their crops, because they believe in its legality.

In the Statement of Objects and Reasons it is stated that the provisions of the Bill are the result of a compromise; but, like most compromises, it will satisfy neither party; it will not satisfy us, who wish to abolish it, as it does not do away with the abuses we complain of; it

will not satisfy the zamindars, as they wish to distrain without suit, claiming such power as inherent in their position. The power here allowed they look upon only as attachment before judgment.

The Honourable Baboo Harbans Sahai, in his letter to the President of the Rent Committee, says:—"It has been declared, from the earliest legislation to the present time, that the produce of the land is hypothecated for the rent, and the zamindar has a legal right to realize his rent by distraining the crop." It is because all zamindars implicitly believe in the correctness of this hypothesis that they abuse their powers. Section 68 of Act VIII of 1869 says the produce of the land is held to be hypothecated for the rent payable in respect thereof. Had it stated that the land itself and all thereon was held hypothecated to any "arrears" of rent, it would have been more correct. Possession of the land may be hypothecated to the tents thereof, but standing crops cannot be hypothecated, as zamindars consider them to be, for the simple reason that no Government in the world dare declare that a raiyat must pay his rents before he has been afforded an opportunity of disposing of his crop; as the raiyat is in duty bound to pay his rents from the proceeds of his crops, so he should be allowed to dispose of them before being called upon to pay.

That standing crops should be liable to attachment is right, but only to the same extent as a lodger's goods at home are liable to attachment for his landlord's debts.

If it is declared that the crop is hypothecated to the rents, although it may not be done legally, morally the landlord will be justified in restraining the corps until his rents are paid.

To justify the present procedure, one must be prepared to declare that the future crop is hypothecated to arrears. If it is hypothecated to arrears of rent due, we are not justified in limiting the lien to one year's rent, but to all that may be due.

Under section 68 of Act VIII of 1869, the distraint of standing crops is allowable; but section 71 forbade distraint of stored grain. I cannot conceive any more effectual instrument of persecution than to allow distraint of grain stored in a storehouse, more especially as the power to distrain is to be given to raiyats who have sublet their lands.

CHAPTER XIV.

B.—Rules applicable to particular classes of suits between landlord and tenant.

Section 194 allows the service of a summons on a defendant in any suit for the recovery of rents, &c., which may be served through the post office.

This would, I think, hardly be sufficient in all cases.

Section 201 makes no allowance for the delays of the Courts. If a decree could be obtained quickly, there would not be much harm in this section; but considering a case drags on for months, this will come rather hard on some.

Sub-section (2) is not required.

C.—Suits to determine status, &c., of tenant.

I would like to see the provisions of section 207 and sub-sections somewhat extended.

At present a raiyat has only to deny the relationship of landlord and tenant to compel the proprietor of the estate to enter into a costly suit. He has only to declare that he received the lands from a neighbour to force two neighbouring proprietors to enter into a suit.

If the law would allow the landlord to sue for the determination of the status of any person in possession of his land, leave alone a "tenant," or to be allowed to have the boundaries of his estate defined, it would be an advantage and save much litigation.

CHAPTER XV.

OF THE SALE OF TRANSFERABLE HOLDINGS IN EXECUTION OF DECREES FOR ARREARS DUE ON THEM.

Section 208 (1) says—"'Incumbrance' in this chapter, used with reference to a tenancy, means any lien, sub-tenancy, easement, or other right or interest created upon the holding by the tenant in limitation of his own interest therein except—

"(*a*) a tenure existing from the time of the Permanent Settlement;

"(*b*) a tenure recognized by the settlement-proceedings of any current temporary settlement as a tenure at a rent fixed for the period of that settlement;

"(*c*) a tenure of land whereon dwelling-houses, manufactories or other permanent buildings have been erected, or permanent gardens, tanks, canals, places of worship or burning or burying-grounds have been made;

Had the word "tenure" been used instead of "tenancy," I could have understood the purport of this section.

I should then have understood that it was necessary to prevent tenancies created or acquired within a tenure from being considered encumbrances on that tenure; but why should it be necessary to declare that an occupancy-right, which in itself is a tenancy, shall not be an encumbrance on a tenancy?

" (*d*) a right of occupancy;

" (*e*) a right conferred on an occupancy-raiyat to hold at a rent which was a fair and reasonable rent at the time the right was conferred; and

" (*f*) any right or interest which the landlord has expressly, and in writing, given the tenant permission to create."

Section 209 (1) says—" When a decree has been passed for an arrear of rent due for a transferable holding, and the decree-holder applies under section 235 of the Code of Civil Procedure for the attachment and sale of the holding in execution of the decree, his application shall contain, in addition to the particulars specified in that section and section 237 of the said Code, a statement of the annual rent of the holding."

This is hardly sufficient. The sale taking place at the instance of the landlord, should state for what " term " the current rate is to hold good.

A purchaser might find that he had paid a high price for a holding at a low rental, only to be a defendant in a suit for enhancement afterwards.

When the sale takes place at the instance of the proprietor, it should be for a term certain, if at the instance of an ijaradar, for the term of his, the ijaradar's, lease unless the raiyat whose holding is sold has acquired a right to hold for a longer period, when it should be for the full period of his tenancy.

Section 210 (1) says—" When an order has been passed for the sale of a holding upon an application made under section 209, the proclamation made under section 287 of the Code of Civil Procedure shall, in addition to stating and specifying the particulars mentioned in that section, announce—

" (*a*) in the case of a tenure, that the tenure will be sold subject to the registered encumbrances, and will be sold subject to those encumbrances if the sum bid is sufficient to liquidate the amount of the decree and costs, and that otherwise it will, if the decree-holder so desires, be sold on a subsequent day, of which due notice will be given, with power to annul all incumbrances; and

" (*b*) in the case of an occupancy-holding or bastu-holding, that the holding will be sold with power to annul all incumbrances."

In reference to tenures under this section I have nothing to object to, but, as regards the sale of occupancy-rights, I think it should be compulsory on the landlord to enforce his decree by selling up the whole of the holdings, and not only a portion of it, as I believe the law now permits.

Occupancy-rights should be sold subject to their encumbrances in the same way as tenures are to be. Section 215 certainly allows the Local Government to declare that occupancy-rights in any given local area shall be sold subject to registered encumbrances; but it is not sufficient. It will paralyze all trade, by making all trade too venturesome to be entered into excepting at exorbitant rates of interest. If occupancy-rights are not to be sold subject to registered encumbrances, it is absolutely necessary that notice of sale should be issued on all mortgagees, to permit of their purchasing under section 218, or to protect their interests as they deem right, and not to sell up the holding unknown to them.

Section 216.—" Rule for disposal of sale-proceeds."

In disposing of the proceeds of the sale of a holding free from encumbrances, no mention is made of the poor mortgagees; the proceeds are to be divided between the decree-holder and judgment-debtor, only allowing the mortgagees two months to sue and recover from balance of proceeds in hand.

Section 217 allows the judgment-debtor to pay up the amount of decree with costs, any time before the sale takes place. More than half the property sold in this country under decrees of Court is sold at one-quarter of its value, owing to the uncertainty which would-be purchasers are in as to whether the sale will really take place or not.

The Court might give the raiyat as much time as it thinks necessary to pay up : the sale should be advertised for a date subsequent to the date allowed for payment; but when the date allowed is passed, the sale should be compulsory.

Section 218 (*1*).—"Amount paid into court to prevent sale to be in certain cases a mortgage-debt on the holding."

By " holding " I presume an occupancy-holding is meant.

Under this section, a person paying the amount due into court would hold the first mortgage on the land; but who would have a right to redeem it? Would the raiyat be allowed to do so, or only other and prior mortgagees under a suit?

What time would other mortgagees be allowed within which to sue?

As the clause stands, I am inclined to think they may choose their own time to do so, or under section 148, schedule II of the Limitation Act, 60 years. Would voidable encumbrances take precedence of registered ones under this section?

Then, again, the question arises, would the landlord again have the power to exercise his right of pre-emption under section 53?

CHAPTER XVI.

OF LIMITATION.

The present Bill is in so much different from Act VIII of 1869, that the time from which the period of limitation is to run is mostly mentioned in the clauses likely to be affected, whereas Act VIII of 1869 refers to them under clauses 27, 28, 29 and 30.

I presume grounds of action not specially provided for under the Bill would be governed by the law of limitation, Act XV of 1877, such as a suit against an agent, &c., which was provided for under Act VIII by section 30.

CHAPTER XVII.

A supplementary chapter to regulate the acts of the Executive does not concern us to any extent.

Schedules II and III permit summary sale of patní tenures.

When criticising the provisions of Chapter IV, I said I was of opinion that the procedure laid down in reference to patní tenures should be extended to all permanent tenures other than raiyatí tenures referred to in sections 14 and 15.

If it is necessary to permit zemíndárs to recover the rents due to them on patní tenures by a summary process, it is equally necessary to allow them to recover rents due to them on all permanent tenures under the same procedure. There is no valid reason for allowing them to recover rents on all tenures created by themselves after the Permanent Settlement, and withholding permission from them to collect the rents due to them on tenures created at the time of and before the Permanent Settlement, and on which they receive a fixed sum as malikána in perpetuity. There is nothing in the wording of this chapter, or in the definition given of a "patní tenure," to permit of this. All over Bihár we have such tenures; tenures created before or at the time of the Permanent Settlement, known as "Bhek-Birt," "Shikami tenures," "Juglis," "Ultumgha," &c., &c., the revenue for which is paid by the zemíndár to Government, and the rents of which the zemíndár has the greatest difficulty in collecting from the tenure-holders. If such tenures are to be brought under the provisions of these schedules, some of their sections will require to be modified.

Section 11 would be very rough on men who have advanced large sums on the security of such property, and who may not be rich enough to buy it in.

No facilities are afforded the landlord under the Bill of collecting Government taxes, such as road-cess, &c., from tenure-holders.

As the landlord is the tax-collector, and has to collect the taxes from tenure-holders and lákhirájdárs, some facilities should be afforded him to do so.

MEMORANDUM.

Regarding all the legislature wishes to enact under the Bill, I have said all I wished to say; but I think it will not be out of place to mention here that, however just and estimable the provisions of the Bill may be, its effects will be perfectly nugatory as long as the cost of obeying its behests is prohibitory.

To say that we "must" and "shall" do such and such work is not sufficient; it must be made "possible" for us to do it.

Under the proposed Bill, it is laid down that landlords shall keep, and also deliver, most eleborate accounts; but, unless the question of patwárís' accounts is thoroughly gone into and Regulation XII of 1817 is revised, it will be impossible for them to do so.

It is intended under the Bill that the registration of documents should be more generally resorted to; but, unless the act of registration is made less irksome and the fees less onerous, neither landlord nor raiyat can afford the time or the money to obey the law. It is intended that landlords who wish to recover what is due to them should desist from resorting to illegal means of recovering their rents, should desist from bringing illegal pressure to bear on their raiyats, and that they should in all instances where the raiyats fail to pay their rents resort to law to recover them; but nothing is done to encourage them to do so. The cost of recovering rents through the Courts is ruinous.

Whether it is intended to revise the Court-fees Act hereafter I do not know; but, unless something is done, either by following the suggestions of the Bihár Committee, or by resorting to other and more certain measures, landlords are bound to evade the law by every means in their power.

The smaller the amount of rent due, the greater the comparative cost of a suit. The cost of a suit is becoming greater every day instead of less. It has lately been discovered that, to enforce a decree against a raiyat, two rupees *tulbana* must be paid on each separate field; that is to say, if the landlord has a decree for ten rupees, and the raiyat's holding is divided into ten fields, he must pay twenty rupees *tulbana* to enforce it.

T. M. GIBBON.

Memorial of the Landholders of East Bengal to His Excellency the Viceroy and Governor-General of India, with Notes on the Bengal Tenancy Bill, 1883.

The humble memorial of the
Landholders of East Bengal.

MOST RESPECTFULLY SHEWETH—That your humble memorialists are filled with great alarm at the introduction into the Imperial Council of a Bill entitled the Bengal Tenancy Bill, the

provisions of which will tend to upset the present relations between landlord and tenant in Bengal, to redistribute property in land on an unfair basis, and will foster dispute and litigation to the prejudice of the interests of both classes.

2. It was in June 1875 that the zemindars of East Bengal, to their misfortune be it said, sent a petition to the then Lieutenant-Governor, Sir Richard Temple, asking for greater facilities in the realisation of arears of rent, the present law having practically been found very tedious and expensive. The petitioners stated that "it is not unknown to Your Honour that the punctual payment of the Government revenue of an estate depends almost entirely on the punctual payment of the rents of the *mehal* by the tenants thereof. That suits for arrears of rent are very expensive, and that it is almost impossible to realise by suits the rents of a *mehal*, where the ryots combine against the zemindars as they often do, and when in consequence a very large number of suits has to be instituted. That even where a decree is obtained for arrears due, the zemindar very often does not obtain the whole of the actual costs of the litigation, and that the low rates of interest allowed on decrees are by no means calculated to induce the ryots to satisfy the decrees at once. That leaving out of consideration for the present the question of enhancement, your petitioners submit that there are enormous difficulties in the way of their realising arrears of rent at even existing rates. That the right of occupancy created by Act X of 1859 is now-a-days claimed by the great majority of ryots, and that it appears to Your Honour's petitioners that a stringent law for the absolute forfeiture of the right of occupancy on non-payment of arrears of rent either on the due date or at the latest on the fifteenth day before the last day of the next payment of the Government revenue will, to a great extent, help the zemindar in realising his rent and paying the Government revenue in time. That distraint of crops and suits in courts are the only remedies provided by the law for the realisation of arrear of rent That distraint is naturally disliked by the ryots, and that owing to the vexation which it entails upon the distrainor and considering the liability to be sued for damages, zemindars very seldom have recourse to this mode of recovering rents."

3. This prayer was rejected by Sir Richard Temple, but he said that "in the event of legislation being contemplated on a future occasion, he has little doubt that the arguments now submitted will receive proper consideration." A few months after this Sir Richard Temple recorded a minute on the 18th April 1876 on the question of determination of rent But his sliding scale of adjustment of rents was rejected both by officials and non-officials as quite impracticable. The Agrarian Disputes Act was passed on the 21st April 1876 and received the assent of the Governor General on the 10th July following. Sir Richard Temple again recorded two minutes, one on the 15th May and the other on the 29th August 1876, and in this later minute the question of the transfer of the occupancy right by private agreement is brought forward for the first time. The Government of India disallowed this proposal in the following terms in October 1876 :—"With regard to the expediency of rendering the right and interest of an occupancy ryot liable to sale for default and transferable by private agreement, I am desired to state that the President in Council entertains considerable doubts. The absence of restrictions on the liability and the transfer of land which prevails in many provinces of India has been alleged by numerous authorities, whose opinions are entitled to great weight, to have been an efficient agent in the impoverishment of the ryot and the transfer of the ownership of land to classes not likely to be good landlords as regards either their own tenants or the State. The Select Committee on the Civil Procedure Code also, in a report presented to the Council of His Excellency the Governor General for making Laws and Regulations, on the 21st ultimo, have recommended considerable restrictions on the sale of land by Civil Courts in execution of decrees. Under these circumstances, it appears very questionable whether it is *politically expedient* to afford any additional facilities for displacing the existing occupants of land."

4. After the collapse of the measure proposed by Sir Richard Temple, there seems to have been a suspension of legislative activity in the matter of the Law of Landlord and Tenant in Bengal. But the difficulties of zemindars in the matter of realisation of rents were so great that Mr. Reynolds, Secretary to the Government of Bengal, in his letter dated April 1877 thus brought the matter for the reconsideration of the Government of India :—"The replies which have been received to the circular in which this Government invited an expression of opinion on the Bill, sufficiently show that under the present procedure, the recovery of rent by legal process, even when the arrear is not disputed, is so tedious and costly as practicably, in many cases, to involve a *denial of justice*. If the ryots of a village combine to offer a passive resistance to the landlord by withholding all payment of rent, he can only realise his dues by a suit in the Civil Court against each individual cultivator. It is the object of the ryots to delay a final decision as long as possible and the procedure of a civil suit affords them many facilities for doing so. In the meantime the zemindar, though thus kept out of his own dues, is compelled to pay the Government revenue on pain of losing his estate, and under the pressure thus put upon him, he is sometimes obliged to accede to the demands of the ryots and to forego claims which he would have been able to establish under a more expeditious legal procedure, or he is forced to borrow money at ruinous rates of interest to enable him to meet the Government demand."

5. Mr. Mackenzie thus expressed himself in the Bengal Council four and a half years ago :—"The law's delays are, we know, proverbial, but the delays of a Bengal rent suit in a Bengal Moonsiff's court are more than even proverbial philosophy can make palatable. Notwithstanding the fact that in about 75 per cent. of the suits for arrears of rent the claim is not really contested, the zemindars and other rent receivers have too often found themselves unable to recover their just dues without submitting to a process which entails costs that they may

possibly never recover, and delays that are frequently embarrassing and ruinous, and even when the zemindar has got his decree, it by no means follows that he has got his rent.

"The zemindars are on their part not merely not unwilling but anxious to have this portion of their case taken into separate and final consideration. The Road Cess and Public Works Cess Acts have thrown upon them the responsibility of collecting with their rents and paying into the treasuries all that portion of this fresh local and provincial taxation which falls upon under-tenants of every degree. If they cannot recover this easily and effectually from their tenants, they must under penalty pay the amount themselves—a position which the State *is obviously bound to render* as little burdensome as possible. The Lieutenant-Governor therefore, as he has informed us immediately on his assumption of office, and in accordance with the last views of his predecessor, pressed upon the Government of India the necessity of early legislation to facilitate the early recovery of undisputed rents and to improve the law for execution of decrees in rent cases."

6. After alluding to the many special powers granted to the Zemindars by the old Regulations (notably Reg. VII. of 1799 and V. of 1812) for easier realization of rents, Mr. Mackenzie thus noticed the gradual curtailment of those powers and the change of sympathy of Government from the Zemindars to the ryots :—"In 1859 the legislative pendulum swung quite to the opposite extreme. Summary arrests of defaulters were forbidden. Distraint was so fenced in with difficulties as to become quite impracticable. Zemindars were prohibited from compelling the attendance of their tenants to settle accounts or pay their rents, and both parties were relegated to formal suits in the Courts, at first in that of the Collector and since 1869 in that of the Civil Judge. It was the opinion of many competent Judges, even at the time that this re-action *was too violent*, that sufficient consideration was not given to the difficulties of the Zemindar's position; that the character of the ryot, say, for instance in Backergunge, is not by any means so "child-like and bland" as to warrant the confidence which the law places in his anxiety to pay his rent as it falls due. As I explained to the Council before, the difficulties of the landlords have *become greater year by year*, while the pressure put upon them by Government has *become heavier*, and they stand now urgently in need of assistance from the Legislature."

Mr. Reynolds in his letter alluded to before thus concluded his observations on the subject :—"While Mr. Eden is not prepared at present to take up the question of defining the principles upon which rents should be enhanced, he is quite satisfied that something must be done without delay to improve the system under which the Zemindars can now legally recover their rents. Complaints have reached him from every part of the country of the difficulty and delay which exist under the present procedure, and both officials and non-officials are agreed that the system requires an immediate reform.

"In the two Bills now before the Bengal Legislative Council, the Bill for the levy of a cess for Provincial Public Works, and the Bill for the levy of a rate upon Irrigation Lands, it is proposed to collect the rates through the Agency of the Zemindars in the same manner as the road cess is collected at present. But it is clear to the Lieutenant-Governor that, if responsibilities of this kind are thrown upon the landlords, the Government is *bound in equity* to give them corresponding facilities for realising the amounts which they are entitled to recover from the ryots."

7. The above extracts will make at least two points clear; (1) that it was the difficulty about the realization of rent that the Zemindars asked to have remedied, and (2) that the Governments of Sir Richard Temple and Sir Ashley Eden thoroughly appreciated the difficulties of Zemindars and were anxious to have the law so amended as to remove all cause of complaint on that score. Section 9 of the Bill framed in 1876 and section 4 of that framed in 1879 provided that the amount sued for should be deposited in Court before the tenant would be allowed to put in his defence. This salutary provision has disappeared from all Bills that have been drafted since, for reasons not known to your memorialists. If the Government really believes that the difficulties of Zemindars "have become greater year by year" and if the Government is convinced that it is "bound in equity" to give them the necessary help, it is plain that the first step at legislation should be to remedy an evil that is unequivocally pronounced to exist with such dire consequence to the Zemindars. But nothing has been done in the present Bill to help the Zemindars in realizing their rents. On the contrary, it contains provisions of such a one-sided nature as to deprive them of their most cherished rights and thus by weakening their position, gradually pave the way for their extinction as a class. The provisions regarding khamar lands, the arbitrary extention of the right of occupancy, the right of transferring the occupancy tenure without the consent of the landlord, the restriction on freedom of contract, the provisions regarding compensation to ordinary ryots, the fixing of the maximum amount of rent at one-fifth of the gross produce, the provisions regarding the appointment of a manager by the District Judge and other provisions of a similar nature, too numerous to detail here, are all intended for the good of the ryot, and offer not only no advantage to the landlord but are calculated to throw enormous difficulties at every step in his dealings with his tenantry. The ryot under the proposed Bill could, if he chose, make the Courts the medium of his communication with the person designated in the Bill as his landlord, but the latter will no longer occupy the same position as in the past. The effect of these provisions becoming law would be (by giving a wide scope to litigation) to diminish the profits of the landlord, and hence the value of landed property. And with the rigorous sun-set law hanging over their heads and the tenantry in an attitude of defiance, it is not too much to say that utter ruination will stare the zemindars in the face. Your humble memorialists are loath to believe that the righteous British Govern-

ment would sanction a one-sided, narrow, and unjust measure of this kind. It would virtually bring on the abolition of a class of Her Majesty's subjects who have invested money in land relying on the faith of the British Government and who sincerely believe that interference with their rights in the manner proposed would be a direct infringement of vested interests as guaranteed by the Permanent Settlement.

8. As regards the necessity for a radical and complete change in the law of Landlord and Tenant, your humble memorialists beg to observe that the present state of the country is not such as to justify the enactment of a measure like this. In Bengal (especially Eastern Bengal) the ryot is strong enough to hold his own against the strongest Zemindar. The advocates of the Bill admit this. Spread of education and enlightenment and the progressive nature of the times have infused a spirit of independence and self-reliance among the Bengal tenantry, quite unknown a quarter of a century back, and as time goes on this will spread. They are perfectly alive to their rights and interests and occasionally assert them in a way which places the landlord completely at their mercy. Sir Ashley Eden after his first tour in the Eastern districts was able to testify to the prosperous condition of the peasantry in clear and unmistakeable language. It is well known that the occupancy right is enjoyed by the great majority of the ryots. If statistics were called for, it would be found that at least 90 per cent. of the ryots possess that right, and the Zemindars have never in this part of the country objected to this right being acquired under the 12 years' rule, or shifted them from one plot to another with a view to prevent the acquisition of the right. The ryots are therefore quite secure from unnecessary eviction at the will of the landlord. Enhancement also takes place slowly and by mutual agreement. The difficulty of realization has already been dwelt upon before and it is a well-known fact that the Government, with its immense prestige, cannot realize the full extent of the jumma in Government estates even with the aid of a summary law. Thus whether for enhancement or realization of rent if the disadvantage is on the side of the Zemindar, your humble memorialists fail to see what justification there is for still further intensifying those difficulties, and reducing his status by a complete and radical change in the law calculated to excite the worst passions, foster litigation, and set one class against the other.

9. A detailed criticism of the provisions of the Bill is appended to this for the consideration of your Excellency in Council.

And your memorialists as in duty bound will ever pray.

Notes on the Bengal Tenancy Bill, 1883.

Section 3, clause 2.—It is doubtful whether the word "owning" would include trustees and persons having a life interest only in the property. as well as *mutwallies* of *wakf* properties and *shebaits* of *debatter* estates.

Section 3, clauses 5 and 8.—The definitions of "raiyat" and "tenant" will bring in confusion. In a country where the masses of the people are uneducated and ignorant, these fine distinctions will often cause confusion, as by the careless use of the word raiyat in any proceeding the landlord will be taken as having admitted a tenant to be holding agricultural lands, though the person so designated may not have held any such lands at all. The definition of the word "tenant" is also faulty inasmuch as it does not show who, other than a tenure-holder, raiyat, under-raiyat or the tenant of a bastu holding, can be said to be a tenant.

If the distinction between a raiyat and a tenant is at all to be preserved, then the definition of raiyat might be advatageously changed to the following effect: A person shall be deemed to be a raiyat who holds land for the purpose of agriculture, horticulture or pasture, either on an express or implied agreement to pay rent.

Section 3, clause 6.—This will encourage unrestricted and unlimited sub-letting. The word "mediately" should be omitted.

Section 3, clause 16.—Transfer should not include mortgage.

Section 3, clause 19.—Does the word "stamped" include "sealed"?

Section 4.—The insertion of the words "not inconsistent with" in clause (*a*) has given such an amount of vagueness and indefiniteness to the section, that it would be a fruitful source of litigation and confusion. The illustration in this section is so far suggestive that it will encourage under-raiyats to set up false claims, as well as create another class of occupancy-right holders.

CHAPTER II.

This refers to *khamar* lands. Too much importance has been attached to this class of lands. Large zemindars seldom have *khamar* or *nij jote* lands, and it is only small landholders or talookdars who keep such lands for their own maintenance. The provisions relating to the survey and registry of these lands are based on the fear that landholders will gradually absorb and convert *rayati* lands into *khamar*, but this fear is perfectly baseless—at least so far as Bengal is concerned. The provisions of this chapter will entail a good deal of expense and trouble while they will serve no useful purpose. Why should the proprietor have to prove 12 years' continuous occupation? If any landholders have made new khamar, say, five years before the passing of the Act, will he be deprived of those lands? This is surely very unjust.

Section 15.—The presumption that when the rent of a tenant has not been changed for 20 years, it must be taken for granted that the land has been held at that rate since the permanent settlement of 1793, is injurious to the interests of landlords. There are many estates in which the owners are minors or women, who have treated their tenants leniently, and have never attempted to enhance the rents of their tenants, or who, from sheer neglect, have allowed

the same rents to run on for 20 years or more. The interests of such persons will be very seriously affected by this provision. On the other hand, those landlords who have been frequently enhancing their rents will not be so affected. This seems very unjust and unreasonable. This provision is also very prejudicial to the interests of auction-purchasers who are often unable to get possession of the zemindari papers of their predecessors. Mr. Reynolds remarks that "as there is reason to think that rent receipts have been much more regularly given and much more regularly preserved during the last 20 years than during the 20 years which preceded them, it seems to follow that the lapse of time has made it more and more easy to raise the presumption and more and more difficult to rebut it." Since the passing of Act X of 1859 the tenants have been quite alive to their own interests and do everything in their power to protect the many valuable privileges which that Act conferred on them. Hence it is much easier now to prove uniformity of payment for 20 years than it was when the Act was passed. It is therefore urged that if in future such presumption should be raised, the tenant should prove uniform payment for at least 40 years immediately before the commencement of the suit, and not any 20 years which may suit his own convenience.

Section 20.—This is probably intended to apply to Government estates. Why should not ryots in Government estates be in the same position as the ryots of private land-owners.

Section 28.—The relief contemplated by this section might easily be obtained by application to the zemindar. Why then should the ryot have power to apply direct to a revenue officer? If the landlord refuses to register such transfers, then the tenant may apply to the civil court as provided for in section 32.

Sections 45 and 47.—These two sections will confer the right of occupancy on all classes of ryots, without any distinction whatever in the territories under the control of the Lieutenant-Governor of Bengal. The occupancy right will then be "the rule and not the exception" as desired by Sir Ashley Eden. It is well known to Government that 90 per cent. of the ryots of the present day possess that right. They have acquired this right under the operation of the present law, and no land-holder ever thinks of attempting to deprive his ryots of this right. Why should then the Government confer that right in a peculiar way against the wishes of the zemindars when the latter affirm that they have never objected to the right being acquired under the 12 years' rule? It will not now be necessary to hold the same piece of land for 12 years, nor will it be required of him to hold one piece of land for 12 years in the same village. If a ryot holds one piece of land or several pieces of land at different periods in the same estate for 12 years (an estate may have 100 villages in it), then he will acquire the right of occupancy in all the lands held by him on the 12th year. For instance, an estate called *A* in the district of Dacca has lands which are within the boundary of the district of Furreedpur or Barisal If the ryot holds a piece of land belonging to *A* for 12 years in Barisal, then he acquires a right of occupancy in all lands held by him in estate *A* in the district of Dacca, though he may have held those lands for six months only; or he need not even hold an identical piece of land in Barisal for 12 years, he may have held 10 pieces of land within that time in Barisal, but on the 12th year he will acquire the right of occupancy in all lands held by him in the 100 villages of estate *A* in the district of Dacca. Then, again, there may be several estates owned by different owners in the same village. By this provision the ryot of one estate is virtually a settled ryot in respect of the others, though he may not have held any land in any of the other estates. Because the ryot holds land in the same village, therefore he has a right to be deemed a settled ryot in respect of all estates in the village. This may be somewhat in keeping with the spirit of the Regulations which respected the rights of khoodkasht kudmee or resident ryots of the village only. But the khoodkasht ryots of one village were the paikashts of another, though included in the same estate. But the present Bill goes far ahead of the Permanent Settlement Regulations and gives the right of being deemed a settled ryot to any one holding land in the same estate which may have hundreds of villages in it. Is this not going too far? The definition should therefore be changed as follows:—"Every person who for a period of 12 years, whether before or after the commencement of this Act, has continuously held as a raiyat raiyati land situate in a village when it appertains to a single estate, or raiyati land in an estate when there are more estates than one holding interests in the same village. shall be deemed," &c. This will also do away with the necessity for retaining clause (*b*) of section 43 which is very wide in its significance. The word "village" should also be more accurately defined. The boundaries of *Thak* or survey maps of most of the villages as surveyed in 1853 are very different from their present boundaries, partly on account of diluvion or alluvion, partly on account of the encroachment of neighbouring villages, or partly on account of (in many cases) voluntary concessions and agreements entered into between neighbouring landlords since the last survey. It may often be that part of the area included in an old survey map is now a part of a different village and estate altogether. How will such cases be dealt with? The definition in section 45 is certainly a very broad one, which not even the blindest supporter of the cause of ryot's rights ever dreamt of having. The pesent law of 12 years' continuous possession of the same piece of land piece of land has been declared by the highest legal authorities to be an invasion of the proprietary rights of landlords as guaranteed by the Permanent Settlement. Sir Barnes Peacock, the late Chief Justice of the Calcutta High Court, remarked that "it interferes with the just rights of the zemindars, at least in the permanently-settled estates by vesting rights of occupancy in ryots who had no previous existence." Sir Richard Garth says:—"The term of 12 years, which was fixed by the Act of 1859 as necessary to confer the right, was about the shortest period of prescription known to the law. I believe it will be found that in no country in the world can

a prescriptive title be gained in any shorter period." Then again, regarding the contention made by those who advocate the cause of the ryots, that the ryots in many parts of the country acquire the right according to custom and not under Act X of 1859, Sir Richard Garth says:—"If there did in fact exist now, or if there had existed in 1859, any customary right to land by which ryots could have proved a permanent title by an enjoyment of less than 12 years, the civil courts would surely have heard of it long before this." Such are the views of high legal authorities on this vexed question, and the opinions of many more Judges of the High Court could be quoted to the same effect. Apart from the question of the legality of the provision, it may be said that the 12 years' rule is not injurious to the ryots, and that there is no necessity or justification whatever for changing the law in this respect—at least in Bengal.

Section 46.—*Vide* remarks on chapter VII.

Section 49.—This section is also very objectionable. Section 13 provides that no land other than that for which a register has been kept shall become *khamar* land. This absolutely puts a stop to any increase in *khamar* lands in future. But section 49 provides that the occupancy right might be acquired even in *khamar* lands by 12 years' possession. The zemindar will thus suffer double loss—on the one hand he will be deprived of the right of retaining as much land as he may require for his own use, and on the other, his *khamar* land will also be acquired by his ryots gradually, so that if a zemindar wishes to extend his family residence, make a garden or a new house, he will be entirely at the mercy of the tenant.

Section 50.—This section confers on the occupancy ryot the right, along with other rights, of transferring the holding by sale, gift or otherwise, without the consent of the landlord. The zemindars of East Bengal have in their memorials to Government (on the Rent Question) in previous years always objected to this clause as detrimental to the interests of both landlord and tenant. The provision would tend to transfer the tenant right from *bonafide* cultivators to money-lenders or other non-cultivating classes. The right of transfer will defeat the very object with which the right of occupancy was created. As the Legislature cannot fix a limit to the rate of interest payable by ryots on amounts borrowed by them, nothing will prevent the mahajans from extorting any rate of interest that may suit their convenience. And in a short time the amount will be doubled or quadrupled, and the poor ryot will be sold out and converted into a day-labourer for tilling the very land which the other day he called his own. The full benefit of this measure, though intended for the good of the actual cultivator, will be reaped by a third party who cannot lay any claim to that right, and who does not deserve any consideration at the hands of the zemindar. The Government of India objected to this in 1876, but Sir Ashley Eden, in asking the Government of India to reconsider its decision, said: "There appears no ground for apprehending that this measure would have the effect of transferring the land to classes whose ownership it might not be thought desirable to encourage. It is probable that in most cases the right would be purchased by ryots of the same class and position as the former tenant. The occupancy ryot is, by the nature and terms of his holding, a resident cultivator, and to render his tenure saleable would involve nothing more than the possibility of its transfer from one resident cultivator to another." It is clear that the whole of Sir Ashley Eden's contention falls to the ground if it can be shown that in places where the right of transfer has been given, the tenure has passed from *bonâfide* cultivators to money-lenders or other non-cultivating classes. Sir Ashley Eden thinks "it is probable that the right would be purchased by ryots of the same class;" but is this borne out by facts? On the contrary, the experience that has been gained in Bengal and in other Provinces of India entirely falsifies the expectation on which the late Lieutenant-Governor based his theory. The Hon'ble Raja Siva Prosad in his speech in the Imperial Council in March last laid special stress on this point, and illustrated it by the case of one of his estates the tenants of which had simply been ruined. Then, again, if the occupancy ryot is by the "nature and terms of his holding, a resident cultivator," why does the present Bill give the right to one who is non-resident? Is the present measure in keeping with the original proposal of Sir Ashley Eden? If not, how wide it is of the first inception of the idea? It is said that the great advantage to the ryot will be that it will enable him to raise loans on easier terms. But even on this point opinions differ very much among those who have experience of the state of things in the mofussil. But, granting, however, that such is likely to be the case, a loan on easier terms could be raised only by the hypothecation of the holding to the mahajan. It is unreasonable to accept the theory on which the justification of the measure is founded, *viz.*, that the money so raised would be spent in improving the condition of the land from which he could be sold out at any moment. The zemindar's interest in the land is much more permanent and unalienable than that of the ryot, even were the right of transfer conferred on the latter. An occupancy ryot can throw up his holding at any moment, if it does not prove profitable to him, but the zemindar's interest is permanent. Hence the zemindar is not only directly interested in keeping his estate in an efficient condition, but he alone is capable of incurring the outlay necessary for such improvements. When artificial means are employed to improve the condition of an estate, it is not plots of ground but large tracts that have to be dealt with. And large sums are often necessary to bring the works to a successful completion. It is therefore unreasonable to expect that the ryot will take on himself the work which he has not the means to undertake, and which legitimately belongs to the zemindar. It is said that the sale of a tenure would facilitate the realisation of rent by the zemindar, but if the disadvantages of the measure were weighed against its advantages, the good resulting from it would be more than counterbalanced by the evil that it would give rise to. As regards the ryot, the increased

facilities afforded him for borrowing would be a tool in his hands to work his own ruin by borrowing money on every possible occasion, such as marriage ceremonies and so forth. The phrase "which does not render it unfit for the purposes of the tenancy," in clause (a) of this section, is very vague, and ought to be properly defined, otherwise it will give rise to much litigation between landlords and tenants. No provision has also been made in the Bill for the registration in the landlord's sherista of transfers of occupancy holdings. Without such a provision, the landlord will entirely be in the dark as to who his tenant is. The Bill makes the occupancy holding virtually a *talook* and the occupancy ryot, a *talookdar*. With the large powers of sale and gift given to him, we do not see why the purchaser of an occupancy holding should not register his name in the landlords' sherista on payment of a moderate fee.

The advocates of the present Bill deny that its provisions are tantamount to redistribution of property in land. When this Bill becomes law, who is it that will get the compensations that are offered for acquiring land for public purposes such as railways, canals, &c. Will not the tenant come in for at least half the price, if not more? If this does not mean distribution of property, we do not understand what does.

The power of sub-letting in clause (e) will be resorted to chiefly to prevent the landlord from exercising his right of pre-emption. Sub-letting will be injurious to the actual cultivator, as the occupancy ryot could easily convert himself into a middleman.

Sections 56 and 61.—The acquisition of the right of occupancy by a new tenant immediately on his taking from the landlord a holding wherein the former tenant had a right of occupancy is indeed very objectionable. The landlord will have no interest to pay the highest amount offered for a holding, if he cannot let the land again as he desires, or if he cannot enhance the rent of the same holding. And it may often happen that having bought a tenure at the highest market price, he may have to wait for a year or more before he can let it at the same price or even at a reduction to a new tenant. Let us illustrate this by an example. A holding is put to sale by a mahajan and Rs. 200 is offered as the highest price. The landlord in exercise of his right of pre-emption pays this amount and buys the holding, but he may not be able to settle it over again at that price to a new tenant. Probably the land will remain uncultivated for a year, and he suffers loss of his rent meanwhile. The interest of the Rs. 200 at 12 per cent. per annum comes to Rs. 24. At last he is obliged to make over the holding to a new man, say, for Rs. 150. Here the landlord suffers a loss of Rs. 50 in the price, Rs. 24 in the interest or Rs 74 in all, besides his rent for the year. Considering the risks undertaken by the landlord, it is but fair that he should be allowed to settle the land to the best advantage. And there is no reason why the new tenant who did not occupy the land for even a day, should get all the privileges of the previous occupant at the very moment he enters the land. The right does not attach to the land but to the holder thereof, and hence the new occupier cannot have the same privileges which the former tenant had.

We cannot conclude our observations on the subject of the occupancy right without noticing one or two important deviations in the present Bill from what was proposed by the Bengal Government in its own Bill. In the first place it was proposed (section 19, clause 3) that the sale of an occupancy right to a non-resident ryot will be valid only with the written consent of the landlord, and not otherwise. In the second place (section 21, clause *b*) no partial alienation of the holding will be valid without the written consent of the landlord. But both of these safeguards have been done away with in the Bengal Tenancy Bill. The first would to a certain degree prevent the right passing into the hands of men who, owing to their absence from the village, are not likely to turn out desirable tenants or good agriculturists. The second would preserve the holding from being divided into minute parts, the occupants of which would be too poor to devote themselves to the improvement of agriculture. But by far the most important objection to this sub-division is that it will lead to quarrel and litigation among the numerous co-sharers of the occupancy right. It is well known that the great majority of ryots in Bengal are Mahomedans. Under the Mahomedan law the property is inherited by all the sons, daughters, wives and other relations. Some of these—especially the daughters—live away in distant villages and do not share in the cultivation of the land. It frequently happens that these various members of a family do not agree among themselves. And the effect of this will be that any member living away and having no direct interest in the holding, will sell up his or her share to some one who is not friendly to the others. And this will lead to misunderstanding and quarrel. Is such a state of things likely to conduce to the peace and happiness of the cultivating class or to the feeling of security which the bestowal of rights in property (the avowed object of conferring the right of transfer) is likely to engender? Then, again, is this likely to facilitate the realisation of the zemindar's rent from the numberless co-sharers of a holding which the provision will create? If the resident occupiers are sued for arrears, they will say that such and such a person (perhaps living miles away) is part-owner and is responsible for part of the rent, though the holding stands in the name of one member of the family, as is usually the case. These difficulties should be well considered.

Section 59.—This section limits the enhancement to six annas per rupee, or to ⅛th of the estimated average annual value of the gross produce. No restraint should be put on the freedom of contract. When contracts entered into by people in other matters are respected by the courts of law and sanctioned by the established usages of the country, there is no reason whatever why a contract freely entered into between a landlord and a tenant should be respected only when it binds the former. Then, again, the limit of six annas per rupee is one of several restrictions to enhancement of rent. The second restriction is contained in section 76, which provides that the enhanced rent shall in no case be more than double the existing rent. The

third is contained in section 77, which provides that the limit of enhancement will be reached by degrees in a number of years. And the fourth is the limit that the enhanced rent shall not exceed ⅕th of the average annual value of the gross produce in staple crops calculated at harvest time, the cheapest time in the year. Amidst so many restrictions it is easy to conceive that the landlord will get but small advantage, if at all, when he puts the legal machinery in motion for the enhancement of rent. Let us illustrate this by an example. Suppose the average annual value of the produce of a bigha of land is Rs. 12½ and the present rent of the ryot one rupee. Under this law the landlord can claim to enhance up to Rs. 2 annas 8, being ⅕th of Rs. 12½. But he cannot expect to get more than double or Rs. 2. And even if the court should deem it to be fair, from the evidence before it, to give him the Rs. 2, it cannot pass a decree for that amount, as section 59 provides that in no case shall the enhancement exceed 6 annas per rupee, or in other words, the landlord cannot get more than Re. 1 ans. 6. Hence it is evident that the landlord can never expect to get the full benefit of the provision of the law. For, even if the land should continue fertile, it would take, at this rate, at least 50 years to get his 2 rupees 8 annas, for the rent once enhanced cannot be disturbed for 10 years, as provided for in section 78. So much for the justice of this provision.

Regarding the limit of ⅕th of the average annual value of the gross produce, it may be said that it is a most arbitrary limit. Even the Rent Commissioners fixed the limit at ¼th of the average annual value of the gross produce. Many authorities could be cited to prove that rent in times anterior to the Permanent Settlement varied from ⅔ths to ½ of the gross produce. In the western districts of Bengal the rent still varies from ⅓rd to ½. Even in East Bengal, where land is let at what is called the *burga bhag*, half the produce is paid to the landlord. But if the landlord gives the seeds, he gets more than half. In Behar the rent at present varies from half to nine-sixteenths of the gross produce. Under these circumstances, to fix the limit of enhancement to ⅕th is very arbitrary and unjust. The limit should be six annas of the average gross produce of land where money rent is paid, and half the produce where rent is paid in kind. The ryot is the best person to know which lands will yield him a profit and what rent he can afford to pay deducting the cost of cultivation. Hence any contract freely entered into by a ryot should be respected by the law.

Sections 62 to 73.—The procedure laid down in these sections for the preparation of a Table of Rates is very cumbrous, and will be very expensive and troublesome to both landlord and tenant. Clause (*c*), section 63, refers to "the maximum and minimum estimated average amounts of the gross produce" of each class of land. If the average is to be struck, why should there be two averages for each class? These fine distinctions instead of simplifying matters will create more confusion. For the same reason there should not be two rates—a minimum and a maximum—for each class of land as provided for in section 73. It is very doubtful whether a Table of Rates, prepared on the complicated lines laid down in the Bill, will be fair to the landlord; on the contrary, the probability is that in every case the Table will err on the side of over-leniency towards the ryot. It will be necessary not only to fix rates for each class of land in every part of a district, but also in every village in that part. Rates vary in each village, and it is impossible to fix a rate for even a tolerably large area. The rates will remain in force for 10 to 30 years, but the land may deteriorate after 5 years. Is the tenant then to get a reduction? If he does not, he suffers. But if he does, he becomes liable to enhancement within that period. For, it would be unfair to give him reduction without making him liable to enhancement. In either case the fixed period of 10 or 30 years will be injurious to one or the other party. In respect to such matters the landlord and tenant should adjust their claims without interference from outside. Then, again, in most of the districts in Eastern Bengal, the Courts of Law have decided what are fair and equitable rates. Does the Legislature intend that the rates fixed by the High Court and adhered to both by landlord and tenant should be set aside by the revenue officer and the rates established since a long time after the expenditure of large sums of money should be altered at the caprice of such an officer? Then, again, the expenses to be incurred by Government, including the salaries of all officers employed down to the lowest peon, will be realized from both landlord and tenant, and the result will be financially disastrous to both. It should also be remembered that a Table will be of value in places which have been surveyed in detail. To prepare a Table before such a survey would be like putting the cart before the horse. Then, again, after incurring all the trouble and expense of preparing a Table of Rates, the landlord will have to bring as usual a suit in the civil court to determine under what class the land in question should be assessed. This means a good fight with the tenant over again. Why this double loss?

Section 70.—The limit stated in this section should not exceed 10 years. Considering the difficulties in the way of enhancement and the hard contest with the ryot at every step, it is but fair that the landlord should not be debarred from reaping any advantages which he may get on the clearest evidence and on the most undeniable facts.

Section 71.—It is not clear why the ground of enhancement on account of the ryot is holding more land than he pays rent for, has been omitted from this section.

Section 83.—The preparation of annual price lists should be made by the Collector in cotuation with, say, three assessors, who should be men having a knowledge of the country and its prod... .

Section 87.—The provision of a settled ryot acquiring permanent right in bastu land *not included in an occupancy tenure*, is unjust to the landlord. But the provision that he will not lose the right, though he may cease to be a settled ryot of the village or estate, appears to us quite incomprehensible. Nothing has been said as to how long the landlord will wait before

letting out the land left by the absconding ryot, and no attempt has been made to shew any justification for so unjust a measure. Furthermore, the run-away ryot cannot be ejected from the land, though he may have broken the condition on breach of which he was, under the terms of the contract, liable to be ejected without compensation being paid to him. Is this fair?

The limit of 5 per cent. is also very unfair. This limit had been first fixed by the Rent Commission. Even Government paper yields 4 to 4½ per cent. and free of all costs. For land there is first the Government revenue to be paid, then the Road and P. W. cesses. Then there is the cost of collection and the difficulty of realizing it. Some consideration should also be made for outstanding balances and chances of litigation. After all this trouble and expense 5 per cent. is the highest that the landlord can look to as his rent. Is this fair?

CHAPTER VII.

The broad definition given of a settled ryot will include almost every ryot in Bengal, Behar and Orissa. If there be one in ten thousand who is not so, he would also in course of time get all the privileges of a settled ryot, which no landlord could prevent him from acquiring. The provisions for compensation for improvements and for compensation for disturbance are such as to make the position of an ordinary ryot in some respects more enviable than that of an occupancy ryot. These two compensations are to be given to him though he should have broken a condition for breach of which he was, under the terms of the contract, liable to be ejected. Hence to eject such a tenant would be out of the power of an ordinary landlord unless he is disposed through sheer *malice prepense* to incur an unwarrantable amount of expenditure in order to get rid of the tenant.

The breach of a stipulation relating which both parties have most willingly made an agreement, is an infringement of the landlord's right, and if in such a case the ryot is allowed compensation of such a heavy nature, it is simply punishing the landlord for seeking redress of wrong done to him, and rewarding tenant for committing the wrong. If a ryot does not appear or agree to pay the enhanced rent demanded (section 92), it will be more advantageous to him than to the ryot who agrees to pay the enhanced rent, for, if the case is not decided within ten weeks before the expiry of the year and the agreement is recorded in the year following, the ryot will have to pay the enhanced rent from the year next following the date of the agreement. In the case of the ryot who agrees before the expiry of the year to pay the enhanced rent, he will have to pay at that rate from the year immediately following.

Section 96.—This is very objectionable. Why should a ryot be entitled to claim all accretions to his holding as his own. If this be the law, half a dozen ryots of a village could claim a new *chur* much larger perhaps than the village itself as their own. But when a civil suit is brought by the neighbouring landlord for possession of the land, who is it that will bear the cost of the suit—the ryot or the landlord? Is the landlord or the ryot to be made defendant?

Section 100.—The provisions regarding a better system of receipts and accounts are no doubt desirable, but the safeguards have been stretched to an unnecessary extent. The receipt is to contain so many facts relating to the holding that it will serve the purpose of a *pattah*, that is, it will have in it those facts and figures which a *pattah* usually has. This will not facilitate the collection of rent, but will throw such obstacles in the way of ordinary village patwaris or gomastas, that they will honour the rule more in the breach than in the observance thereof, and will oftentimes comit such blunders as to throw everything into confusion. Some simple facts connected with the rent of the holding should only be stated, such as the name of the tenant, the date of payment, the name of the landlord, the amount paid in the arrears and the amount paid in the current rent of the year, &c. We would therefore suggest that clauses (*f*) and (*g*) in section 100 be expunged as quite unnecessary in an ordinary receipt—especially as section 101 provides that, within three months after the expiry of each agricultural year, a statement of account showing these and other important particulars is to be delivered to the tenant by the landlord under a penalty. As a better system of accounts will have to be kept by the landlord under the provisions of this chapter than is at present in vogue, the landlord may be fairly entitled to a small fee for retaining a better staff of servants, and perhaps increasing the number of his amlahs in order to carry on this extra work. There is ample justification for this demand, as the landlord will be liable to a fine of Rs. 50 for non-compliance with this provision. When there are more co-sharers than one, the fee might be rateably divided among them. If the landlord is not to receive a fee, then the penalty should be withdrawn, as it will prove ruinous to many poor landlords, and will prove quite embarassing to others.

Section 103—Is objectionable, as the phrase "has reason to believe" is too wide, and would entitle all and every ryot to deposit the rent in court without tendering the amount, to the receiver of it. This would entail endless hardship on the landlord to recover the amount, and in every case he would have to incur some expense in recovering it, which would be a source of loss to him for no fault of his own.

In making a deposit under clauses (*b*) and (*c*) of section 103, the tenant need not even mention the names of those co-sharers who are entitled to receive the amount. And no penalty is attached to his wilfully withholding this information. In such a case how are the co-sharers to know that such a deposit has been made in their favour unless they retain a mooktear (in every court where rent might be deposited) to bring in such information. Is it within the power of every landholder to engage the services of agents for that purpose? We should therefore suggest that, when deposits are made under clauses *b* and *c*, the tenant should be bound

under penalty to give the names of the persons who, he has reasons to believe, are entitled to the rent, and then the officer should cause a notice to be served in the *tahsil kutchery* or in some conspicuous place in the village or estate.

Section 107.—Three years is too long a time. It should be six months.

Section 119.—Half the gross produce should be the limit instead of 5-16ths.

Section 129.—If a ryot is evicted from a holding in default of payment of rent, there is nothing in this section which will prevent his demanding compensation from the landlord. This is very unfair. This is encouraging a defaulter, while it is the duty of the Government considering the stringent sunset law to afford every facility to the landlord in the realisation of rent. It should be remembered that one of the primary objects of the revision of the Rent Law was to facilitate the recovery of arrears of rent, but the temptation to a defaulter in the shape of compensation is such that he will have no incentive to be punctual in his payments. There is nothing in the Bill to deter a tenant from wilfully withholding the payment of rent. On the other hand, he is ensured from loss likely to arise from any measures that the landlord may take by the heavy compensations to which he might lay claim.

Section 133.—If the landlord be willing to measure the land, we do not see why he should not be able to do so within ten years next following the date on which it was so measured. It will in no way be injurious to the ryot, while the landlord might require to do so for some useful purpose. This section should be expunged.

Section 140.—Six months should be about the largest time allowed in such cases.

Sections 142 to 148.—These are some of the most objectionable provisions of the Bill Co-parcenary is an institution in this country. There are few estates, tenures or under-tenures that are owned by single individuals. In the great majority of cases the co-parceners have separate management. The usual practice is for some co-parceners in a group to have joint collection and management separate from another group of co-parceners. Instead of mending matters and furthering the cause of peace, these provisions will be an instrument to harass and virtually to ruin the majority of landholders. Owners of infinitesimal shares and refractory tenants would be able to throw every estate into the hands of the Court of Wards by a simple application to that effect to the District Judge. No provision has been made for an appeal against the Judge's order, and his order, however unjust and arbitrary, will remain final and conclusive. The onus to show cause why they should not appoint a common manager, is on the defendants, and the applicant is not bound to adduce any proof in support of his assertions. There is also no appeal against the appointment of a manager, nor against an order refusing to remove him from office should any interested person apply for his removal on sufficient grounds.

Sections 166-187.—The restricted nature of distraint allowed in these sections will be worse than useless to a landlord. The procedure laid down is like an ordinary suit to recover arrears of rent. The full amount of court-fee will have to be paid, the application shall be signed and verified in the manner prescribed by the Code of Civil Procedure. The court may then admit the application or reject it. These several restrictions are against the object and spirit cf the law of distraint, and hence no landlord would take recourse to it.

Section 157.—Three months' time should be allowed under this section.

Section 187.—No reason has been assigned why the local Government should have the power to suspend the provisions relating to distraint in any area it thinks proper. Probably the object is to prevent harassment and oppression of ryots by frequently or unnecessarily distraining their crops. If the Executive Government should retain the power to interfere when the landlords are bent on taking undue advantage, we do not see any reason why the existing law regarding distraint should be so distorted and modified as to make it practically valueless. Why should good landlords be deprived of this only method of speedy realisation of rents for the sake of the bad ones who could be easily checked by the local Government. As a matter of fact, distraint is never taken recourse to except under the most pressing necessity.

Sections 188-207.—With regard to the procedure for the realisation of rents the provisions in the present Bill are very much alike the existing law on the subject with a few minor alterations. Section 199 is new, but is not likely to be of any use, and will certainly be limited in its application. The ryot who disputes the plaintiff's claim is not likely to act so foolishly as to admit that the arrear is due to him. Such cases will be very rare, and will not be of any help to the generality of landlords. What would really facilitate the realisation of rents would be to provide for the absolute forfeiture of the right of occupancy on non-payment of rent either on the due date, or at the latest, on the fifteenth day before the last day of the next payment of the Government revenue, provided the arrear be established to the satisfaction of the civil court. Or let it be provided that the ryot should deposit in court the amount sued for before filing his defence if the suit be a contested one, though he might sue the landlord for damages should the claim turn out to be false or should the claim be for a larger amount than he is entitled to get. Without some such stringent provision, it is vain to hope that the ryot will be regular in his payments. Or it may be provided that any number of tenants might be sued in the same plaint, so as to reduce the cost of bringing such suits. In many instances the ryot in order to avoid paying the rent, puts in a disclaimer denying the title of the landlord to the land. These cases should be severely dealt with : section 79, clause (8) of the Bill of the Rent Commission runs thus :—Subject to the other provisions of this Act, a tenancy is determined as between the parties thereto by any of the following occur-

rences in the following cases respectively, that is to say, in the case of any tenant(8)—by disclaimer when in a suit to which his landlord is a party, the tenant disclaims such landlord's title and sets up an adverse title in himself or another, by matter in writing or reduced to writing by the court under the provisions of the Act or the Code of Civil Procedure, and such landlord elects within six months to treat such disclaimer as a forfeiture of the tenancy; provided that no such forfeiture by disclaimer shall be allowed in any case in which such tenant having been let into possession by such landlord can show that such landlord's title had expired or been defeated or annulled at the time at which such disclaimer was made, or not having been let into posssession by such landlord can show that he admitted his title as landlord under a *bonâ fide* misapprehension or mistake. It is not clear why such a salutary provision has been left out.

Section 198.—The limit of Rs. 50 in clause (*b*) of this section is very high. This amount will cover the majority of rent suits, and as such cases will, in the first instance, be tried by a moonsiff, an appeal should be from his decision to the Judge or Subordinate Judge.

Section 202.—This section will enable a tenant to acquire rights which were never intended to be conferred on them. He has only to use the land in such manner or to render it unfit for the purposes of the tenancy, and when called upon by the landlord to repair the damage or pay "reasonable compensation," if the tenant choose to pay the compensation, his title to the land will be admitted and his possession confirmed. If this be the law, then anybody could take anybody else's land on payment of what is called reasonable compensation.

Section 208.—Clause (*f*) of this section should be omitted. This will frequently give rise to fraud, and will be a great injustice to auction-purchasers.

Section 210.—Section 201 is a confirmation of the circular order of the High Court published in the *Calcutta Gazette* in July 1880. The registered incumbrances can only be ascertained by a reference to the registers in the different sub-registry offices. These offices are scattered in different parts of the district, and visiting them involves so much waste of time and money that they operate as a serious bar against the execution of rent decrees. The poor class of landlords cannot afford to execute decrees on account of the costs to which they are subjected. As the indexes to these registers are kept in English, and English education has not extended into the interior of districts, the decree-holder finds it difficult to obtain the services of a person competent to examine the registers, and should he succeed in finding a person, he has to pay him a sum which cannot be included as costs in the execution of his decree. Let us consider the outlay which must be incurred before a decree for rent can be executed under this section. (1) The payment of fees in the several registry offices and the cost of obtaining copies of documents to enable the decree-holder to put in a correct affidavit, or he is certain to subject himself to the penalty of prosecution for perjury. (2) The cost of obtaining copies of road cess valuation papers in order to determine the value of the property to be sold. (3) The cost of making local enquiries to ascertain the number and rental of undertenures, &c. To the poorer classes of landlords who have expended their all in obtaining a decree, these costs are simply ruinous. Is it fair to throw such difficulties in the way of decree-holders who have satisfied the court that their claim is just and proper? If it is considered necessary that the existence of all incumbrances should be ascertained before a decree for rent can be executed, why should not the Registrar be required to furnish this information free of cost. If not, a moderate fee should be charged and the Registrars should be held responsible for the accuracy of the returns.

Section 215.—If occupancy holdings are also to be treated as tenures in such areas as the Local Government may, from time to time, by notification in the Gazette, direct, then the realization of rent will come to a perfect stand-still. It is not clear why the local Government should have this power reserved to itself. The Bill is only one-sided in its character, and favours the tenant unduly in his dealings with his landlord, but the *acme* of injustice is reached if this discretion is to be given to the local Government.

No. 21, dated the 20th September, 1883.

From—RAJA PROMATHA NATHA ROY BAHADUR, of Dighapatia,

To—The Secretary to the Government of India, Legislative Department.

I have the honour to forward herewith my notes on the Bengal Tenancy Bill, and I beg you will do me the favour to lay them before His Excellency the Viceroy.

Notes on the Bengal Tenancy Bill.

I, as a zamindar of Bengal, cannot help feeling alarmed at the unjust provisions of the Bengal Tenancy Bill introduced into the Legislative Council of His Excellency the Viceroy. As far as I am aware, this Bill has been brought forward, not in response to any application from the tenants for an enlargement of their existing rights, but because the landlords have been praying since some years for an alteration in the existing law to make fair enhancement of rents practicable, and their realization speedy, and successive Lieutenant-Governors have promised to grant both of these two prayers. It however, instead of altering the existing law in these two respects in such a way as would make it useful to the landlords, proposes to curtail several of their existing right for the benefit of the raiyats, and, as I shall show in paragraph 11 of these notes, to grant rent-free to the tenants all lands of the rents of which

they have been able to defraud the landlords for some time past. But the words which have been said by several of our rulers and legislators since the introduction of the Bill into the Council have alarmed me more than the Bill itself, and they have no doubt that the Government dislikes the landlords as a class. I am heartily willing to support any stringent provision for stopping the levy of illegal cesses, if our rulers would be disposed not to make fair enhancement impracticable. But I beseech them to consider whether it is just and wise to make no distinction between the innocent and the guilty, and to punish the whole class by making the law too harsh for everybody.

2. The landlords of Bengal and Behar, as a class, though not numerically large, constitute a very important and useful section of the community, and they are neither the creations of Lord Cornwallis nor of any other British Governor General of India, as some people suppose; but they claim their existence from a date centuries before the commencement of the British rule in India; and it will be unwise and unjust for the Government to curtail the rights they have enjoyed now for hundreds of years, and which have been solemnly confirmed to them by the Permanent Settlement and the Royal Proclamation of 1858.

3. If, however, our rulers think the landlord class as not undeserving of fair treatment, I am sure their sense of justice will oblige them to reconsider the Bill, and to make it really fair and equitable to both the sections of the landed class; and, on this belief, I now proceed to discuss some of the important sections which have yet struck me as unjust, and therefore objectionable from the landlord's point of view, preserving as far as possible the same order in which they are arranged in the Bill.

4. *Section 15.*—This section, unlike every other law we have, instead of putting on the shoulders of the tenant the burden of proving his allegation that he has paid the rents of his tenure or holding at a uniform rate since 1793, places upon the landlord the onus of disproving this allegation, or rather of proving the contrary, if he (the tenant) can only show that the rate of his rent has not been changed for the last twenty years. This provision has also been objected to by a large number of people, both official and non-official, since the publication of the Rent Commission's Bill and Report; and Mr. Reynolds, in his memorandum, dated the 21st February, 1881, appended to the Bill he prepared under directions from the Bengal Government, admits the soundness of those objections, and the difficulty of the landlords in these terms:—"Allowing all due weight to the arguments of the Commission, it is to be remembered that the presumption was first introduced by Act X of 1859, and that it was then necessary for the tenant to prove a uniform rate from 1839. It is now only necessary to prove such uniform payment from 1861. As there is reason to think that rent-receipts have been much more regularly given, and much more carefully preserved, during the last 20 years than during the 20 years which preceded them, it seems to follow that the lapse of time has made it more and more easy to raise the presumption and more difficult to rebut it Nor can it be denied that auction-purchasers labour under a special grievance in this matter." though Mr. Reynolds, in his speech in Council on the 12th March last has modified his former views in the belief that a landlord will always be able to get out of his difficulties in such cases by applying for a record-of-rights under Chapter XII of the Bill, I fail to see the force of this reasoning; for I am sure the tenant will not hesitate to take advantage of this section to make an incorrect allegation of his *isthumurari* right before the officer preparing the record, and then that officer shall have no help for it but to throw the whole burden of the proof on the landlord, in the same way as a Civil Court does now. True, this provision about presumption is our existing law, but it is nevertheless an unfair one; and, when the law is being altered for the benefit of the ryots, I think any provision which is unduly harsh towards the landlords should be altered also. I therefore beg our legislators to either omit this unjust section altogether, or at least to restore the shape which was given to it in the Bill by Mr. Reynolds.

5. *Section 17.*—I believe that, to prevent the meaning of this section being misunderstood, the words "if the rate of rent have not been altered thereby" which exist in the Commission's Bill, the Bill prepared by Mr. Reynolds under the direction of the Government of Bengal and Digest, should not be omitted.

After *section 31* and before *section 32* I propose the insertion of a section to entitle a landlord to demand and receive in all cases a security from the transferee or the successor of not less than half the annual rent. When it is proposed to give to all permanent tenure-holders the advantages now enjoyed by patnidars in regard to the registration of their tenures, I think it is only fair that landlords should be given the same privileges about demanding and receiving security which a zamindar now has when a *patni* under him is transferred by sale, bequest or inheritance. This provision is very necessary, since, these tenures not being liable to summary sales like the patnis, the arrears together with the costs of realizing them sometimes grow too large to be fully covered by the sale-proceeds.

7. *Sections 45 and 47.*—For the sake of convenience, I take the two together. These sections propose to give to all ryots, whether *khudkast* or *pykast*, who have held lands in a village or estate for twelve years or more, the new status of settled ryots of that village or estate, and to confer upon all such ryots the right of occupancy in regard to any ryoti land they shall hold, whether they paid any rent for it or not, and even if they might have entered upon it the day before. The payment of rent for a plot of land is an essential necessity under the present law for the accrual of the right of occupancy in regard to that plot, and even the Rent Commissioners, the majority of whom are well known to be very friendly to the ryots, did not propose to do away with this condition, very necessary for the protection of the right of the landlord class. This alteration of our present law would further confer the right of occupancy upon the majority of the *pykast* tenants who hold from year to year

and who do not consider this right of any value at all, as they abound now only in places where there is a greater demand for tenants than for land. Under the present law, none of these ryots has acquired an occupancy-right to any particular plot of land in the village, though many of them might have held lands in it for 12 years or more; because, there being no certainty that all the tenants who have come in this year from remote places will also come in the next: those who at the beginning of each season come first are first served; hence very few of these ryots can show uninterrupted possession of the same fields for any number of years. A landlord now therefore always can, and he often does, give these holdings over to new settlers whenever he finds an opportunity of reclaiming some portion of his waste-lands by so doing; for a new settler would not, and could not, take up waste-lands, unless he could secure a proportionate quantity of land which had been under cultivation. But, if sections 45 and 47 were passed into law in their present forms, a great check would be put to the reclamation of waste-lands, and the landlords shall suffer a great loss thereby. Besides, the landlord would suffer material injury in another way, namely, that many of these *pykast* cultivators having thus held lands in the village for 12 years or more, they shall now acquire occupancy-rights to the plots they have cultivated this year, though, as it often happens, they would not come to claim their rights again; but, all the same, the landlord shall have to refuse every one of these plots to a new ryot who might come first and like to take up some of them next year; consequently, he shall have to lose the whole of his next year's rent on these holdings, as it is well known that it is impossible to realize rents from these ryots if they have no crop which might be distrained or attached. Under these circumstances, I must object to these sections, and I venture to add that to consider one of this class a settled ryot of the village or estate is quite foreign to our traditions. Even the Bill prepared by Mr. Reynolds under direction from the Bengal Government did not propose an extension of the occupancy-right such as this.

8. *Section 50, clause (f).*—It proposes to make the occupancy-right transferable by sale or bequest, without even any check against a holding being broken up piecemeal in the course of the transfer—a provision considered desirable in both these cases by the Select Committee on Mr. Mackenzie's Bill to protect the landlords from needless inconvenience and annoyance. I regret to see several officials in high position (even the Hon'ble the Law Member included) believe that this is at present held to be the custom "throughout a very large portion of the area to which the Bill applies." If they will ascertain by enquiry the total number of holdings transferred from one family to another within a certain period, and compare it with the number transferred by sale or bequest, they shall find that the latter class of transfers bears a very small proportion to the former, and that the provision would be a novelty as far as the majority of our districts are concerned. This proposition, which is intended to make a substantial addition to the privileges of the ryots by taking away something equally substantial from the rights now enjoyed by the landlords, has already been discussed a good deal by the public both from a landlord and a ryot's point of view. Whether this new right will practically benefit the ryots or not, it is beyond my province to discuss here. But, if this clause be passed into law, (1) the landlords shall be deprived of the power they now have to keep new hostile tenants out of their properties; (2) the income they now derive from the nuzzurs which they get by re-letting out the profitable abandoned holdings shall be entirely lost to them, as all such holdings then shall be sold and not given up by their holders; (3) a lot of unprofitable holdings, which nobody would care to buy, shall come back to the landlord's hands and remain there, thus depriving them of a portion of their income from rents. Such holdings do come to their hands often, but now the better class of them come also; and by breaking up the old holdings when necessary, and forming new ones comprised of good and bad plots, a landlord can almost always let out every inch of his property, which advantage he shall be deprived of hereafter. The following five sections certainly enable a landlord to meet inconvenience No. 1 if he be a rich man and capable of buying up his tenants whenever they might be disposed to sell away their holdings, but not otherwise, while Nos. 2 and 3, as I have shown above, would surely bring heavy pecuniary losses to the landlord class. When this question was originally taken up by Government, it proposed to give to the landlords facilities for the speedy realization of their due and a law to ensure fair enhancements of their rents as compensations for this new right which would be given to the ryots at the landlord's expense; but, as this Bill does not intend to give them the two advantages named above in a way likely to better their present position, I must very respectfully, but strongly, object to this new measure.

CHAPTER VI, SUB-CHAPTERS A, B, C, D, AND E.

9. I take up all these sub-chapters together, in order to be able to show in a convenient way my reasons for the additions and alterations I am going to propose to some of their sections which give the rules as to how the money-rents of occupancy-rights shall be settled by Government officers and, in cases of amicable enhancements, the limits which the law shall not allow the rents to exceed. Act X of 1859 virtually made the occupancy-ryots co-proprietors with the landlords, and this Bill proposes to confer upon them (the tenants) what little is now wanting to make that right complete. If, after having brought things to this state, the legislators do not say definitely what is to be the share of each party in the income derived from the land, or at least how far one party can advance and the other recede, solely because the existing rents are either lower or higher than that share of the produce from the soil, it is only natural they shall quarrel; and, if the

law would not give the landlords what in fairness they ought to get, and what they used to get not many years ago, it is quite as natural that, as long as they exist, they shall try to secure their fair share by means other than the law, specially when it is seen that the law-abiding are in a worse plight than the less scrupulous. If the legislature, or rather the Government, does not want that the rents of the occupancy-ryots should be enhanced, it is better to say so at once and in plain words than to hold out hopes to the landlords of better things and then to deny them the fulfilment. The High Court ruling laid down in *Thakurani Das'* case, and based upon the existing law, has been universally condemned as unworkable for the purpose of restoring even that proportion which the rent bore to the gross produce of the soil before the time the prices of produce rose, and, therefore, it has always been cried against by the landlords as unfair to them. If our rulers did not know this before, they know it very well now, from the letters and notes submitted to them by persons having practical experience on the subject since the publication of the Rent Commission's Report and Bill; and I fail to make out why, after this knowledge, the Government should persist, as it does in this Bill, to lay down this case-law as the rule to be observed by rate-table makers and courts to determine what enhancements of the rents of occupancy-ryots should be allowed. When rents are paid in kind, as far as I am aware, they are everywhere adjusted now according to defined shares of the gross income derived from the land; and everybody, even the Government, has acknowledged that a certain share of the gross produce should be the limit beyond which money-rents also must not be enhanced; but I cannot see why, Government should hesitate to allow an enhancement up to that share of the gross produce simply because of the existing rent being below it; and this is the law for which the landlords have always been petitioning. Some of the friends of the ryots object to this principle of enhancement on the grounds that it will raise the rents very high all on a sudden, and that, because of the existence now of a difference in the shares, or rather in the proportions, of the rent with the gross produce in the different tracts of this province, any definite share, if fixed by law, would be unfair. Now, this Bill provides that the enhanced rent shall not be more than double the former rent; and, from my personal experience in the zamindari business, I can say that this rule is often followed in amicable enhancements; and not in a few cases of individual jamabandis the enhanced rents go up to that maximum. I therefore think this provision, with that about ten years' rest, meets the first objection. In regard to the second, I fail to see its force, as it can be proved by historical evidence that in old times the rents bore in every part of the province a uniform proportion to the gross average produce of the soil, and our laws have only latterly created the difference. I do not therefore see what harm can there be if after some more years the porportion be uniform again, the rights of the landlords as also of the occupancy-ryots being the same everywhere throughout the province. Then comes the question, what should that share of the gross produce be up to which the landlords shall claim enhancement and no further? The Rent Commission, of which the declared friends of the royts were the prominent members, proposed that rents should not be allowed to go beyond a fourth share of the gross produce; but the landlords have been claiming a higher share, because they are fully entitled to what the Government and they themselves were receiving at the time of the Permanent Settlement, when the Government made over to them its rights to the future increase of the income from the land for a fixed revenue; and these shares together come up to very near three-fifths of the gross produce (*vide* the Fifth Report from the Select Committee on the Affairs of the East India Company, Vol. I, page 18). However, I believe in regard to staple crops they would now gladly accept even the fourth share of the gross produce of the soil, in order to avoid the worse fate proposed for them by this Bill, if they are allowed to enchance the rent up to that share where it is less because it is less. Concerning special crops, to grow which it is necessary for the ryot to undergo more than ordinary labour and expense, I think the landlords should be content to accept a much smaller share of the gross produce, say, one-sixth. With regard to the safeguard that the enhanced rents shall not on any one occasion be more than double the existing rent, I have already said that in amicable enhancements this rule is generally followed now; but cannot see why this Bill declares that in future, in the case of an amicable enhancement, this maximum should be reduced to six annas per rupee of the former rent. If the tenant be expected to feel no great hardship to pay double after an expensive law-suit, why should it be considered hard for him to pay the same amount of rent when he has incurred that expense; and I fail to see why a landlord, because he feels disinclined to go to court against his tenants, should be denied the advantages which the Government wants to give to his more litigious brother. As far as I can see, the result of this law would be to drag into court friendly landlords and tenants in spite of their will, and to subject them to perfectly unnecessary expenses for getting settled what they were ready to settle and they would have settled amongst themselves but for this law. About the other provision mentioned in section 59, sub-section 2, that the Revenue Officer shall not register the contract, without which there can be no amicable enhancement, before he is satisfied that the enhanced rent has not exceeded that share of the gross produce beyond which enhancements must not go, I admit the reasonableness of a check against the *jama* exceeding the limits fixed by law even by an amicable enhancement, but the question is whether that purpose cannot be equally served by adding another sub-section authorizing the tenant, in case the landlord refuses to correct the mistake, to petition the civil court, within one year of the execution of the contract, to declare it null and void, if the amicably enhanced rent should be found to exceed the share of the gross produce fixed by the law as the limit to enhancement. The provision as it stands will make amicable enhancement simply impossible, for it will take a long time and a good deal of bother to satisfy the registering officer that the enhanced *jama* has

not exceeded the share of the gross produce of the holding up to which the landlord is entitled to enhance, especially if the holding be situated in a part of the country for which no Revenue Officer has prepared a Table; and everybody who has any practical experience of this business knows that a tenant would not stand all this bother and loss of time in order to be bound to pay a higher rent for the benefit of his landlord. If Government should feel disposed to adopt the principle of shares in regulating enhancements, I think abatements should also in fairness be regulated according to that principle. I mean an occupancy-ryot should be entitled to an abatement of his rent to a certain share of the gross produce of his holding below which rents shall not be abated because the rent exceeds that share. Now, what that share should be below which there shall be no abatement, I have already mentioned that, according to the Fifth Report from the Select Committee on the Affairs of the East India Company (Vol. I, page 18), the ryot's share at the time of the Permanent Settlement was two-fifths of the gross produce of the soil, while Elphinstone, in his History of India (page 17), says, "a country is reckoned moderately assessed where he (the Sovereign) takes only one-third." and again, in page 475, when treating of the revenue-system of Akbar, he says, on the authority of the Ayen-i-Akbari, "the land was divided into three classes, according to its fertility, the amount of each sort of produce that a *bigha* of each class would yield was ascertained, the average of the three was assumed as the produce of a *bigha*, and one-third of that produce formed the Government demand." Of course the remaining two-thirds were left to be shared by the ryots and the zamindars, of whose (the latter's) existence at that time there are proofs. I therefore believe that nobody can call it unfair if ryots were allowed to claim an abatement down to one-third share of the gross produce in staple crop and one-sixth in special crops, but not lower, if the rents exceeded that share of the gross income of their holdings. Before I conclude my remarks on these sub-chapters, I must respectfully enter my protest against the new proposition in section 79, sub-section (2), as. in the present state of the official feeling towards the landlords, there cannot be two opinions that the discretion will be exercised against that class. For these reasons I propose that—

In section 59, sub-section (2), the words "six annas per rupee greater," in lines 3 and 4, be omitted, and replaced by the word "double."

The words in this sub-section, from "or more" in the 4th line to "the harvest time," be omitted, and another sub-section added to this section to enable an occupancy-ryot to petition the civil court, within one year of the execution of the contract, to declare it null and void, if he find that the *jama* as amicably enhanced exceeds the fourth share of the gross produce of his holding, and the landlord declines to cancel the contract amicably when asked to do so.

In section 63, clause (6), the words from "or the" in the first line to "equitably" in the second be replaced by the words "of rent which according to one-fourth of the gross produce &c."

The whole of section 64 with the proviso be omitted.

In section 74, sub-section (1), the words "on one or more of the following grounds, namely," at the foot of this sub-section, be replaced by the words "of any land on the ground that it is below one-fourth share of the gross produce of such land;" and the grounds (1), (2) and (3), with illustrations of ground (1), be omitted.

In connection with illustration (*b*), I here beg to mention that, in my zamindari experience, I have never known a ryot receiving a reduction of rent because some ancestor of his held the jote at the time of the Permanent Settlement; the *hajats*, as these reductions are called in my part of the country, are only given to the *pradhans*, or headmen, according to their status in the village, or for services their families have done to the landlord's family.

In section 75, the words "the 2nd or 3rd of the grounds," in lines 1 and 2, be replaced by the words "the ground." In the same section, clause (*c*), the proviso be omitted.

In clause (*d*), the words "one-fifth," in the second line, be replaced by the words "one-fourth."

A separate section be inserted after this to the effect that nothing in this chapter shall debar a ryot from obtaining a reduction of rent from that at the prevailing rate of the village to which his family is entitled.

In section 79, sub-section (1), the words from "either" in line 5 to the word "namely" in line 7 be replaced by the words "his horticultural or agricultural lands, on the ground that, for causes beyond his control, the fertility and the prices of produce having fallen, his rents have become higher than one-third of the gross produce of such lands;"

the grounds (*a*) and (*b*) be omitted;

and in sub-section (2), the words "it thinks fair and equitable" at the foot be replaced by the words "would make it equal or as near as possible to one-third of the gross produce of the land."

10. *Section 93, sub-section (2), clause (b), and section 119.*—These are proposals to virtually deprive the landlords of the right they have always possessed to eject at their will a tenant who has not acquired the right of occupancy. They limit the enhancement of the rent of a ryot of this class to five-sixteenths of the gross produce, and give him the privilege of throwing up his holding and obtaining a heavy compensation if he did not choose to pay an enhancement within that limit, even if that increase were to make the rent equal to what is paid by an occupancy-ryot of the village. These provisions are, in my humble opinion, very unjust, and therefore I must respectfully but strongly protest against them.

11. *Section 96, sub-section (1), clause (a).*—The third ground of enhancement of the rents of occupancy-ryots according to Act VIII of 1869 (B.C.) is that "the quantity of land held

by the ryot has been proved by measurement to be greater than the quantity for which rent has been previously paid by him." This clause, therefore, though it empowers the landlord to successfully claim an enhancement if since the last measurement a ryot has added to his holding lands which then did not belong to it, does not meet cases where the holdings were under-measured at the last *jareep* (measurement). This alteration of our present Statute was proposed in section 22, illustration (*c*) of ground (2) of the Rent Commission's Bill and the same of the Bengal Government Bill, and it was strongly objected to by the public on both these occasions. If Government would only consider this matter thoroughly, they will be able to see that, unless it was under-measured at the former survey, a holding cannot possibly be found in the subsequent one to exceed the area it was put down for last time, if no new lands have been added to it since, and if the two measurements are done by the same standard poles or chains. They will also be able to see that the lands could not have been under-measured without either a mistake or a collusion between the ryots and the landlord's amin (surveyor). Under these circumstances, this provision will do a gross injustice to the landlords, who are as much entitled to protection as the occupancy-ryots, by encouraging the tenantry to commit crime and awarding to them rent-free all lands of the rents of which they have been able to defraud their landlords for a certain number of years. I do not know what have induced Government to propose this alteration in our present Statute, which is supported by the custom of the country and the High Court ruling in the case of *Prankissen Bagchee* versus *Monomohini Dassi* (XVII W. R., page 34); but I know that, unlike the *mukari* tenures or lands conveyed by sale, the occupancy and the other ryoti holdings have not hitherto been carefully measured as a rule, because, not expecting an alteration in the existing law such as is now proposed, the landlords have not hitherto cared to spend a lot of money for this purpose, and that therefore this present, and I venture to say unjust, proposition, coming, as it does, without a previous warning, will, if passed into law, be very injurious to the landlords; and as such I most respectfully but very strongly protest against it.

12. *Section 103, sub-section (1), clause (a).*—This is another proposal to alter the existing law to the disadvantage of the landlord. According to the present law, before he is allowed to deposit his rent, a tenant has got to swear that he offered to pay it to the landlord's agent and he (the agent) has refused to accept the money. The fear of being prosecuted for swearing falsely has hitherto obliged many a hostile tenant to pay his rent to the tahsildar; but, if this proposal should become law, that wholesome fear would be removed, and every hostile tenant will deposit his rent into Court just in order to harass the landlord. Anybody acquainted with the practice of our Courts can well conceive the costs, trouble and annoyance a landlord must go through to take out the rents the tenants have deposited for him. When the landlord's agent is in the village, and he often is there, the trouble of going to him or sending a man to him to offer rents is little or nothing; and, even if he be away, the tenant cannot undergo any great trouble, loss or risk in offering payment of his rent to the landlord himself, now that the post-office money-order system can be taken advantage of almost everywhere. Under these circumstances I beg Government to let the law remain as it is.

13. *Section 140.*—According to our custom, a holding is considered abandoned if the tenant leave his village or the landlord's estate for good even if there be no arrears of rent due from him. This custom, supported as it is by several High Court rulings, enables the landlord to make timely arrangements for the cultivation of the holding, and saves him from any loss of rent, unless the holding be such as nobody would care to take up. But if this section should become law, a landlord must lose one whole year's rent before he will gain the right of re-letting the holding, for which he shall have to pay the revenue or the rent to the superior proprietor all the same; and everybody who has any experience in zamindari work knows quite well that it is hopeless ever to realise this arrear from the old tenant who has abandoned his holding. For these reasons, I most humbly protest against this proposal.

14. *Section 151, sub-section (2), clause (a).*—I propose the insertion of the words "or a single landlord" after the word "landlords" in the second line of this clause, because there is many a landlord who singly owns a large tract of the country, and who, without an alteration such as I purpose, would not be benefited by this clause, though he may have a very large number of tenants to deal with.

15. *Section 164, sub-section (2), clauses (a) and (b).*—These two clauses are superfluous after the provisions made in section 151, (sub-section (2), clauses (*a*) and (*b*), and I therefore think they should be omitted.

16. *Section 166.*—As a rule, a landlord has recourse to distraint only when he sees that the realization of his dues would be very difficult after the tenant is able to sell away the crops or take them beyond reach of the landlord, and in a great many cases it is very difficult, especially in regard to *boro* or such other holdings, the area of which is determined after the crop is ready, when the tenants are *pykasthas* paying their whole year's rent in one instalment, before they go away with their profits to their distant homes, about which the landlords know nothing. This section, therefore, cannot and shall not help the landlord to realize his dues, unless there be a provision in the law binding the tenant under penalties neither to sell away the crops nor to remove them beyond the village or estate without the written consent of the landlord till one month is over after the instalments on those crops fall due. The crops are now the only security a landlord has for the realization of his dues, and I must object to the proposed alteration of our existing law without a provision such as I mention.

17. *Section 186.*—A landlord generally living away fom his estate has no opportunity of knowing whether the rents by the receipt of which he has been benefited have been realized by his *tahsildar* in the ordinary way or by illegal distraint. I believe therefore that, if this section should pass into law, it shall put into difficulties many an innocent landlord. Besides,

no zamindari tahsildar, after the preceding section becomes law, would care to risk a punishment for criminal trespass in order to do a small turn for his employer; so I do not believe this section is necessary to prevent illegal distraint. Under these circumstances, I beg Government to omit this new section altogether.

18. *Section 207.*—I object to this section, because, if it becomes law, I believe it will very probably increase litigation to an alarming extent, and thereby injure both the landlords and the tenants. Opportunities have already been given in the proceedings for the adjustment of rents in the ordinary way, and in section 151, sub-section (2), clause (*a*) of this Bill, for the determination of this question; and I cannot see any necessity for the tenant to get his status determined, except when an enchancement-suit has been instituted against him by his landlord. Besides, a very large number of pattàs and kabuliyats have been executed within the last few years, and the number is daily increasing, as a return from the registration-offices will show; so I am sure the tenants cannot possibly be injured by the omission of the sub-chapter (C) of Chapter XIV.

19. *Section 208, sub-section (1), clause (c).*—I admit that the hardship would be very great if the holder of a tenure mentioned in this clause be made liable to ejectment when his landlord is sold up for arrears of rent; but, unless the legislature provide in such cases for an enhancement of rent of the lands comprising the tenure, the superior landlord's interest cannot be protected; because otherwise there will be no check upon the creation of incumbrances such as is mentioned in this clause. As long, therefore, as Government would not make a provision, uch as I have mentioned above, for the protection of the rights and interests of the superior andlords in these cases, I must humbly protest against this clause.

No. 822T.-R, dated the 15th September, 1883.

From—C. W. BOLTON, Esq., Under Secretary to the Government of Bengal,

To—The Secretary to the Government of India, Legislative Department.

In continuation of my letter No. 686T.-R., dated 3rd September 1883, I am directed to submit, for the information of His Excellency the Governor General in Council, the accompanying copies of papers* received from the British Indian Association on the subject of the Bengal Tenancy Bill, 1883.

* Letter No. 92, dated the 17th August 1883, with enclosures.

No. 92, dated Calcutta, the 17th August, 1883.

From—The HON'BLE KRISTODAS PAL, C.I.E., Secy. to the British Indian Association,

To—The Under-Secy. to the Government of Bengal, Revenue Department.

I have the honour, by desire of the Committee of the British Indian Association, to acknowledge the receipt of your letter No. 967A.—366L.R., dated 21st July last, calling attention to Mr. Under-Secretary Bayley's letter No. 967—366L.R., dated 19th March last, inviting the opinion of the Association on the provisions of the Bengal Tenancy Bill.

2. In reply, I am desired to state that on receipt of Mr. Bayley's letter, the Association invited a meeting of the Central Committee of Landholders appointed by it to consider it, and to report upon the Bill. The Central Committee issued a circular in English and Bengali (copies hereto annexed) to zamindars and others interested in land, inviting answers to questions therein set forth.

3. The Central Committee have not yet received answers from all those whom they have addressed on the subject, and considering the vast magnitude of the interests involved, the Association solicit permission of His Honour the Lieutenant-Governor to defer their report upon the Bill till a fair representation of the views of the different districts upon it is received.

4. In the meantime the Central Committee have addressed a petition to both Houses of Parliament, setting forth their objections to the leading principles of the Bill, to which the Association fully subscribe. A copy of the petition is herewith submitted for the information and consideration of His Honour the Lieutenant-Governor and the Government of India.

5. The Central Committee have appointed a Sub-Committee of their body to consider the detailed provisions of the Bill; the Sub-Committee have submitted their report with notes containing their opinion on the provisions of the Bill. Not to lose time, I forward a copy of the notes for submission to His Honour the Lieutenant-Governor. These notes I request may not be accepted as the final conclusions of the Association, which will be communicated to you when the Central Committee will come to a decision on the subject.

6. I have stated above that the Central Committee have not yet received answers to their circular from all those to whom they have addressed it. The Association fear that the agitation of the public mind with other matters has diverted attention from the Bengal Tenancy Bill, and that hence the delay complained of. The Association would therefore solicit that His Honour the Lieutenant-Governor would be pleased to recommend to His Excellency the Viceroy and Governor General in Council to defer the consideration of the Bill till the public are relieved of these other matters, so as to be able to give undivided attention to this momentous subject.

Circular issued by the Central Committee of the British Indian Association to zemindars and others, dated the 15th May 1883.

Dear Sir—With reference to the Bengal Tenancy Bill introduced into the Governor-General's Council for making Laws and Regulations, I have the honour, by desire of the Central

Committee of Landholders of Bengal and Behar, to invite your opinion on the provisions of the Bill and on the following questions in connection therewith.

1. Have you got measurement papers of all your estates and taluks, showing the areas of all khamar lands in all your villages?

2. Would there be any practical difficulty to the area of khamar lands being fixed for ever after enquiry and reckoning all other lands as ryoti lands as the Bill proposes to do (section 6), and do you approve of the principle of this section?

3. Are you aware of lasting distinction being observed in the lands of any village in your estate, denoting that certain plots or tracts are permanently appropriated to the exclusive use of all or any class of ryots in the village, and that certain other tracts, whether occupied or not by ryots, are similarly reserved as the zamindar's khamar?

4. Having regard to lands which are currently called ryoti and khamar, are you aware of any custom, usage, or tradition which disentitles the zamindar to convert into khamar any unoccupied ryoti land or entitles any ryot to claim the lease of lands left vacant by any of his fellow-ryots? Have you ever known of any such claim being set up or any allowance being made by the zamindar in satisfaction of such claim?

5. Do you hold any land which is specifically appropriated as the zamindar's malikhana or moshaira? And have you not—if at all—always enjoyed the malikhana as an allowance upon the aggregate rental of estate?

6. Do you as zamindar ever claim any higher proprietary right in respect of unoccupied khamar than in respect of unoccupied ryoti land?

7. What has been in your district the effect of the rule of 20 years' presumption in suits for enhancement of rent? How will it be modified by the change which the Bill proposes to introduce by allowing uniform payment of rent to be proved for any period of 20 years (sections 15 and 20)?

8. In the case of tenures held since the Permanent Settlement, but not at a fixed rent, the Bill requires the landholders' "right to enhance" to be proved in every suit for enhancement of rent (section 18). How would you prove such a right?

9. Section 21 provides that the rent of a tenure may be enhanced up to the limit of the customary rate, but if such rate cannot be determined the rent may be enhanced so as to leave the ryoti tenure-holder a profit of from 10 to 30 per cent. on his gross rents *minus* the costs of collection. How would such a rule operate in your district?

10. The Bill proposes to make all tenures, the rents of which are fixed, saleable and heritable like other immovable property (section 25). The provision contained in section 51, which gives the landholder a right of pre-emption, does not apply to such tenures. Is the proposal liable to any objection?

11. Consider the sections from 27 to 35, and say whether these would make adequate provisions for the registry of transfers of ryoti holdings by succession, sale, gift, and otherwise?

12 How would the rule for acquiring right of occupancy contained in section 45 operate in your district and affect your rights?

13. Section 46 provides that, unless a ryot has ceased by desertion or otherwise, to hold for at least one year his right to the land shall not cease How would such a rule affect your interests?

Consider the case of two applicants for such land; one offering a certain bonus on condition the rent-rate is the one hitherto prevalent and the other offering no bonus, but in its stead an increment over the prevailing rate. Call the first as one of class A and the second of Class B.

Does it not often happen that the offer of B is more profitable to you than that of A? And does it always happen that the offer of B is suicidal to his own interest?

Do you not think that the zemindars and ryots will both suffer in the long run by discouraging or prohibiting offers like that of B?

What do you think will be the ultimate condition of people in the circumstances of B? Do you not think that the provisions in the Bill will for ever prevent B from growing into the circumstances of A, and that the former will eventually have to work as day-labourers under A?

14. The Bill allows right of occupancy to grow in respect of khamar lands unless the contrary is provided by written agreement (section 48). Is this objectionable?

15. The Bill prohibits ryoti land being ever placed at the disposal of the zemindar so that it might at his option be let out to tenants-at-will, or at rates agreed to by the applicant, but above the limits prescribed by law. Is such restriction consistent with any custom or usage that you know of? Is it safe for the adequate realization of dues and of the Government revenues?

16. Would the right of pre-emption given to landholders by sections 51 and 53 remove the objections to the saleability of all occupancy holdings?

17. Section 56 provides that when the land of occupancy ryots comes to the khas possession of the landholder, the person to whom such land is let will get it with a right of occupancy. Do you think this objectionable; and if so on what grounds?

18. Section 59 provides that the rent of occupancy ryot (not even that of land which has come to the khas possession of the landholder) (section 61) shall not be enhanced unless by a written contract approved of by a revenue officer, who shall see that the amount of additional rent is not more than 6 annas in the rupee, and that the enhanced rent is not greater than one-fifth of the annual value of the gross produce of the land. Do you think this limitation on the freedom of contract necessary or desirable?

19. Do you see any objection to the rates of rent being determined by the executive, instead of by the judicial authorities, as provided in Chapter VI? Do you think the principles on which tables of rates are directed to be prepared just and reasonable, and do you think the procedure suggested will remove practical difficulties in the way of enhancement of rent?

20. Section 81 restricts the landholder's share of the produce in all cases where rent is paid in kind to one-half. Would this rule operate to reduce existing rents?

21. Would the rule as to instalments of rent provided in section 97 check litigation on the point and simplify the decision of rent suits?

22. Section 119 limits the rent in any case to five-sixteenths of the value of the produce. Is there any objection to the proposed restriction?

23. Consider the provisions regarding distraint contained in section 166, and say whether they would serve the purposes of the existing law on the subject?

24. The Bill proposes to allow no appeals in suits for arrears of rent and some other suits of which the value does not exceed Rs. 50. Is this desirable?

25. What remarks have you to offer on the provisions of chapter VIII regarding ordinary ryots and compensation for improvements, and also for disturbance?

26. Is transferability of occupancy tenures recognized in your estates or district; if it is recognized, does it require the consent of the landlord?

27. Do you consider the present procedure for the recovery of rent dilatory and inconvenient? If so, what modification would you suggest?

28. Do you hold that the same law for the settlement and realization of rent should apply to Government and private estates? If so, what are your reasons?

A copy of the Bengali translation of the Bill is forwarded herewith for ready reference. The Committee will feel obliged if you will favour them with your opinion by the 15th day of June next.

Your faithfully,
KRISTODAS PAL,
Secretary.

BRITISH INDIAN ASSOCIATION ROOMS;
No. 18, British Indian Street,
The 15th May, 1883.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

The Petition of the undersigned Members of the Central Committee of Landholders of Bengal and Behar, meeting in Calcutta, on behalf of themselves and of their fellow-landholders in the Bengal Provinces in British India,

HUMBLY SHEWETH,—That Your Petitioners are filled with great anxiety, apprehension, and alarm at the introduction into the Council of His Excellency the Viceroy and Governor General for making Laws and Regulations of a Bill entitled the Bengal Tenancy Bill, the manifest tendency of which seems to be to revolutionise the present relations between landlord and tenant in the provinces of Bengal and Behar, to redistribute landed property on a new and inequitable basis, and to fetter the freedom of action of all classes interested in agriculture by driving them at almost every step of their mutual transactions to Courts of Law and fiscal officers, and foster dispute, litigation, and animosities in lieu of peace, harmony, and good-will among them.

2. That Your Petitioners do not wish to trouble Your Honourable House with the history of that solemn covenant of the State, entitled the permanent settlement, which the late Honourable East India Company, with the sanction of the Imperial Parliament and the Crown, concluded with the zemindars as "actual proprietors of the soil," under which the Government transferred its rights in the land to the said proprietors in consideration of revenue assessed at $\frac{10}{11}$ths of the gross rental and fixed in perpetuity, nor with an account of the advantages—financial, economic, social, material and political—which both the State and the people have derived from the operation of that settlement for the last ninety years.

3. That, in consequence of the exorbitant assessment of the revenue under the permanent settlement, no vestiges of most of the old zemindars with whom the covenant was made now exist; the land has been divided and sub-divided and purchased at the full market value by capitalists as a legitimate investment of capital in thorough good faith and in perfect reliance upon the guarantees of rights and interests given by the permanent settlement regulations.

4. That, until 1859, those guarantees had always been maintained inviolate, but in that year a law Act (X of 1859) was passed conferring new rights upon tenants under arbitrary and fanciful rules of prescription, and seriously clogging the rights of the landlord with regard to tenancy and settlement of rent, and imposing grave difficulties in the way of recovery of rent.

5. That although Act X of 1859 is a direct infringement of the permanent settlement regulations, still it has been in operation for nearly a quarter of a century, and rights have grown up under it, which cannot now be fairly or equitably abrogated. Under it a large majority of the tenants have acquired rights of occupancy or fixity of tenure, rack-renting, which had hardly ever prevailed, has been altogether prevented, and even free sale of occupancy holdings has been recognised in some parts of the country with the consent of the landlord. So far Act X of 1859 has fulfilled its great object in improving the position of the tenant and secur-

ing his rights; but the landlord has not only lost some of his ancient and guaranteed rights, but has also been deprived of the ordinary facility of settling and realizing the rent due to him, though he is burdened with the obligation of paying in the Government revenue by the sunset of the quarter-day, the expiration of which renders his estate liable to peremptory sale for default.

6. That in addition to the payment of the Government revenue, the landlords or zamindars are required under serious penalty to collect from tenants for the Government the road and the public-works' cesses without any remuneration, and to make good all losses that arise from failures in collection on account of default due to bad seasons and other causes not attributable to them; and that in consideration of this service they were promised by three successive Lieutenant-Governors of Bengal, Sir George Campbell, Sir Richard Temple, and Sir Ashley Eden, a simplified procedure for the recovery of rent. Some Bills had been introduced into the Bengal Legislative Council towards that end; but they were abandoned with a view to a general revision of the Rent-law.

7. That a Commission, consisting chiefly of Government officers, was subsequently appointed to report on the general revision of the Rent-law, but that Commission, without taking any evidence, or examining the parties interested as to the necessity of the amendment of the law, its direction, extent and scope, submitted an elaborate but extremely one-sided scheme, upon which is primarily based the present Bill. Some provisions of a highly objectionable character have also been introduced into the Bill, which had not been recommended even by the Rent Commission.

8. That one unfortunate incident has practically barred constitutional redress in respect to this Bill as far as the Legislature of this country is concerned. Your petitioners gratefully acknowledge that the fullest opportunity had been given to the public to discuss the original draft of the Bill at its initiatory stage before the Bengal Government, but neither when material alterations and additions were made to it by the Bengal Government, nor when it was finally laid before the Government of India, the public were allowed any such opportunity; on the contrary, they were positively refused access to it; and the sanction of the Right Honourable the Secretary of State for India was taken without giving the public or the parties interested the slightest opportunity of knowing or discussing its contents. Under the Indian Constitution Her Majesty's Secretary of State is the highest controlling authority, and all laws passed by the Indian Legislature are liable to be revised and disallowed by him; but when his permission for a public measure is obtained beforehand, without previous public discussion, practically the public judgment is anticipated and barred. The leading principles of the present Bill having been already sanctioned by Her Majesty's Secretary of State, its formal passage through the Indian Legislative Council will necessarily be a formality, and as the Government has a standing majority in that Council, the aggrieved can hardly hope for a fair hearing in matters which are already matters of foregone conclusion.

9. That the Bill under notice is so voluminous and so comprehensive that it would be tedious to approach Your Honourable House with a detailed criticism on it. Your petitioners would, therefore, crave permission to draw attention to the following summary of the leading principles of the Bill, to the innovations which it proposes to introduce, and to its general policy and tendency:—

I. The Bill proposes to effect a redistribution of land by making an allotment of it in a manner which neither past history nor present facts justify. It declares that all lands, except such as are in the private possession of the landlord in respect of which he may prove 12 years' continuous occupation, shall be regarded, from the date of the introduction of the Bill, as the specific property or portion of the tenant class for habitation and cultivation, along with various incidental rights; that at the discretion of Government the lands may be surveyed and demarcated at the expense of both landlord and tenant; that conflicting claims to such lands shall be the subject of a summary investigation; and that the landlord, even in case of relinquishment of a tenancy, or of its purchase by him, if he wishes to let it, shall be bound to re-let it to a new tenant at the old rate and conditions, including permanent occupancy right. This is wholly an innovation, and makes a serious encroachment upon the proprietory rights of the landlord. It is in direct antagonism with past history, for when the Permanent Settlement was concluded, it was the land which sought the tenant, and not the tenant who sought the land; and this was particularly the case in the distribution of waste lands, which had been made over to the landlords or zemindars by way of compensation for the ruinous assessment of the settlement, and the proprietary right from the reclaimed portion of which is now being taken away from them. The land has thus no such characteristic attached to it as now proposed, and the landlord was in no way fettered in the mode of the settlement of his estate. The proposed provision will not only deprive the landlord of his inherent right of re-entering upon land which a tenant may relinquish or which may lapse on the expiration of a lease, but will also give rise to serious dispute, misunderstanding and litigation between landlord and tenant in the establishment of their claims to different classes of lands.

II. At the time of the Permanent Settlement the resident hereditary tenant had fixity of tenure; custom had recognized that right, but no period had been fixed for the accrual of the right; by Act X 1859, 12 years' continuous possession was declared to be the basis of occupancy right; and this provision was allowed retrospective effect; accordingly a squatter by mere efflux of 12 years' time, acquired a right of occupancy, to the detriment of the rights of the actual proprietors of the soil guaranteed by the Permanent Settlement. This is the interpretation of that law by some of the highest judicial authorities, notably Sir Barnes Peacock,

late Chief Justice of the Bengal High Court, and now a Member of Her Majesty's Privy Council, and Sir Richard Garth, the present Chief Justice of Bengal; but this innovation has been the law of the land for nearly a quarter of a century, and, although it involves gross injustice to your petitioners and the class they represent, they would submit to it as they have hitherto done. By far the largest number of tenants in Bengal have acquired a right of occupancy, and they do not wish to take it away. They, however, submit that it would be the height of injustice if the right of occupancy be further extended in the manner proposed in this Bill. It is now declared that any tenant, if he holds any land in any village or estate for twelve years consecutively, though the land so held by him at different times may have been different, shall be deemed to have become a settled tenant of that village or estate, and to have acquired the right of occupancy, though the last plot, in which the right will accrue, may have been held for a year or even for a day, and may exceed ten times the quantity previously held by him. The right of occupancy is also extended to tenants of the private domains of the landlord, unless there be a lease for a fixed period. Even as regards tenants-at-will, the provisions are so fenced with restrictions by providing compensation for disturbance, that they will virtually become tenants with permanent occupancy right. The extension of the occupancy or tenant right in this arbitrary manner, without any compensation to the landlord, will be a serious encroachment upon his proprietary rights, and will be a deliberate infraction of the guarantees under which he has invested his capital in land. Indeed, it will have practically the effect of redistributing property in land on a new basis.

III. The tenant-right in Bengal, wherever it has existed, has always been heritable, but not transferable. Even Act X of 1859 did not make it transferable. But it has become transferable in some parts of the country with the mutual consent of the landlord and tenant. The growth of this custom, if desirable, may fairly be left to the natural operation of economic laws. But to force it by a legislative enactment would be alike detrimental to the proprietary rights of the landlord and to the material well-being of the tenant. The landlord will then cease to be the lord of the soil, which he has inherited or purchased by paying market value for it; he will lose his inherent and just right of chosing his own tenant; although directly liable to the State for revenue under the stern sunset law, by losing his hold upon his tenantry under this process of transfer of tenant-right without his consent, he will be driven to despair in the collection of his rent, and consequently to ruin. On the other hand, the tenant, by acquiring the new freedom of sale, will from excessive Government taxation, adverse seasons, thriftlessness and other causes, find a facility which will inevitably encompass his ruin, as has been the case in some of the temporarily-settled districts of the country where the transferibility of the tenant-right is recognized, and where special laws have become necessary for the relief of the distressed agriculturists. Small capitalists, mostly money-lenders, will take the place of the present agriculturists, who will be reduced to mere day-laborers on their expropriated lands.

IV. With a view to counteract the evils to the landlord referred to above, the Bill gives him the right of pre-emption in case of the sale of a tenancy, but under such restrictious as to render it nugatory. In the first place, if the landlord wishes to buy it in, he must pay the full market-value for it; that is to say, he must pay a fine, as it were, for exercising his proprietary right, and if he cannot agree with the tenant as to the price, he must go to court. Even if he purchases it, he will not be allowed the same rights that will be accorded to an ordinary purchaser. After purchasing it if he chooses to let it again, he must re-let it at the old rent to a new-comer, who will *ipso facto* acquire the right of occupancy. An ordinary purchaser will not be bound to accord that right to his sub-tenant. So that a capitalist, who purchases an estate with a certain calculation of return, will get no *quid pro quo* for the sums he will have to lay out again for the purchase of tenancies, simply because the tenant is invested with a new right of transferability of his holding, without of course paying any consideration for it. Supposing that tenants in any large numbers choose to sell their holdings, and that other tenants choose to combine and withhold payment of rent, in order to compel the landlord to their own terms, a contingency by no means unfrequent, ruin will stare him in the face, and if he has not means, he must submit to his fate, however unmerited, through an act of the Legislature, the paramount duty of which is to give equal protection to all classes of Her Majesty's subjects.

V. The determination of rent in Bengal has been generally discretionary. It is true that there was at one time a customary rate in many parts of the country, but the custom was varied so much as by personal, local, and other considerations, that the rate was practically left to the discretion and mutual understanding of the landlord and tenant. This fact has been brought to prominence by the recent enquiries made by Government as to tables of rates prevalent in different districts. When the Permanent Settlement was made in 1793, the rate of rent, it is on record, varied from three-fourths to one-half the value of the gross produce of the land. Until a few years of the enactment of Act X of 1859, there was not much dispute between landlord and tenant about the rate of rent; the rise in the value of agricultural produce led to a demand for increased rent, and in order to bring the question of rent to a satisfactory judicial test, that Act declared that the rent shall be reasonable, fair, and equitable, and provided certain rules for the guidance of the courts. These rules, however, have proved so unworkable that the enhancement of rent through the judicial machinery has practically come to a dead-lock. The gravity of the situation was represented by the landlords to Government, and the Government promised to redress their grievance. That promise is now about to be redeemed by the retrograde step indicated in this Bill. Under this Bill the rent of an occupancy tenant shall not exceed 20 per cent. of the gross value of staple products of the land. In other words, the landlord is practically reduced to one-fifth partner of his own property with his tenant. The rent due to him represents the

shares of the Government and of himself, but this arbitrary limit will necessarily deprive him of all participation in the advantages which the progress of the country will confer upon all other classes of the community, but will always be subject to losses consequent on decadence and reverses. As regards the tenant-at-will, called in the Bill "ordinary ryot," the restrictions are so fenced round that practically there will be no enhancement of rent. In Behar, there are certain tenures called *Bhouli* tenures, analogous to *Metayer* tenures, and with regard to these the Bill actually sanctions reduction of the present rents. Thus the landlord will be practically deprived of the legitimate fruits of his capital, prudence, and good management, the enjoyment of which had been guaranteed to him by the Permanent Settlement.

VI. Contract is the basis of transactions in civilised life, the first step in advance over patriarchal habits, and essential to the success of social and moral progress. The tenant, as an agriculturist or as a member of society, is allowed perfect freedom of contract in all matters affecting him, whatever the difference in the status, intelligence and influence of the contracting parties; but this Bill declares that he shall not be competent to enter into a contract respecting his tenant-right or the rent payable by him, unless his contract for the latter is approved by a revenue officer to be appointed by Government. This denial of the ordinary rights of a citizen to the tenant was never before known in this country. On the contrary, the Legislature had repeatedly encouraged the interchange of lease between landlord and tenant. The disability imposed upon the landlord for the sake of the fancied security of the tenant is still more arbitrary, unjust and unjustifiable.

VII. The importation of foreign ideas in the regulation of the ordinary relations of life in an oriental country, for which the people are not ripe, can only lead to harm. Never in the history of this country, or at present within the British territories or in the Native States, is the practice of paying compensation to a tenant-at-will for relinquishment of his holding known or recognized. As a rule, the class of tenants called tenant-at-will have not the means of making improvements, and therefore there has never been any question of compensation for disturbance raised. This innovation will not only be a serious interference with the proprietary rights of the landlord, but will plunge both landlord and tenant into deep litigation.

VIII. This Bill will foster litigation between the landlord and tenant at every step of their transactions. The landlord's office will be transferred to the revenue office, and the landlord himself will be reduced to a mere annuitant. Whether the question be classification of land, determination of occupancy right, transferability of a tenancy, the exercise of the right of pre emption on the part of the landlord, the settlement of rent, the payment of compensation to a tenant-at-will for disturbance, or the realisation of rent, there will be at every step expensive, harassing, and, not unfrequently, demoralizing litigation. There will be no peace, no concord, no harmony, no good-will between two such important members of the community as the landlord and tenant. Such embittered relations between them, as will be the inevitable result of the proposed Bill, cannot be conducive to the true well-being of the State or society.

IX. As regards recovery of rent, the landlord had formerly power to call in the tenant to pay in his rent, failing which he could have him arrested by a simple application to the court, followed by a summary enquiry. He could attach the property of the tenant and sell it after due notice. All suits for arrears of rent were heard before all others by the civil courts, and were finally transferred to the Collector for expedition. Act X of 1859 took away from the landlord the power of calling in his tenant. At first the arrear suit was triable by a revenue officer under summary procedure, but now it has been made a regular civil suit, to be tried at a heavy cost under the regular civil procedure. That result is that ordinarily a rent suit is not disposed of within three months, and not unoften many months, and that if the tenants continue to withhold rent, the landlord must either succumb, or let his estate be sold for default. It is observable that this procedure is not applicable to the State in the recovery of its dues as landlord or as guardian of minor landlords. If the State with its vast resources, unequalled influence, and immense prestige, without the terrors of a sunset law for sale of estate in case of default of revenue, deems it necessary to have recourse to a summary law for the realization of rent, how much more necessary is it for the private landlord for a like purpose? Although three successive Lieutenant-Governors of Bengal, as stated above, had promised the landlords the simplification of the procedure for the recovery of rent, still no advance has been made in this Bill in that direction.

X. On the contrary, the Bill practically minimises the only facility which the present law provides for the speedy realization of rent, *viz.*, distraint. The process of distraint is now made at every step a process of court, and by the time the court's order may be obtained the crops may be removed or disposed of, and the landlord's demand thus defeated. As the Bill has been framed, the landlord will, on the one hand, be made to forfeit his ancient, substantial, and valuable rights, but will, on the other, derive no benefit from it.

XI. Nor will the *boná fide* cultivator derive material benefit from the Bill. If he holds land under a superior landlord, his rent will be 20 per cent. of the gross produce of the land, but under a subordinate holder it will be 30 per cent. of the same, or 50 per cent. more than what he will pay to the former. He will acquire occupancy right under a superior landlord, but none under a subordinate holder, the latter being himself a tenant with occupancy right. So that without fixity of tenure, freedom of sale or security of fair rent, the actual cultivator of the soil under the operation of this Bill will be reduced to the miserable lot of a poor day-labourer.

XII. And this evil will be both multiplied and aggravated, as the Bill proposes to encourage sub-letting. If there is anything in the agricultural system of Bengal, which has tended to depress the condition of the actual cultivator of the soil, it is sub-infeudation. The actual agriculturist, who constitutes the lowest link of the chain, necessarily bears the whole burden, and the more the chain will be lengthened, the worse will be the fate of the actual cultivator of the soil. The new tenure-holders, who are created by the Bill will be small proprietors, and it may be easily imagined whether small proprietors, themselves not agriculturists but absorbing agricultural profits, are more conducive to the welfare of the agricultural population than large proprietors. By-and-bye, as the capital of these small tenure-holders will increase, they will also become large proprietors. The result of the proposed Bill will, therefore, be the destruction of the present proprietors, who have either inherited or paid fair market-value for their estates, the creation of a new class of small proprietors, who will, for the most part, acquire their rights without paying for them, and the impoverishment and degradation of the actual cultivators of the soil.

Such, in brief, are the manifest tendencies of the proposed Bill, opposed to all principles of equity and fairness, to the guaranteed rights of the landlord, and to the best interests of the actual cultivators of the soil.

10. That no valid proof has been adduced shewing the necessity for this wholesale revolutionary and confiscatory legislation. The Rent Commission, which originally drafted the Bill, as already stated, did not take any evidence on the subject. No less an authority than Sir Richard Garth, the eminent Chief Justice of Bengal, says—"The Bill is calculated to deprive the landlords unjustly and unnecessarily, in my opinion, of rights which the courts of law have always considered to be their due." Indeed, the whole Bill, whether as originally framed by the Rent Commission, or subsequently revised by the Government of India, has been based on arbitrary assumptions and gross predilections. Your petitioners respectfully appeal to Your Hon'ble House to consider whether rights and interests, worth millions upon millions of pounds, and consecrated by solemn acts of the State, and ratified by the sanction of nearly a century, should be sacrificed for sentimental and fanciful considerations.

11. That, on the other hand, there is abundant testimony to show that the tenantry of both Bengal and Behar have made rapid strides in progress and prosperity unhampered by the existing land-laws. The latest and most emphatic testimony is that of Sir Ashley Eden, the late Lieutenant-Governor of Bengal. Thus, in 1877, after making a tour in the interior, he made the following remarks on the condition of the agricultural population of Bengal:—

"Great as was the progress which I knew had been made in the position of the cultivating classes, I was quite unprepared to find them occupying a position so different from that which I remember them to occupy when I first came to the country. They were then poor and oppressed, with little incentive to increase the productive powers of the soil. I find them now as prosperous, as independent and as comfortable as the peasantry, I believe, of any country in the world; well-fed, well-clothed, free to enjoy the full benefit of their labour, and able to hold their own or obtain prompt redress for any wrong."

As regards the peasantry of Behar the same high functionary, in an address to a deputation of the Behar Landholders in 1881, said:—

"I can assure you that nothing has given me greater pleasure than to notice, as I have had ample opportunities of doing, the extraordinary improvement in the condition of the people. It is made manifest in a hundred ways daily, even to the most casual observer. I hear the same story from all classes, official and non-official, and it is a matter for general congratulation.

"This improvement is due to various causes: first and foremost, to several succeeding harvests, plentiful almost beyond the recollection of the present generation, and these full harvests followed years of trial and famine; next there has been, with growing prosperity, an increase in the value of land, a *general awakening* of the cultivating classes, and an improved knowledge of their legal rights and privileges, and this has, I hope, been accompanied by a strict administration of the law. Then there has been a greater readiness on the part of landlords to recognise and affirm the rights of cultivators, and I hope that this may to some extent be due to the influence of your Association."

Surely, in the face of this strong and authoritative testimony, it cannot justly be contended that the agricultural prosperity in Bengal and Behar is impeded or hampered by the existing land-laws.

12. That the proposed Bill is ill-suited to the purposes for which it is intended is evident from the fact that the Bill is not made applicable to the State in regard to property which it holds in the capacity of a landlord. The State has a separate and summary law for the settlement and recovery of rent on its own estates. Even when it manages in trust the private estates of minors or wards under its care, it is not subject to the ordinary procedure for the realization of rent. If an enquiry be made, it will be found that the tenants of the State landlord are by no means better off in life than those of the private landlord; perhaps in many instances worse off. It is but reasonable that, *cæteris paribus*, the same land-law ought to apply equally to the State landlord and the private landlord, for surely what is done by the State ought to be regarded as the best example for the private landlord.

That in conclusion, your Petitioners pray that Your Hon'ble House will be pleased to take the above statements, facts, and reasons into consideration, and to adopt such steps as to Your Hon'ble House may seem meet to prevent the passing of the Bill under notice.

And Your Petitioners, as in duty bound, will ever pray.

Signed by the Maharaja of Burdwan, Maharaja of Durbhanga, Maharaja of Hutwa, Maharaja of Dumraon, Maharaja Rai Jotendro Mohun Tagore, Nawab Abdool Gunny, Nawab Ahasanwoola Khan Bahadoor, Maharaja Komul Krishna, Maharaja Norendra Krishna, Raja Poorno Chunder Singh, Raja Suttyanund Ghosal, Raja Promotha Nath Roy, Raja Surjyakant Acharjya Chowdhry, Raja Hurbullub Narain Sing, Raja Shyama Sunker Roy Chowdhry, Nawab Mir Mohamed Ali, Babu Joykissen Mookerjee, Babu Peary Mohun Mookerjee, Babu Bejoykissen Mookerjee, Babu Surendra Mohon Tagore, Hon'ble Doorga Churn Law, Babu Gobind Lal Seal, Babu Kali Krishno Ghose, Babu Lolita Mohun Sigdurga, Babu Kissory Mohun Gossami, Babu Rajendralala Mittra, Hon'ble Hurbans Sahai, Hon'ble Mohamed Yusuff, Babu Mohiny Mohun Roy, Babu Saligram Sing, Babu Mohesh Chunder Chowdhry, Babu Joggender Chunder Ghose, Babu Janoky Nath Roy, Babu Gobind Chunder Dutt, Babu Ram Sunkur Roy Chowdhry, Babu Parbati Sunkur Roy Chowdhry, Babu Girja Sunkur Muzoomdar, Babu Kulnda Kinkur Roy, Babu Sita Nath Roy, Mr. J. J. J. Keswick, of the firm of Jardine, Skinner & Co. and Watson & Co., Mr. W. B. Morrison, Mr. C. J. Quadros, Mr. J. F. Cauty, and Hon'ble Kristodas Pal, Secretary.

The above petition has been presented to the House of Commons by Mr. Stanhope.
A similar petition has been presented to the House of Lords.
Calcutta, the 1st July 1883.

Notes on the Bengal Tenancy Bill.

Section 3.—Definition No. 3.—The word tenure should not include a ryot's holding although the rent thereupon is fixed. It would lead to confusion if ryotiy holdings, comprising a beega or a few beegas of land, be designated by the same term which people have been accustomed to apply only to putnis, durputnis, and other dependant talooks. The Bill does not provide for registration of transfers of tenures in the landlord's sherista, nor does it give the landlord a right of pre-emption in respect of such transfers, and it gives tenure-holders a right of conferring a right of occupancy on their under-tenants. These provisions show what confusion would arise if ryoti holdings be classed as tenures (*see* remarks on section 14).

Definition (5).—The word ryot should be clearly defined. By the definition as it stands, a trespasser would be a ryot if he "holds land for the purpose of agriculture, horticulture, or pasture." It is scarcely to be supposed that the law about trespass is to be circumvented in the case of men who surreptitiously scatter seeds in another's land, in a country like India, where fields are not, generally speaking, provided with fences or other boundary marks; and from the nature of the case it is impossible to watch who scatters seeds or at what time. The reaping season is the only one when a trespass of the land can be made out, and then trespass is given undue advantage under the section. Again, a person who has established a mart or a factory on his land, or who uses it for the purpose of brick-making, would be a ryot if his ancestor came into the pessession of the land for the purpose of agriculture.

Definition No. 10.—The definition of rent should be altered with a view to provide for cases in which the ryot is deprived of his use and occupation of the land by an act of dispossession committed by a third party—a circumstance which does not legally affect his liability to pay rent. Or it may be that a lease is taken or engagement of some kind is made for the use of land, but afterwards circumstances, not due to any act or neglect of the lessor, might intervene to prevent the lessee from using or occupying the land, such as want of capital to build a hut or to cultivate the land, and in such cases the penalty should rest with the party who fails; and not he who is deprived of the rightful use of his land by the failure of the defaulter.

No. 16.—"Transfer" should not include mortgage, otherwise a mortgagee without possession would have the right of getting his name registered in the zamindar's sherista.

Section 4 (c).—The proposal to exempt khas mehals and wards estates from the opertion of the proposed law is anything but reasonable. It is but only fair that the rights of all tenure-holders and ryots should be regulated by one code of laws. Nothing would create a greater confidence in the minds of the people in the justness of an act defining the rights and obligations of landlords and tenants than the fact that it applies equally to Government as landlord and to private landlords. There is no difference in the position and character of the subordinate agency employed by Government and by private landlords in the collection of rent and management of estates, and yet the State has secured to itself a special and summary procedure for the recovery of rent. In the matter of rights and obligations relating to land, however, the people have a right to expect that there should not be one law for private landholders, and another for the strongest and most irresponsible of landholders—the State.

Section 4, Illustration.—The illustration is most unfortunate. It assumes the existence of a customary right which does not exist anywhere. It would be an encouragement to under-ryots to make false claims of a right which has not once since 1793 been put forward in any instance. The Bill itself contains no provision clearly defining the rights of such ryots, and an enunciation of the rights of under-ryots is a question of no small difficulty. A world of confusion would arise in cases of sale, forfeiture, and merger of the superior right if under-ryots be declared to have, at least in some places, a right of occupancy.

Sections 5-8.—These sections involve an arbitrary inroad upon one of the most valuable rights of the landholders. While khamar lands are frequently converted into ryoti lands by the act of the landholders, large additions are daily made to his khamar lands by accretion, relinquishment, deaths of ryots without heirs, purchase of holdings, &c. From their very nature all accretions are private property of the landholder, and as such they must begin by being khamar, for no ryoti interest has till then accrued on them, but the sections deprive the landholder of the full benefit of such accretions. This is quite uncalled for and most arbitrary. As regards accretions, the existing laws grant them to the zamindar as his special right. And the proposed sections indirectly transfer them to persons who may in future become ryots. Nothing can be more unjust, moreover, than to fix a maximum limit to the area of khamar lands of a landholder, and thus to place restrictions on his right to let such lands in any manner he pleases. The principle which underlies these sections would seriously clog, if not extinguish, an undoubted right which landholders have all along enjoyed, namely, the right of claiming enhancement of rent on the ground of the ryot being in possession of more land than what he pays rent for. But besides being unjust to the landholders, the measure is eminently unpractical. It ignores the existence in the village of all rent-free lands, all service lands, and all land temporarily given away by the landholders for the benefit of pundits, or moulavis, or for the expenses of worship of a village idol, or for the annual celebration of a village festival. To what class would these lands belong? To poor villagers a classification of lands which reckoned all these lands as ryoti lands would be simply incomprehensible. Besides, a very small number of zamindars and talookdars have got measurement papers of their villages which might enable them to submit statements of khamar lands in their villages. It would require decades of time and an outlay of crores of rupees to enable the Bengal landholders to submit such statements. The amount of trouble which a determination of khamar and ryoti lands would cause to the landholders and ryots would itself be enormous, and the loss of time to public officers in deciding disputes and appeals would be great, specially as the areas of a vast number of estates and villages undergo continual changes by the action of large rivers which intersect Lower Bengal.

Section 14.—This rule is intended either to attach a value to a class of property which never had such value before, or to simplify classification. In the former case it unnecessarily and unjustly deprives the landholder of one of his existing rights, and in the latter it is objectionable for the reasons assigned in the remarks on section 3, definition 3.

Section 15.—Act X of 1859 did not directly or indirectly set aside the right of the zamindar to enhancement under the Regulations of 1793, but provided a remedy for the difficulty that had arisen in producing proofs of continuous possession at a uniform rate previous to the date of litigation. This placed the zamindars at a great disadvantage and they complained of it most bitterly. But instead of giving the zamindar any relief from the operation of the rule of 20 years' presumption, the section in a manner completely shuts them out by providing that proof of uniform payment of rent for any period of 20 years (and not 20 years immediately before suit as at present) would raise thus presumption. Sir Richard Garth truly observe that "this section has undoubtedly operated very unjustly against the landholders;" and further on—"But in the case of rent it might well be that for 20 years no ground for enhancing it had ever occurred; or from the fact of the landlord being a minor, or female, or over-lenient with his tenants, any opportunity for enhancement might not have been taken advantage of, and in such cases it would be hard to presume against the landlord that because the rent had not been enchanced for 20 years, it has been fixed from the time of the permanent settlement." The experience of the last 23 years has shown that in 95 per cent. of suits for enhancement of rent landlords were unable to rebut the presumption thus raised; and how could they? Those who have come into possession of estates and talooks by purchases made at sales for arrears of revenue or rent, or in execution of decrees, did not get a scrap of paper belonging to the former proprietors, while those who purchased at private sales were in no better plight, considering the great difficulty of preserving from white-ants and other sources of destruction, massive collection-papers of a period more than 30 or 40 years old. It is impossible therefore for landholders to adduce evidence except in rare cases to rebut the presumption, and it was this consideration which induced Mr. Reynolds to suggest an amendment to the effect that no such presumption would be raised unless the ryot succeeded in proving uniform payment from 1839, *i.e.*, 20 years before the date of the passing of Act X of 1859, which for the first time enacted the rule. The observations made by Mr. Reynolds in support of the change are unexceptionable:—"Allowing all due weight to the arguments of the Commission, it is to be remembered that the presumption was first introduced by Act X of 1859, and that it was then necessary for the tenant to prove a uniform rate from 1839. It is now only necessary to prove such uniform payment from 1861. As there is reason to think that rent receipts have been much more regularly given, and much more carefully preserved, during the last 20 years than during the 20 years which preceded them, it seems to follow that the lapse of time has made it more and more easy to raise the presumption, and more and more difficult to rebut it. Nor can it be denied that auction purchasers labour under a special grievance in this matter. If it be said that they may be expected to regulate their bids accordingly, it may be replied that it is not for the public interest that estates should sell below their value on the ground that the circumstances of the sale facilitate the advancement of fraudulent claims by the tenant." It behoves the

legislature to consider how very easy it is for ryots, with the aid and connivance of former talookdars and their gomastas, to produce rent receipts showing uniform payment for 20 years. The injustice of the rule of presumption is clear from the fact that Government, with all its prestige and resources, wish to keep clear of it in respect of temporarily-settled estates. The exception which section 20 of the Bill makes with reference to such estates prove beyond all manner of doubt the necessity of a change of the law for the behoof of the landholders. The remarks made by Mr. Reynolds on this head are conclusive. He says:—" The exception in the case of tenures in an estate not permanently settled is stigmatized by Baboo Joykissen Mookerjee as an invidious distinction which shows the injustice perpetrated on the holders of permanently-settled estates. A little consideration will show that the exception is perfectly reasonable."

Section 16.—There can be no objection to the rule laid down in the last part of this section, if the commutation of the rent in kind into a fixed money rent is the voluntary act of the landholder; but if such commutation be made at the desire of the ryot, and against the wishes of the landholder, as provided for in section 82, the rule would be very unjust to the landholder. It would in that case be in the power of every ryot to prevent enhancement of rent on the ground of a rise in the value of produce which payments in kind secure to the landholder.

Section 18.—This is a new restriction on the right of enhancement, alike unfair and uncalled for. In those cases in which it will be shown that a tenure has existed since the Permanent Settlement, although at a varying rent, the zemindar must prove his right to enhance before he gets a decree. How is he to prove such a right? If that right be not deemed clear from the Permanent Settlement Regulations, landholders must give up all attempt of proving it by proof of custom or contract. There is no custom, one way or the other, affecting the zemindar's right of enhancement, and as regards contract it is well known that no written engagements exist in respect to a large number of tenures.

Section 25.—This section gives ryots a right of free sale of all holdings which are protected from enhancement of rent either by agreement or under the operation of the rule of 20 years' presumption. Nothing can be more unjust to the zemindars, or more ruinous to the ryots. It deprives the landholder of his right of choosing his own ryots. It requires no great experience of mofussil life to see that the learned Chief Justice is quite right in considering this to be "far from a sentimental grievance." A provision which allows ryots to thrust upon a landholder as his tenants persons who are his avowed enemies, or who are notorious bad characters, and who would therefore in all likelihood create disaffection and combination among his other ryots, place obstacles in the collection of rent, commit breaches of the peace, and sow the seeds of discord among a peaceful community, affects most materially the proprietary rights of the landholders. It will be seen that in the case of these protected holdings the landholders would not have a right of pre-emption, such as is provided for by section 51 in the case of mere occupancy holdings, but it may be urged that the number of such holdings is small. It is well known, however, that during the last 23 years the courts have indiscriminately declared a very large number of holdings in every district to be protected from enhancement, and that the number of mokururee leases granted by landholders during this time is considerable. In one year alone the number exceeded 19,000, as shown by registration returns. And then the right is proposed to be given not only to those whose holdings are protected by agreement, and those whose holdings have been declared protected after judicial enquiry, but to the holder of every "permanent tenure." Who is to judge whether a tenure is permanent or not? In 999 suits for enhancement of rent out of every 1,000, the ryots claim their holdings to be protected under section 4. No occupancy ryot would be so unmindful of his own interests as to admit his holding without any sort of struggle to be not protected from enhancement by giving his landlord a right of pre-emption when he wishes to transfer his holding. The effect of the provision under notice would therefore be that, with the exception of that inconsiderable number of holdings which have been declared by the Courts at different times to be not protected from enhancement, all other holdings will be capable of being freely transferred in spite of the landholders. The landholder will have no right of pre-emption in such cases. He may of course contest by a suit in court the validity of such transfers, on the ground that the holdings are not permanent, but to what an alarming position would the landholder be drifted if he were called upon without a moment's notice to prove scores, perhaps hundreds, of different holdings not to be protected from enhancement. He will not be allowed his own time to decide when he will sue a ryot for enhancement of rent. He must without any notice accept a stranger as his ryot, and also give up for ever his right to enhance the rent of a holding, or institute suits to establish his right to enhance, with the inevitable prospect of a defeat.

Nor are the evils apprehended, or likely to arise, from the working of the law to be confined to the landholder only. The ryot is for certain to suffer from them even more grievously. Whereas now they have permanent tenures which they cannot be deprived of in any way, except by their own default in paying rent, and their sons and grandsons and successors without limit may inherit, and always remain owners of their ancestral fields; under the new law they will be liable to, and practically will soon be reduced to day-labourers, and their fields will pass to middlemen, thus defeating the primary and professed object of Government, namely to better the condition of the ryots. Our conviction in this respect is firm, formed as it is by our thorough personal experience of the country and the condition of the poorer classes. Nor is this belief unshared by the governing classes. Mr. Ilbert,

when introducing the Bill in adverting to the power of sub-letting, remarked :—" The powers of sub-letting which the Bill recognises may in time lead to a state of things in which the great bulk of the actual cultivators would be not occupancy ryots, but under-ryots, with but little protection of the law " (page 291). The power of forced sale will greatly hasten this consummation.

The learned Chief Justice has observed " that to give a poor population like the Bengal ryots the means of selling or mortgaging their tenures at pleasure is a very certain means of making them improvident. I should have thought that the most effectual way of protecting such people, and preventing them from wasting their substance, would be to secure them a permanent interest in their property by prohibiting the alienation of it in any shape or way." The truth of these observations have been painfully illustratad in a large number of cases. Whatever may be the custom in some of the eastern districts, the sale of ryoti holdings, even with the consent of the landlord, is very limited in the western districts. It is mostly those holdings in respect to which the right of sale is expressly reserved by a lease that are now and then sold in the western districts; but when the landholder neglects his own interests, or when the proprietor is an infant or a widow, or when by reason of long-continued litigation among the different co-sharers of a property the management is left entirely in the hands of the local agents, it is then that opportunity is taken by money-lenders, traders, and others to buy up ryoti holdings, not for the purposes of cultivation, but for letting the lands, in most cases to their vendors themselves, at a large profit. The purchasers become middlemen and the original ryots become korfa or under-tenants with no rights at all, and are placed entirely at the mercy of their superior holders. It is needless to add that small middlemen are worse than useless factors in Indian social economy, and that as a general rule the ryots of large zemindars are much better off than those under small middlemen. The evil would increase a hundredfold if a right of free sale were given to the ryot. If the present law were left untouched in this respect, matters would adapt themselves to local conditions and circumstances. The custom which has grown up in some of the eastern districts has nothing pernicious in it. There the holdings are large, cultivation is mostly carried on by hired labour, and the transfer of the holding causes therefore no change for the worse in the condition of the tenant. The lesson given by the Deccan ryots should be a warning to the extension of the right of free sale to other places. " The saleable value of the land greatly increased the credit of the ryot, and encouraged beyond measure the national habit of borrowing, which I have before observed on."—Secretary to the Government of India, to the Secretary to the Government of Bombay, dated 29th February 1879.

Section 26.—In providing that no holder of a permanent tenure shall be evicted except for breach of a term of a *written* contract, this section imposes a condition which will deprive landholders of their just rights. It is well known that written engagements are exchanged between landholders and their tenants only in a very few cases. Where there are no written engagements, a landlord would therefore be unable to evict a ryot, even if he builds a factory or establishes a mart on his land; nor would he be able to claim a forfeiture of the tenancy if the ryot denies the title of his landlord. The language of section 50 (*d*) is better, but still defective contract, written and unwritten, and custom should be allowed to govern the rights of parties in the matter of ejectment.

Section 27.—The first thing which strikes one with reference to this section is, that the Bill does not provide anywhere for the registration, in the landholder's sherista, of transfers of occupancy holdings. The uncertainty which exists as to whether a holding is a mere occupancy holding or a tenure, *i. e.*, a holding protected from enhancement, render it essentially necessary that all transfers should be registered. The right of pre-emption, it is true, would give the landholders the requisite information in certain cases of transfer, but, as has been already observed, that right would be more illusory than real. Besides, why should not successions to occupancy holdings be registered in the zemindar's sherista? A landholder should not, moreover, be held bound to register mortgages of tenures, specially where possession has not been made over to the mortgagee. The landlord is entitled, in some cases, to demand from the purchaser of a transferable tenure security for the regular payment of rent. Provision should, therefore, be made for the deposit of security or the execution of a security bond where it is demandable by law or custom.

Section 28.—This section gives the tenant the alternative of applying for registration of transfer either to the landholder or to a revenue officer appointed for the purpose. Nothing can be more objectionable. It is one of the numerous cases in which the Bill contemplates officious legislation for the transfer of management of property from the hands of the owner to those of a public officer. It would unnecessarily impose costs both on the tenant and the landholder. The tenant should have a right of applying to the revenue officer only after the landholder has refused to register the transfer. The section, moreover, ignores possible objections on the part of the landlord to the registry. The transfer may be one of a part of a tenure, one of a non-transferable tenure, or one which is otherwise invalid, and yet this section enjoins that whenever application is made to the revenue officer a notice shall issue on the landlord, not asking him to show cause why he should not register, but requiring him to register the transfer. It is true that section 32 provides for objections which the landholder may raise to an application for registration, but why compel the parties to undergo the trouble and incur the costs of regular suit without giving them an opportunity of coming to an amicable arrangement among themselves.

Section 29.—In this section, too, provision should be made for possible objections on the part of the landlord to the registration of transfers.

Section 34.—The tenant should be made liable to pay a fee of 8 annas for the first copy of the entry, instead of his getting it free of charge. The Rent Commission suggested the imposition of a fee for the first copy. The service to be done is for the benefit of the tenant, and in equity he should be bound to pay for it. The zemindar derives no benefit: nay, he may be called upon to make a registry which will bring in an unwelcome tenant, who will prove injurious to his interest, and he cannot fairly be called upon to render service without a legitimate and reasonable fee.

Section 43 (a).—The word "village" should be more accurately defined with reference to its fiscal constitution. It frequently happens that the geographical boundaries of a village contain the lands of a second and third village belonging to a different estate and owner. The definition of the word here given would therefore give as against a proprietor a right of occupancy, and that of a settled ryot to persons who had never before held land in the village or estate belonging to that proprietor. This would be an extension of the right which is neither sanctioned by the Secretary of State, nor contemplated by the framers of the Bill. Many villages have so grown up as to have combined into one, bearing in such cases a compound of two or three names, and others may do so; some have grown up into towns of considerable size, whereas the principle on which the provision is justified is that the holdings are contained in the same village or part of a village as owned by a single proprietor. Clause (*b*) of the section shows this clearly, but with a different object as reprehensible as this.

Section 43 (b).—Considering the purposes to which the word estate has been used in subsequent sections, the definition of the word here given is very objectionable. The arbitrary meaning, opposed to every conception of the term and to its definition in section 3, attached to the word by this sub-section, will lead to great confusion, while the inroad into proprietary rights which it involves is great. The effect of this section would be, that a person who has never held any land under A, but who has held land for 12 years under B, perhaps an enemy of A, will be deemed a settled ryot of A's estate, if at any time subsequent to 1853 the two estates formed or formed part of a parent estate. Some estates which formerly comprised lands in two or more districts have subsequently to 1853 been partitioned, but on that very ground this section would deem a ryot of a village in Burdwan a settled ryot of a village in Hooghly, which is more than 60 miles apart, and which he has very likely never seen in his life. The absurdity of a theoretical rule conceived in utter ignorance of existing circumstances can go no farther. What, again, would be the effect of the interpretation in question with reference to section 47. It would be simply this, that a person who has held land under a landholder for a few days would acquire a right of occupancy if he had held land for 12 years in a distant estate which once formed a part of the same estate as his. An examination of the nature and origin of estates would show how harmful the proposed definition would be. The principal estate of the Moharaja of Burdwan is composed of villages scattered in five or six districts. The Bill certainly distorts the views on this point of the Secretary of State, who evidently refers to partitions of estates in future when he remarks—"It will be necessary in actual legislation to provide that this right is not forfeited by any sub-division of estates and alteration of village boundaries."

Section 44.—Both in the definition of ryot in section 3 and of occupancy right in this section the important qualification inserted in section 6 of Act X of 1859 has been omitted. The right should attach to the ryot with respect to any land only "so long as he pays the rent payable on account of the same." It is an important qualification, and one that goes to the very root of the matter.

Section 45.—The "settled ryot," as defined in this section, is very different from a 'resident ryot' familiar to the Indian lawyer. The rights given to such a ryot by sections 57 and 61 are most objectionable. The latitude which sub-section 3 gives to the acquisition of the right is also very objectionable. In joint Hindu or Mahomedan families the number of co-sharers, male and female, in a ryotty holding is usually very large. Should all and every one of them acquire the rights of a settled ryot? Though some of them may be living for years, and in fact presumably far away from their ancestral homes.

Section 46.—This section provides that a ryot must cease to hold land for the full period of one year before his title to the land expires. In the meantime the land will remain fallow, and the landholder will have no security whatever for his rent. It would not be at all unreasonable if it were held that a ryot's title would cease by his absenting himself from the village for six months without making any provision for the payment of the rent payable by him. By the Central Provinces Act an absence of 30 days operates to extinguish the ryot's title.

Section 47.—A ryot who who has held on the 3rd of March 1883, even for a few days, a large quantity of land in a village, would by this section, any contract to the contrary notwithstanding, acquire a right of occupancy in respect to that land if he or his predecessor had held even a kotta of land in that village, or in the estate to which it appertains, for a period of 12 years. This is a most unjust and uncalled for invasion of the rights of landholders. The rule for the acquisition of the right of occupancy laid down in section 6, Act X of 1859, has been declared by eminent judicial authorities to be an encroachment on the proprietary rights of landholders. It was at first proposed to apply the rule only to resident ryots, and it

was only on the recommendation of the authorities of the North-Western Provinces that it was extended to all classes of ryots, but with a view to palliate the wrong thus done to zemindars a section (section 7) was enacted, which gave the landholders a power to prevent the accrual of the right by taking proper engagements from the ryot. It is admitted that that law has succeeded in giving fixity of tenure to a large majority of the ryots. Where, then, is the necessity of this fresh and unjust inroad into the rights of zemindars? The statement that landholders have hitherto prevented the accrual of the right of occupancy by not allowing their ryots to hold the same land continuously for a number of years is, in the main, incorrect and unfounded. If the practice has grown, as has been stated, in some estates in Behar the landholders are not to blame for it. They have done merely what is not wrong, but what they are expressly authorized by law (see sections 7 and 9, Act VIII of 1869) to do in order to protect their own interests. It should be remembered that the practice did not affect old ryots, *i.e.*, those who have acquired rights of occupancy, and that when the landholders could legally prevent the accrual of the right of occupancy by taking proper engagements from their ryots, this constant shifting of cultivation may be due to other causes, the conditions of the soil for example, than the desire of the landholder to gain his own object. The Secretary of State has, it is true, given his sanction to a revision of the law relating to right of occupancy nearly, though not quite, in the way proposed by this section, but it is no wonder that such sanction has been given when it is recollected that the opiniors of high and experienced afficers of Government, of men like Lord Ulick Browne, Mr. J. Monro, and others were kept in the back ground, and the isolated opinions of a few officers who are wedded perhaps to particular pet theories were held up to His Excellency as evidence of the condition of the ryots and of the conduct of the landholders.

The provision against freedom of contract in respect to the accrual and to the incidents of the right of occupancy is indefensible on all grounds, rational and economical. The ryot is a free agent in all other concerns of life. He may sub-let his lands at any rent, however small; he may borrow money at a ruinous rate of interest; he may relinquish, mortgage or sell his lands whenever he pleases, and convert himself into a day-labourer, but he must not consent to forego the acquisition of right of occupancy even in regard to land which he requries for temporary purposes, or to pay enhanced rent to his landlord at a rate which he has not the least disinclination to pay. The ryots are unquestionably a much more intelligent class of men than day-labourers; but although the latter are free to contract away their liberties for service in an unknown land for years, the freedom of the former must be restricted, in the opinion of our legislators, in matters in which they are the best judges of their own interests. The argument drawn from section 58 of Regulation VIII of 1793 in support of the proposed restriction is at best fallacious. That section required the form only of the potta to be submitted for approval once for all, and left the adjustment of the conditions, terms, and details to the parties concerned. Section 56 of that Regulation clearly shows that no sort of restriction whatever was intended to be placed in the way of the contracting parties. It is observable that a far different rule has been proposed for cases in which the interests of Government are concerned. The Bill, section 121, empowers a revenue officer to override contracts entered into by landholders with their ryots at reduced rents in estates not permanently settled, and to assess the rent in accordance with the provisions of the Bill.

When an owner, tenure-holder, or izardar holds alone as such any land, he would be prevented by the proviso of this section from acquiring a right of occupancy in respect of that land. Is it intended to mean that when land is held jointly by a number of owners, tenure-holders, or izardars, such a right may be acquired?

Section 48.—This section provides that a right of occupancy in an under-tenant may accrue only by an act of a permanent tenure-holder, but that after such a right has been created, all the incidents of an ordinary occupancy right will attach to it. A right of occupancy within a right of occupancy has been hitherto unknown in this country. It would give rise to great confusion in the matter of determination of rent payable by the sub-occupancy ryot, and of his rights and liabilities in cases of default of payment of rent by the superior ryot, and of distraint of crops and sale of the superior holding. This section would, moreover, enable ryots to introduce into the village, as under-tenants with rights of occupancy, persons who are obnoxious to the landholder, without the latter having any means whatever to prevent it.

Section 49.—The extension of the rule as to occupancy rights to khamar lands, unless prevented by contract, is an uncalled-for infringement of the rights of landholders. It is opposed to what Mr. Ilbert emphatically said in Council: "We might, I think, very fairly say to the zemindars—'This is private, sir, or khamar land is, and shall be, your own in a special and exclusive sense. You may do as you like with it."

Section 50 (d).—The very condition essential to the continuance of a right of occupancy in respect of any land is the payment of the rent payable for the same. It has been observed before that the omission of the qualification, namely, "so long as he pays the rent payable in respect of the same," is a material defect in the definition of the right given in the Bill. It is not in a land which the ryot merely occupies that he should acquire a right of occupancy, but, as observed by the Secretary of State, it must be a land which "he occupies and pays rent for." Such being the conception of the right, it is difficult to see how the incident of ejectment for non-payment of rent can be separated from it. The penalty is inherent to, and inseparable from, that right. In omitting to provide for ejectment for

non-payment of rent the Bill takes away a remedy which the landholders have not only all along enjoyed, but which is necessary for recovery of their rents. It would be found on enquiry if one were made, that in a very small number of cases indeed have the landholders availed themselves of this remedy, and that in a large majority of the cases in which decrees were obtained for ejectment the lands have been re-let to the defaulting ryots after some arrangement for the payment of the arrears have been come to; but the very existence of the remedy is a check to habitual and wilful non-payment of rent. For reasons stated with reference to section 26, a landholder should not be deprived of his right of ejecting a ryot where he is entitled to do so by custom or unwritten contract.

Section 50 (*c*).—Both Sir Ashley Eden and the Secretary of State are strongly against the practice of sub-letting. The latter remarks—"I entirely agree with you that sub-letting, where the custom has not become firmly established, should be discouraged," and yet the Bill would give the right indiscriminately to all occupancy-holders. If it be the object of the legislature to foster a substantial class of cultivators who have a direct interest in the agriculture of the country, that object would be frustrated by giving to all occupancy ryots the right of sub-letting. There are, doubtless, occasions when sub-letting may become necessary, as, for instance, when the holder of the right is a woman, or a minor or an invalid and a provision for sub-letting in such cases would doubtless be reasonable, but the grant of the right to all occupancy ryots, whether they have or have not the right by custom, would simply tend to create a class of middlemen who would enjoy all the rights and privileges taken away from the landholders, while the cultivators themselves would fare much worse than at present.

Section 50 (*f*).—The evils incidental to a rule for the free sale of ryoty holdings in this country have been already described with reference to section 25. If the free sale of permanent holdings be objectionable, how much more so would be the sale of simple occupancy rights held by persons who are in a majority of cases very poor, and who have no resources to fall back upon in seasons of agricultural distress. The result of such a rule would be, that within a few years the holdings will change hands, a number of middlemen will come into the possession of the greater part of the holdings of every village, while the original ryots themselves, who are the objects of so much tender solicitude on the part of the Legislature, will be reduced to the condition of day-labourers or of under-tenants paying rack-rents to their superior holders.

Sections 51 to 55.—The right of pre-emption proposed to be given to landholders on the sale of occupancy rights is as intangible as it would be ineffectual in palliating the wrong done to them by making the right transferable. The right of pre-emption would go for nothing if the ryot chooses to think—it would be preposterous to assume he would do otherwise—that his holding is protected from enhancement, or that it is a permanent tenure, and one therefore which under section 25 is not subject to the landlord's right of pre-emption. If the landholder wishes to assert his right of pre-emption, he must go to court prepared to prove the holding liable to enhancement, or that it is a simple occupancy holding, and *that* within six months from the date of sale, gift, or bequest. Nothing would be, however, more easy than for the ryot to defeat the landlord's right of pre-emption by keeping the transfer a secret from him for a period of six months, after the lapse of which the landlord would have no right or remedy whatever in respect of the transfer. The case would be much worse if the ryots combine against their landlord at the instigation of a neighbouring and unfriendly landholder, and call upon him to exercise his right of pre-emption at once in respect to a lage number of holdings. Few landholders in Bengal have the means of meeting such a call. With rare exceptions, therefore, they will be placed in such a case at the mercy of their ryots. In cases of sales in execution of decrees the Bill does not provide for any service of notice of intended sales upon the landlord, but he is expected to make himself cognizant of all such sales and to bid at the sales—a provision which shows further how worthless is the right of pre-emption proposed to be given to landholders. The Bill makes no provisions whatever for cases in which one or two of several joint-owners claim jointly or in rivalry to exercise the right of pre-emption in opposition to the wishes of the rest.

Section 56.—The Bill, while professing to run on the lines laid down by the Secretary of State, makes departures from them here and there which are wholly unwarrantable. He nowhere sanctions the accrual of an occupancy right by any but a settled ryot, but this section would give the right to a perfect stranger, who is let into a land which has come to the landholder's possession by virtue of his right of pre-emption. This is, however, far from being the worst feature of this section. Any other purchaser of an occupancy holding will have the right of using it in any manner, and letting it at any rent, he chooses, but the landholder, the proprietor of the soil, must not only pay as much as the land is worth if he wishes to purchase it and let it with a right of occupancy even to a stranger, but he must not also let it at a rent higher than what he was receiving before his purchase. This is expressly opposed to all ideas of fair play at auction sales, to all economic principles, and to the views of the Secretary of State, who says that the landholder may let such land "at whatever rent he can obtain." The right of pre-emption would therefore be a positive wrong and disability, instead of a benefit to the landholder.

Section 59.—The objections to the restrictions to freedom of contract apply with double force to contracts relating to rent which the contracting parties with an eye to their own

interests will enter into. Whenever a ryot agrees to pay a certain amount of rent for a plot or plots of land, he does so after taking into consideration the situation and capabilities of the land and the profits it or they will fetch him. He is the best judge of his own interests in the matter; he has his remedy in all cases in which the least coercion has been used, and yet this section restricts his rights as a free agent, and makes a revenue officer the guardian of his interests. But will any amount of legislative precaution prevent the parties from entering into any contract for rent they might agree upon? The futility of such attempts was made abundantly clear by the experience of the usury laws. The result of such a law would be that honest zamindars would suffer, while those whose exorbitant demands for rent it is intended to limit would be able to carry everything in their own way.

The arbitrary limit imposed by this section to rent with reference to the value of produce of the land is anything but just and reasonable. Leaving aside the question of lands which were waste at the time of the Permanent Settlement, and which the landholders have a right to let to their best advantage, it cannot but be conceded that they are entitled to get the State share of the produce of the soil which was made over to them for an annual money value or revenue fixed in prepetuity. Any measure which which would reduce that share cannot but be an act of spoliation, specially if it originates with that one of the contracting parties which received at least an adequate consideration for the bargain. It is well known that for the purposes of the Permanent Settlement the rent was assessed at from half to three-fifths of the value of produce. Whether the Government of 1793 was right or wrong in assessing the rent at such a ratio is a question with which neither the present Government nor the zamindars have anything to do. The British nation as masters of the soil took upon themselves the power of making what settlement of land revenue they thought proper on the assumption that they had got the land free of all previously existing rights and engagements (section 30, Regulation II of 1822). The rule in question is, therefore, a direct breach of the compact of 1793. If the Government wish to keep faith with the landholders, and to deal justly by them and their ryots, let the ratio of produce which formed the basis of settlement in 1793 in each district be enquired into and determined for the purpose of fixing a limit to the zamindar's claim for rent. One-half the value of the produce is not so high a ratio as it is supposed to be by some. Only last year the Bombay High Court decreed a claim for enhanced rent on the basis of half the value of the gross produce of the land.—3 I.L.R. 348.

The question of maximum limit to rent on the basis of a share of the produce presents another aspect. The ratio which rent bears to the value of produce varies in different districts from less than one-twentieth to more than one-half. Of what practical value is a maximum limit under such circumstances? In districts likee Dacca and Chittagong, where the ratio is low, the landholders would be entitled to double their rents after every 10 years; while the Hooghly, Burdwan, and such other districts, where the ratio is high, the rule will stop enhancement altogether, although, as a matter of legal right and justice, they are entitled to get as rent a sum which represents their original share of the produce. It is difficult to say how this variation in the ratio of produce in different districts took place; but if it be assumed that the ratio which formed the basis of the Permanent Settlement was pretty nearly uniform in these provinces, the present difference must have arisen by a rapid rise in the value of produce in districts like Dacca and Chittagong. Be the cause, however, whatever it may, it is undoubted that it has resulted in making estates and tenures in those districts much more profitable than those in Hooghly and Burdwan. The road cess statemets show that, whereas in Hooghly the ratio of revenue to the total rent-roll of the district is 48·4 and in Burdwan 40·8, it is only 21·9 in Dacca, 24·7 in Chittagong, 16·1 in Mymensingh, 8·6 in Durbhanga, and 6 7 in Loharduggа. The effect of the rule would therefore be that, while it would press hard on the landholders, whose profits are small, it would give those whose profits are large an unlimited latitude for enhancement of rent.

The Bill allows the rent of a ryot to be doubled by decree of court in an enhancement suit. It is therefore difficult to understand why the increase of rent should not be more than 6 annas in the rupee when the enhancement is effected by contract. The rule is simply a premium on litigation.

Section 61.—When any land comes to the khas possession of the landholder, it is usually let to some one of his ryots. It is in rare cases that a stranger comes to rent the land, or the landholder has the inclination to let it to one whose antecedents are unknown to him. For all practical purposes, therefore, the landholder's right to let will be materially restricted, even in respect to land which we have been accustomed to regard as land over which he has absolute control. He would not be able to rent the land at a higher rent than what was previously paid for it, unless by a registered contract approved by a revenue officer, who should see not merely that the contract rent is not more than one-fifth of the value of produce, but also should satisfy himself "that it is fair and equitable, and that the ryot in entering into it acts as a free agent." The climax of the evil is reached in cases in which the landholder lets out land which has come to his possession by virtue of the right of pre-emption. Payment of the highest price available for the land does not give him an iota of right in excess of that restricted right he would have in respect of land which has come to his possession by relinquishment, forfeiture, or death.

Sections 62 to 78.—The first attempt made since 1793 to regulate enhancement of rent by the enactment of definite rules has failed, and it requires no great foresight to see that

the elaborate rules laid down by the Bill for the preparation of tables of rates would make matters much worse. It is anything but reasonable to expect that public officers, wholly ignorant of the condition of the people, of the nature of the soil, of the different kinds of crops, and of the agricultural capabilities of a village, would ever succeed in fixing proper rates of rent for different classes of land. They must err on one side or the other. Did not our judicial officers make confusion worse confounded by decreeing (before they ceased to decree any rates at all) a variety of rates for the same class of land in a village? The most feasible way of meeting the difficulty appears to be the legal recognition of the indigenous system of the country. Let the preparation of a table of rates for each village be entrusted to a punchayet consisting of a number of mandals and the zamindar's gomashta of the village, and some provision made for cases of defference of opinion among them. A table or jamabundee so prepared would be more satisfactory to the parties concerned then any table prepared by a public officer, and all the trouble, expense, and loss of time, to the detriment of cultivation which it involves, would be avoided.

A provision for the payment by zamindars and ryots of the cost of preparation of a table of rates, including the salaries and portions of salaries of officers employed in the work, is unjust and unwarrantable. A suitor paying high institution and other fees is entitled to have his suit tried and decided, otherwise the salaries of Judges and Moonsifs may with equal justice be made payable by him in addition to what he pays by way of institution and process fees. The payment of the cost of preparation of tables of rates would not relieve suitors of the cost of suit. After they have paid for the preparation of tables of rates, they would have to pay the costs of suit all the same. Again, after a table of rates has been prepared at an enormous cost, what use will it come to? In the adjudication of suits for enhancement of rent the court is required by section 73 not to rely solely on the table, but to adjudge the rate of enhancement on a variety of considerations. The condition of the land, the changes made in it, the persons by whom the changes were made, and the proportion of cost incurred by each contending party in making the change, would have to be enquired into, and latitude should also be given to custom and contract to vary the rates mentioned in the table. The great difficulty which officers would experience in preparing correct tables of rates, the enormous expenditure which the work would entail, the double costs which the procedure would throw on landholders and ryots, and the little practical use the table will come to in suits for enhancement of rent, are all considerations against the feasibility of this ill-judged measure.

Section 74.—Among the grounds on which the ryot is liable to pay enhanced rent to his landlord, that which in the present law provides for enhancement by reason of the ryot occupying more land than what he pays rent for, has been omitted in this section.

The Bill does not deny the landholder's right to get enhanced rent on this ground; but the manner in which that right has been declared in section 60 is so very indefinite, and the division of the lands of a village into khamar or ryotti is calculated to give rise to so erroneous presumptions, that it would be well both for the landlord and tenant that the law on the subject should be clearly laid down. The provisions of section 96 refer to cases in which it would be proved that separate plots of land have been added to the ryot's holding, but this is quite distinct from a case where the increase of area is due to a clandestine encroachment by the ryot upon adjacent, occupied and unoccupied, lands. The provision of the present law should be retained.

Section 75.—The proposal contained in this section to limit theamount of rent to the value of one-fifth of the produce of the land has been already commented upon with reference to section 59.

Section 76.—For ordinary cases a rule prohibiting the enhanced rent to be not more than double the rent previously payable is not objectionable, but a dogmatic rule to that effect would be productive of great hardship and injustice in cases in which the landholder, by means of large outlay of capital, raises the value of land to several times its original value. In such cases section 75 (*a*) gives the landholder the whole benefit of the change. Again, when an assessment is tainted with fraud and collusion, the restriction in question would result in great injustice. A zamindar or putnidar lets land to his relative or dependent at less than one-fourth the prevailing rate of rent. With a view to give colour of *bonâ fide* to the transaction a suit for arrears, or even for enhancement of rent, is instituted, and it is so managed that the rent is not disturbed. A number of such holdings may be created, and then the property might be allowed to change hands by default of payment of revenue or rent. Should the purchasers at the revenue or putni sale be precluded from getting more than the double rent in such cases? This section should therefore be modified so as to provide for cases of the nature above indicated. Regulation VIII of 1793, section 60, clause 2, provided for such cases.

Section 77.—When a landholder gets a decree for enhancement of rent, it is on the ground that he is entitled to it by reason of the increase in the productive powers of the land, or of a rise in the value of produce as determined by an examination of the produce or prices of a number of preceding years. The decree is for what the ryot has been withholding from the zamindar. It is not the case of a poor debtor who is unable to meet the creditor's demand, unless the court allows him to pay the creditor by instalments. The provision or gradual enhancement is therefore unjust and uncalled for. Again, section 201 gives the court a discretion to fix the date from which a decree for enhancement shall take effect. These two provisions taken together will give the courts a power to render any decree of enhancement abortive. Progressive rents are necessary only with regard to waste and jungle lands, which can't be cultivated all at once.

Section 81.—This section proposes to place restrictions on rents in kind, which are alike unjust and uncalled for. They are opposed to the declaration of Government to the effect that existing rents would in no case be reduced. It is well known that nine annas of the produce is not unusually the z amindar's share when rent is paid in kind. The ryots pay that share voluntarily, and there is no reason whatever why that share should be reduced to eight annas. The proposal that whatever be the nature of the crop grown on the land, the zamindar shall be entitled to get the value of his share only in staple crops, is still more objectionable, the rule or custom which regulates payments in kind embrace the number of crops, any one or more of which the ryot may grow at his pleasure, and whatever crops he grows he pays the fixed share to the zamindar. Why should this simple arrangement, which has received the sanction of immemorial custom, be interfered with, specially when no objection has been raised to it? Far from placing a restriction to the right of the landholders in this respect, the legislature should declare the customary right which they enjoy in common with the landholders of some other countries, Holland for example, of compelling the ryot to grow a new and paying crop, and to come to some fresh arrangement with his landlord if he wishes to grow a new crop of his own accord. Interference in matters like these, which can best be arranged amicably by the interested parties, is productive of great mischief, and is calculated to increase litigation to an alarming extent.

Section 92.—The draft Bill of the Rent Commission provided for a commutation of rent in kind into money rent at the instance either of the landholder or the ryot, but this section gives the right only to the ryot,—the party who has in most cases the choice of cultivating or not cultivating the land, and of relinquishing it altogether. Nothing could be more unjust to the landholder. Payment of rent in kind is a method of payment which saves the ryot the trouble and expense of taking his produce to the market, and of contesting the zamindar's claim for enhancement of rent, while it saves the latter the trouble and expense of periodically asserting and proving his claim to enhanced rent. It is a self-regulating system which adjusts itself to the variations in the price of produce, and one therefore which is best fitted to give to each of the interested parties his just rights without the interference of laws and courts, and is on that account eminently deserving of the support and fostering care of Government.

The ultimate loss to the zamindars, if such commutation were allowed, would be in other respects very heavy. After the rent has been commuted into money rent, the ryot need only relinquish the holding, and he or his neighbours would be able to compel the landholder to re-let the land at a rent not higher than one-fifth the value of the produce of the land. Payments in kind also secure to poor landholders their requisite supply of food-grain for consumption throughout the year, and it would be a source of great inconvenience and hardship to them if the ryot be allowed to change them into money rent at his pleasure. It should, moreover, be recollected that it is in respect of lands which are more than ordinarily subject to the risks of cultivation, and which the ryots do not venture to take at a fixed annual money-rent, that rent is paid in kind. Our legislators should think twice before they recommend a change which may ultimately injure those most for whose benefit they now wish it. It should also be borne in mind that in the two disttiets of Behar where bhowly rent obtains to a large extent the cultivation of land is carried on the co-operative system, Both in Patna and Gya the cultivation of land mainly depends on the landholder. It is with his money that embankments must be raised and maintained, and it is with his money that *pynes* on water-courses must be cut and kept clear before the land can be cultivated. The ryots are altogether powerless to execute and maintain these works, and any measure which would throw the entire responsibility of cultivation on them would be their ruin.

Section 85.—In proposing that a right of occupancy in a bastu land should not lapse on a ryot ceasing to be the settled ryot of a village or estate, this section contemplates a great wrong to the landholder. At present, when a bastu land forms part of a holding, the right accrues and ceases along with the right in respect of the other lands of the holding. No such right should reasonably be allowed to accrue when the bastu forms no part of an agricultural holding; and a provision regarding bastu land, purely as such, would be out of place in an Act relating to landlords and tenants. If a ryot is allowed to have a right of occupancy in a bastu land, after he has ceased to be a member of the agricultural community, the effect on the rights of the landholder would be disastrous, with reference to bastu lands in marts and trading villages. The provision is, moreover, opposed to the well-established principle of law, that a landholder is not bound to recognise a division of ryoti holding—a principle which section 150 of the Bill fully takes cognizance of. The bastu as an occupancy holding gives a lien to its holder to claim under the proposed law all rights of occupancy to lands that he or any of his descendants may at any time take up. Without subjecting himself to the 12 years' occupation clause. Let a clandestine encroachment be once made by a ryot, even for a few weeks, and he becomes an occupancy holder. The economic effects of the provision would be still more mischievous. There is only a limited quantity of bastu land in every village, and if a portion of that area be taken out of the reach of the agricultural community, not merely would the integrity of holdings be destroyed but great inconvenience and hardship would be felt for want of bastu lands.

Section 86.—As observed under section 50, custom and oral contract, and not only written contracts, should be allowed their operation in the matter of ejectment from bastu land.

Section 87.—A maximum limit of 5 per cent. of the market value of the land to the rent of bastu land would be most arbitrary and unjust. Considering all the risks of loss

to the landholder by relinquishments, bad debts, diluvion, &c., rent on particular plots of land, calculated at 5 per cent. of the value of the land, would really come to a much lower percentage on the whole. Again, it is a well-known fact that in some districts, the southern portion of the 24-Pergunnahs for example, bastu lands bear the lowest rate of rent of all lands in a village, while in others, Hooghly for example, bastu lands bear the very highest rates of rent, and in others again they bear no rent at all. A uniform rule would be therefore quite unsuited to the circumstances of the case. The matter should be left to contract and custom.

Sections 88-95.—In the face of great anxiety expressed by the Secretary of State that the principle which allows no right of occupancy to accrue except by possession for 12 years should not be abandoned, and His Excellency's declaration that he attached great importance to it, this chapter proposes to give ryots, who have admittedly no right of occupancy, as good a right of occupancy as that created by Act X of 1859, if not one much more damaging to the landholder. The rent of such a ryot shall not exceed ⅛ths of the value of the produce of the land; he can't be ejected, except for breach of a condition of a written contract; his rent can't be enhanced without a notice having been previously served upon him and a decree having been obtained against him; he would be relieved of the liability of paying enhanced rent for the year next following the notice; if he agrees to pay the enhanced rent, no ejectment shall follow a decree for enhancement against him, unless the landholder deposits in court a sum payable to the ryot as compensation for improvements, and a further sum as compensation for disturbance; and in case of failure the decree would be void, and no further attempt at enhancements of rent allowed within the next 10 years. These are rights much greater than what an occupancy ryot enjoys at present. No wonder that objection was taken by Hon'ble Members of Council to the whole of this chapter, which trenches materially on the rights of landholders.

Section 96.—The assumption that even an occupancy ryot is entitled to the possession of accretions to his holding is wholly unwarantable. It is opposed to the existing laws and judicial decisions on the subject. The accretions belong to the proprietor, who has the right of letting them out in any manner he thinks proper. While all losses by diluvion, change of course of rivers, and by relinquishments will fall on him, it is anything but just and reasonable to hold that the gain by accretion will be the ryot's and not the proprietor's. Again, why should the increased rent for accreted land be payable at the rates payable by occupancy ryots? It is well-known that accreted lands are much superior to old lands, and ordinarily bear much higher rents. The proposal to give ryots whose holdings are protected from enhancement a profit of 30 per cent. on the increased rent is equally unjust and unreasonable. But nothing could be more preposterous than the proposal that, while the enhanced rent for accreted land should be calculated at the rates of rent payable by occupancy ryots, the abatement of rent for diluviated land should bear the same proportion to the rent previously payable as the diminution of the total yearly value of the holding bears to the previous total yearly value thereof—a mode of calculation which would necessarily give the ryot, for no reason whatever, an abatement of rent, even as regards the land which would remain in his possession, and much in excess of the amount he would be entitled to by the rule of proportion.

Sections 97-98.—Such a variety of objections have lately been taken in trial of rent suits as to the instalments by which rent is payable, and so many capricious decisions have been passed on the subject, that some simple rule on the subject has become very desirable: instead of that, however, the Bill would make matters worse. In the case of tenure-holders and ryots whose holdings bear a fixed rent, the Bill would give free scope, in the first instance, to the terms of any agreement between the parties, then to custom, and lastly to such rules as may be framed on the subject by the Board of Revenue. In the case of a large majority of the ryots, *viz.*, the occupancy ryots, the Bill provides that the number of instalments should on no account exceed four. It is a fact borne out by the Regulations that Government revenue was formerly collected in monthly instalments, subject to a penalty of 25 per cent. for default. By the custom of the country the rents of ryots are even now collected by monthly instalments, and all the leases evidencing creation of tenures, putni and other, contain stipulations for monthly payments. A reduction of the number of kists would therefore be unjust to the zamindars and tenure-holders. Mr. Reynolds' Bill effected a compromise in the matter which was acceptable to all. He proposed in his Bill to fix only four instalments, the date of each of which was timed just one month before the dates on which the four instalments of Government revenue are payable. A definite rule like this would be much simpler and more conducive to peace and harmony than a procedure which is sure to cause useless trouble and expense to suitors.

Section 100.—In providing for receipts for rent by the landlord the Bill evidently means receipts by his authorised agents. It would be well, however, if the meaning be made clear. Item (*f*) is never entered in receipts. It would be a source of useless loss of time to the agent, and it is altogether unnecessary. The amount of rent and the amount of arrears would be shown in the annual account. Why, then, require them to be repeated every time the rent would be paid. If the introduction of any change be at all desirable, the legislature should see whether the *hatchita* system may not be introduced for the purpose of evidencing payments of rents. It has several considerations to recommend it. Item (*g*) ignores a long established practice. It offers a direct incentive to arrears accumulating, so that after the lapse of the statutary period of three years the ryot may wash himself clean

of all liability to arrears. On the other hand, it compels the landholder to resort to the civil court for every default, without showing any consideration to his tenant. In fact it is a premium on hard-heartedness, and discount on mercy. A zamindar should unquestionably have the right of crediting payments of rent to the account of arrears, if there be any, and the ryot should have no right to demand that it should be credited to a particular year and instalment, if the rent of previous years be in arrears. The item in question, being opposed to the established practice, should be omitted. Zamindars may fairly claim that the receipt they give to the ryot should be similar to the receipt granted to them by Collectors on the payment of revenue. It is necessary that the form of the receipt should be simple, and that it should not contain more than what is absolutely necessary, in view of the heavy and most unreasonable penalty which sub-section 4 imposes in respect of defective receipts.

Section 101.—As proposed by the Rent Commission, the landholder's agent should be paid a fee of annas four or eight before the ryot is declared entitled to get an account which the agent or his master is on no earthly ground bound to give. For reasons above stated, item (*f*) should be omitted.

Sections 103-107.—A ryot is at present allowed to deposit rent in the Collector's office on his verified statement to the effect that the landholder's agent has refused to receive the amount tendered to him, and that the amount is all that is due by the ryot up to the date of deposit. Nothing can be more reasonable than this provision. The Bill, however, proposes changes in the matter of deposit of rent which are unjust to the landholders, and quite uncalled for by the circumstances of the case. It proposes to allow deposits of rent to be made if the ryot has reason to believe (without an actual tender) that his rent would not be accepted; or if he is unable to obtain a joint receipt from all the co-sharers of a property, if he entertains a *bond-fide* doubt as to who is entitled to receive the rent. The Bill would therefore make the ryot the judge of his landlord's title and of his inmost intentions. It would give the ryot the power to convert the Collector's office into his landlord's kutcherry, and to compel his landlord to bring an expensive suit to establish his title against any person of the street who the ryot may choose to think has a rival title in the property. The proposition is so opposed to all recognised principles of law, and so dangerous in its effects, that in providing for interpleader suits by stakeholders the Code of Civil Procedure has expressly (section 474) excluded tenants from the category of persons who as stakeholders may compel rival claimants to interplead in a suit in court. The immediate effect of this would be to empower the Collector to assume the functions of a civil court, and adjudicate in an informal, but quite effective, manner regarding rights to one's property on the issue of a few rupees, and put the actual possessor out of possession on the alleged right of third parties. The Bill, moreover, would give a ryot much greater rights than what the Procedure Code gives to any other stakeholders. It would save the ryot from the expenses of a suit, but allow him to compel his landlord to plunge into an expensive and, in most cases, fruitless litigation. Provisions like these are calculated simply to breed ill-feeling, create animosity, harass both the interested parties, and give rise to endless litigation.

The provision for the service of notice on landholders is anything but satisfactory. In most cases no personal notice would be served, and the landholder, however poor he may be, is expected to have an agent always present at all the revenue offices of the district, to inform himself of the fact of deposit by any ryot from the notification required to be affixed at the revenue office. The provision for payment of the amount deposited is equally objectionable. The revenue officer may pay the amount to any person he thinks entitled to get it, and then the party aggrieved may recover the amount by a regular suit. In matters like these, in which the rights of parties are not involved, and in which legislation may go a great way to foster good feeling between the parties, a provision which will unnecessarily set class against class is wholly unwarrantable. The present law relating to deposit of rent is about as good as a law can be. If a time be fixed within which notice of deposit should be served on the landholder, or if a provision be made for the transmission of the money by a postal money-order to the landholder, all the improvement that it needs will have been made.

Section 117.—This section provides that if the landholder interferes with the cutting of produce in any way he shall be deemed guilty of criminal trespass. The objectionable nature of this section will be discussed in considering section 166 on distraint.

Section 119.—This section provides that the rent of no non-occupancy or korfa ryot should exceed $\frac{5}{16}$th of the value of produce of the land. As a matter of fact a much larger ratio is paid, not only by such ryots, but whole communities of occupancy ryots in several districts. This arbitrary limit, fixed in utter ignorance of existing facts and circumstances, is wholly unwarrantable. It militates against the express views of the Secretary of State, who has stated that a landholder should have the power of letting land which comes to his possession "at any rent he may obtain," and while it restricts the right of the occupancy ryot as regards his under-tenant, it leaves the under-tenant of the second degree entirely at the mercy of his superior tenant.

Section 123.—With reference to this section it is necessary to mention that both Sir George Campbell and Major Baring classed some so-called impositions under the head of abwabs or illegal cesses which are no abwabs at all. The selamies, for instance, which a landholder gets from a ryot for making excavations and taking earth for making bricks, for hewing trees, for excavating fish-ponds, &c., are not impositions in any sense of the term, but con-

sideration money for special privileges, which he is entitled to exact on every eqitutable ground. These acts of the ryot deteriorate the letting value of the land, and are therefore such as landholders are lawfully entitled to receive compensation for. Such selami or compensation landholders have in several cases recovered by suits in court. Indeed, the words *abwab* and *makthat* used in the section would not have covered them at all, but from the fact of some such payments being made annually or at recurring periods, or so long as the special advantages are enjoyed; and because the concluding part of the section declares all additions to the actual rent to be illegal, and in the next section impose a money penalty. It cannot and should not be the intention of Government to prohibit special charges for special benefits; and it is necessary therefore that the term abwab should be clearly defined, and exceptions should be expressly made with regard to such compensatory charges. In several places the imposition of abwabs has taken the place, and superseded the necessity, of enhancement of rent. It is in fact a moral adjustment of rent in consequence of the increased value of produce, and is in that light not so objectionable as it is supposed to be. The only other remark which need be made with reference to this subject is, that our legislators are evidently ignorant of the fact that what is called the mathat is a village fund raised by ryots for their own behoof, and not a fund raised by the landholder for his own benefit. The fund is made up of small contributions from all the ryots of a village, and is spent under the direction of the punchayet or committee of mundals of the village in churruck or other poojahs, in paying annual perquisites to the police, in village festivities, &c.

Section 125.—If occupancy holdings be made transferable by sale, they should be declared hypothecated like permanent tenures under the present law, for the rent payable in respect of them instead of the rent being made a first charge on them. The effect of the proposed change in the law would be, that the landholder will be reduced to the position of a first mortgagee, and that by reason of a legal recognition of other charges on the tenures the sales would fetch very inadequate prices, much to the loss of all parties concerned, and ultimately of the landhol lers Of what value would this declaration be to the landholder when any other sum due by the tenant may be made a first charge on the tenure, as section 218 does in regard to money due to under-ryots.

The primary charge on the land is the revenue due to Government, for argue how one will, the security of the rent is the security of the revenue, and every provision of law which makes the rent insecure reacts on the revenue. Doubtless the immediate sufferer will be the land holder, who will have, so long as the loss does not swamp all his profits, to make good all losses from his private resources; but the injustice of the act which brings on such a shifting of responsibility cannot but be patent. In the old laws special provision was made to prevent the permanent alienation of land on low, or nominal, or no rent, lest such acts would ultimately tell against revenue, and the principle which was sound then, has not lost its force in the present day, though the recent rise in the value of the property may not make the Government apprehend any immediate evil to its own interests.

Section 127.—Although as a matter of fact none of the improvements, beside, dwelling-houses, mentioned in section 126, are ever made by ryots, they should not be vested with a legal right to excavate thanks or take earth for making bricks for the walls and plinths of his own house without the permission of the landlord, and without payment to the landlord of an adequate fee or selami. In most agricultural villages excavations made in the land reduce its value, and land covered with water is always let at a much lower rent than dry land. If a ryot relinquishes a holding in which he has cut a tank, it rarely fetches the same rent which was previously paid, and the loss to the landholder is great if the relinquishment is made several years after the excavation, when the tank has partially silted up, and is unfit for cultivation on the one hand and for storage of water on the other.

Section 128.—The power which this section gives to ryots not having a right of occupancy of building houses and out-offices on the land without the permission of their landlords, of compelling their landlords to make improvements, and of making the improvements themselves in default of their landlords, is inconsistent with the very notion of such a tenancy. It would confer on them a right which not even occupancy ryots enjoy at present.

Sections 129-131.—The provisions for the award of conpensation for improvements made by ryots are altogether foreign to this country. Improvements are rarely made by ryots. Nothing is more true than what feel from His Excellency the Viceroy on this subject in the course of the debate on the Central Provinces Tenancy Bill. All these provisions should therefore be omitted. Some of the detailed provisions regarding compensation for improvements are discussed below.

Section 129.— This section provides for the award of compensation to ryots for improvements made by them. In most cases the amount of outlay would be more than repaid by the advantages which the ryots would enjoy by reason of such improvements, and it would in such cases be unreasonable to give them any compensation at all for such exhausted improvements.

The limitation prescribed in this respect by the Rent Commission was an equitable one. They suggested that no compensation should be awarded after a certain number of years from the making of the improvement.

Section 131.—With reference to the remarks made under section 129, the time during which the ryot has enjoyed the benefit of the improvements should be taken into account in determining the amount of compensation.

Section 133.—The landlord's right to measure all the lands of his village should be unrestricted, and the exception suggested in this section with regard to revenue-free lands should be omitted. How would a landholder right himself, when a revenue-free holder has encroached upon and appropriated adjacent mal lands, if he is not allowed to measure such lands? The present law places no such restrictions in the way of the landlord.

Section 135.—This section provides for cases in which a ryot occupying land refuses to attend the measurement and point out the boundaries, but the Bill takes no notice whatever of the important class of cases provided for by the present law, in which the landholder, usually a new purchaser, is unable to ascertain the names of the ryots or persons who are in possession of particular holdings in his estate. In such cases a landholder is placed in a situation which entitles him to as much help from a public officer as in any other. It is a situation which purchasers of estates and tenures at auction sales are frequently placed in. The Bill should provide for such cases, as well as impose penalties for determined attempts on the part of the ryots to thwart the Collector's attempt at a measurement of the land.

Section 139.—The landholder is required by section 91 to give six moths' previous notice even to a tenant-at-will, before he can apply for his ejectment. In common fairness the ryot should give previous notice of an equal period before he is allowed to relinquish his holding. This section prescribes only three months' notice.

Section 140.—For reasons stated with reference to section 46, the time should be reduced from one year to six months. If absence for one year from the village be an unreasonably long time in the case of an occupancy ryot, how much more so must it be in the case of a tenant-at-will before the landholder is permitted to let the land to another. The section amounts practically to the declaration that a landholder should forfeit a year's rent for every runaway tenant.

Section 142.—A provision which gives the owner of a minute fractional share in a property, or a single ryot the right of applying to the District Judge for taking it out of the hands of the proprietors thereof and placing it in charge of a joint manager, would be productive of very great mischief. Such an interference with the rights of private property can be justified only on the ground of public good, and it is only in exceptional cases that a District Judge should be empowered to appoint such a manager, but a provision empowering him to do it whenever a dozen ryots represent that such a course would lead to public convenience, or the owner of $\frac{1}{16}$th share represents that it would conduce to his benefit, would be a most unwarrantable and officious piece of legislative interference with private property. The most objectionable feature of the law is the power it virtually gives to the Judge to adjudicate questions concerning possession in an indirect manner and without due precaution. The proviso attached to the section is intended to serve as a safeguard; but as in all disputes of the kind the real contention will be about possession, either the law must fail, or the Judge must take up the question of possession in an indirect manner. Much of the objectionable character of this provision would be removed if it were provided that no joint manager should be appointed, unless the owners of more than half the share of the property apply for the same.

Section 151.—The circumstances which would justify the removal of a tract of country from the jurisdiction of the ordinary courts, and placing it for the purposes of settlement of rent under the jurisdiction of revenue officers, must be of an exceptional character. The first ground therefore on which this section would allow such a removal is very objectionable. Let the Local Government have the power of ordering such a transfer when an agrarian disturbance is threatened or when settlement in a khas mehal is to be effected, but it would be dangerous to give a number of landholders or a number of tenants the right of applying for it.

Section 164.—For reasons above stated no record of rights should be undertaken in any tract of country on the application of landholders and ryots. The first ground laid down in sub-section 2 of this section should therefore be omitted. If it were allowed to stand, it would be in the power of the ryots of any village to ruin their landlord by compelling him to meet all at once their claims to fixity of tenure and fixity of rent, and such other rights as they might choose to claim.

Sections 166 to 187.—Distraint of crops for the realization of rents is an indigenous institution of the remotest antiquity. It enables the landholder to collect his rents by the agency of his permanent establishment, without adding in the least to his own expenses, or saddling any cost on the ryot. It prevents the ryots, on the other hand, from cheating their landlords of their just rents, and in so far acts as a check to fraud and improvidence. It is only in rare cases that the power has been abused, but an abuse of power in matters relating to distraint is so easy to prove, and the penalties for offences committed in connection with it are so heavy, that the law might be left safely to vindicate itself. In Bengal at least, cases of abuse of the power of distraint have been very exceptional. It was the majority of the members of the Rent Commission who, labouring under an error, assumed the institution to be an offset of the English law, and suggested a radical modification of it on purely theoretical grounds. The framers of the present Bill have improved upon the alterations in the law suggested by the Rent Commission, and drafted under the head of Distraint a number of provisions which not only bear no resemblance to the institution of distraint, and amounts practically to a total abolition of the law of distraint, but actually deprives the landholder of even some of the rights which an ordinary creditor enjoys

under the law of the land. Distraint has always been understood to be an act of a landlord or creditor as distinguished from attachment, which must be the act of a constituted authority. But the Bill provides that if a landholder wishes the crops of a ryot to be distrained for recovery of his rent, he must make an application to court for the purpose; that such an application must contain all the particulars required for plaints, if not more; that it should be signed and verified like a plaint; that, the amount of arrears should be proved as in suit for arrears of rent; that the court may then either admit or reject the application; and that if admitted, an officer of the court would be deputed to distrain the crops. Where, in the first place, is the necessity of laying down all these elaborate provisions, when it is open to the landholder to have, like any other plaintiff, the crops of a defaulting ryot attached before judgment under section 483 of the Code of Civil Procedure, immediately after bringing a suit for recovery of rent? What facility would the Tenancy Act give the landholder over the ordinary procedure of civil courts when he would have to pay the court fee, adduce evidence, and pay the expenses of attachment all the same? What inducement would there be to the landholder to apply for such an attachment in regard to a poor ryot paying a small rent, when the costs of suit and attachment are likely to eat up the whole value of the crops, and of what benefit would these provisions be to any ryot who would be thus unnecessarily saddled with a large amount of costs? Consistently with the other provisions under this head, the Bill provides for heavy penalties and punishments for certain acts in connection with attachment of crops. But why should any penalties be at all imposed beyond what the ordinary law provides for attachments made by order of the court, by an officer of the court, and after proof to the satisfaction of the court of the justice of the claim?

The primary object of an amendment of the Rent Law, according to the repeated avowal of the Bengal Government, was to provide facilities to landholders for the realization of rent, and the section under notice deprives them of one important facility they now possess, without supplying them with any adequate substitute.

Section 194.—It is not unfrequently that defendants purposely allow judgment to go by default in rent suits against them, and then after they have seen the plaintiff's cards, apply for a revival of the suit on the ground of non-service of summons upon them. Let every precaution be taken for the proper service of the summons, but let not such applications for revival be recklessly entertained, as at present. The proposal to have the summons served by post under a registered cover would be a great improvement on the present procedure.

Section 198.—Section 109 provides for damages to be awarded to the landholder for wilful default in the payment of rent. A suit for the recovery of such damages should be classed in the same category as regards appeals, as a suit by a ryot for the recovery of a penalty. If there be no appeal in one case, there should be no appeal in the other.

As regards rent suits, it is a great mistake to suppose that suits for small amounts are of no moment. They form the largest number of suits in the courts, and they are often suits of great importance. In suits in which the amount of rent annually payable by a ryot is in dispute, the High Court has held that no appeal lies to that court, inasmuch as no question of title is involved, but in such cases an appeal should be allowed in the interests of both parties, and the proposal to make the decision of the first court final in suits in which the amount involved does not exceed Rs. 50, should be abandoned.

Section 199.—In suits for recovery of rent, where the ryot pleads the title of a third party, the payment of rent into court should be made obligatory on the ryot, and not left as a matter of discretion to the court. The principle which underlies this section is, however, radically unsound. Both by the English and Indian laws a ryot is estopped from denying the title of his landlord (Indian Evidence Act, section 116). A ryot who denies his landlord's title forfeits his own title to the land, which lapses to his landlord. The effect of this section would, however, be to hold out an encouragement to the ryot to deny his landlord's title, inasmuch as he would thereby evade payment of rent at least for a certain time. Matters like these should be left to the decision of the constituted judicial authorities, and not made the subject of arbitrary legislation.

Section 201.—Sub-section 2 gives the court a discretion to fix the date from which a decree for enhancement of rent should take effect. The rule laid down in sub-section 1 is reasonable enough. The Bill provides for so many and so diverse limitations in the way of enhancement of rent, that it would be a matter of great difficulty to a landholder to get enhanced rent. Why unnecessarily increase the difficulty by giving the court an arbitrary discretion which will place an additional obstacle in his way? Were it the policy of Government to prohibit enhancement, it would be well openly to declare it; but as we believe such is not the case, we consider the difficulties thrown in the way of enhancement are, as they would practically make it, not worth the while to seek it by reason of the trouble, annoyance, and heavy cost, unsound on economic grounds, and unfair towards the landholders, who have the right of protection, is common with all other classes of the community.

Section 206.—The time within which the money due, either to the landholder or to the tenant, in connection with a decree for ejectment must be paid should be limited. It should not exceed 15 days.

Section 208.—Item (*f*) of this section is very objectionable. It is an encroachment on the rights of auction purchasers at sales for arrears of rent which they have all along enjoyed. The effect of item (*f*) would be to deprive the purchaser of the right of avoiding

a mookururee of other permanent lease created by the defaulting tenant. Such a provision is opposed to the fundamental principles which regulates sales for arrears of rent, viz., that they restore the tenure to the condition in which it was at the time of creation, and give it to the purchasers free of all incumbrances created by the out-going tenant. Section 66, Act VIII of 1869, provides for the sale of tenures free of all such incumbrance. The proposition is also one which would give rise to fraud and litigation, inasmuch as every defaulting tenant will try to make the best of their incumbency by creating mookururee leases in favour of relatives and dependants.

Section 210.—The provision for the sale of tenures for arrears of rent subject to registered incumbrances in the first place, and then, if necessary, free of such incumbrances, would simply increase the costs of litigation, which will ultimately fall on the ryot, deter intending purchasers from bidding at sales, fetch inadequate prices for the tenures, and thus cause material injury at every step, both to the landholder and the ryot. The sale should always be, as at present, free from all incumbrances.

Section 215.—This section gives the Local Government the power of extending to occupancy holdings the provisions of section 210 regarding tenures. As observed above, it is a very objectionable proposal. Much more so is it in the case of occupancy holdings, the minute subinfeudation and divisions of which should certainly not be allowed to be perpetuated.

Section 218.—This section gives a sub-tenant of the first, second, or third degree a right to stop the sale of the superior tenure or holding by paying in the amount of arrears of rent due on account of that tenure or holding, and makes the amount so paid a first charge on the tenure or holding. The landholder's lien on the land should be paramount under all circumstances, but this section would materially affect it. In the case at least of occupancy holding the amount paid by a sub-tenant to protect the holding from sale should be made a personal debt of the defaulter, as otherwise of what use would be the lien which section 215 declares the landholder to possess in the land?

The attempt to incorporate in the proposed Act the law relating to patni tenures should be abandoned. Sections 36-42 and Schedule III should therefore be omitted. The present law on the subject is a master-piece of legislative wisdom. It has stood the test of experience of more than 60 years, and has always been found to be a complete and satisfactory law on the subject.

APPENDIX A.

Memorandum by* MAHARAJA SIR JOTINDRA MOHUN TAGORE, BAHADUR, K.C.S.I., *on the subject of affording facilities for the realization of rent.

I think it will be admitted on all hands that the Government, which has recourse to the rigorous sun-set law for the realization of its revenue, ought to offer equal facilities to the zamindar for the collection of his rent. The Permanent Settlement Regulations have repeatedly recognized this obligation on the part of Government, and the earlier laws relating to the recovery of rent by zamindars were framed with that object. Abuses having, however, crept into the old system of collection, Act X of 1859 was enacted, and the difficulties interposed by the new law were aggravated by Act VIII of 1869 (B.C.), by which the trial of rent-suits was transferred from the revenue to the civil court. A suit for the recovery of arrear of rent is now a regular civil suit. It takes ordinarily from four to six months, sometimes a longer period for disposal, and while the zemindar is engaged in protracted and harassing litigation, he is obliged to meet the Government demand from his own pocket, that is to say, by borrowing money where the arrear is heavy and he has not independent means to pay the revenue. The ryot is also a loser, under this system, for as a rule he is cast in an arrear suit, and has consequently to bear ultimately the costs of the suit and interest upon the rent due, not to mention the trouble and harassment to which he is equally subjected. The majority of the rent-suits are decided *exparte*, and under the present procedure both the zemindar and ryot suffer,—the zemindar by reason of the delay involved in going through the forms, and the ryot in consequence of the costs which necessarily devolve upon him.

Under the circumstances a law for the recovery of rent which would be at once cheap, speedy, efficacious, and just to all parties has become absolutely necessary. Having been invited by His Honor the Lieutenant-Governor to suggest a scheme for the amendment of the law in this respect, I venture to submit the following :—

Firstly.—Without disturbing the present rent kists or instalments, which vary according to local usages, I would declare a specified quarter-day for the payment of the quarter's rent, failing which a suit for arrear shall lie. Where the kists are monthly, as they are for the most part, the zemindar shall be entitled to receive the rent according to monthly instalments, but if the monthly instalments be not liquidated by the quarter-day aforesaid, he shall be competent to institute an arrear suit.

Secondly.—In default of the quarterly instalment as suggested above, the zemindar or the rent receiver shall be competent to make an application to the Collector, setting forth the name of the defaulting ryot, description of the holding, and the mouzah in which it is situated, the amount of the annual rent, the amount due, and the period for which the same may be due, with a statement of accounts giving details of the jumma or rent, the instalments in which it is payable, and the amount paid or payable by the ryot up to the end of the quarter. But the application and the amount should be verified by the naib or gomashta as the case may be.

Thirdly.—With a view to save costs and trouble, the zemindar should be allowed to sue the defaulting tenant collectively, by an application written on a stamped paper of 8 annas value. This sort of a collective suit is permitted under the North-Western Provinces Rent Act, and also under the Agrarian Disturbances Act. I recommend a stamp fee of 8 annas for a collective suit in order to lighten the burden upon the ryot.

Fourthly.—On receipt of the application the Collector should serve a notice upon the defaulting tenant or tenants, calling upon him or them to pay arrears due with costs up to that stage, or to deposit the sum in the Collector's kutcherry, if he or they should contest the demand. The notice should state that, if the payment or deposits be not made within fifteen days from date of service of notice, the tenure of the defaulter or defaulters shall be sold by public auction on the day to be fixed in the notice, which should be served by a single peon upon all the defaulters residing or holding land in the same village, *firstly*, by affixing it in the zemindar's kutcherry, if any, in or near the mouzah; *secondly*, at the police thana, if any, in as near in the mouzah; *thirdly*, in some conspicuous part in the village; *fourthly*, by proclamation or beat of tum-tum in the village; *fifthly*, by affixing it on the land on account of which the rent is due. The serving peon shall procure the signatures of three substantial residents residing in the neighbourhood in attestation, of the notice having been brought and published on the spot. In case the people of the village should object or refuse to sign their names in attestation, the peon shall go to the kutcherry of the nearest Moonsiff, or, if there should be no Moonsif, to the nearest thana, and there make a voluntary oath of the same having been duly published. Certificate to which effect shall be signed and sealed by the said officers and delivered to the peon.

Fifthly.—The sale of tenures should not be stayed unless the arrear claimed be deposited. In case the defendant make the deposit and propose to contest the suit, the Collector should try it under the procedure laid down in Act VIII of 1869. The zemindar, or the person claiming the rent, shall be entitled to take out the deposited amount on giving proper security.

Sixthly.—Should the Collector find that the demand is not just, or is in excess of actual amount due, he should levy a fine upon the claimant, not exceeding twice the amount so claimed, in addition to all cost, and should make over the damages so realized to the defendant by way of compensation. Should it appear that the accounts made up for the zemindar have been falsely or fraudulently prepared by the attesting servant of the zemindar, he, the servant, shall be liable to a criminal prosecution.

I propose the above procedure for the realization of rent from ryots having occupancy or mookarari rights. I am aware that under the present law occupancy tenures are not saleable or transferable, but in many districts the usage sanctions sale for arrears of rent, which is largely resorted to in practice. I would legalize the sale to that extent. The purchaser shall have the same right and interest that the defaulting tenant possessed. I should observe that the existing law enjoins the eviction of the occupancy ryot in lieu of the sale of the tenures, but the courts are generally reluctant to enforce this provision, inasmuch it throws the ryot adrift. Under my scheme the ryot may, if he likes, buy in his own tenure, or if it be sold to a third party he will obtain a fair value for it.

It will be observed that I proposed to place the whole procedure in the hands of the Collector. But should the agency of the civil court be considered preferable, I would suggest that the proceedings in the civil court should take place only when there would be contention, and after the deposit has been made in the Collector's kutcherry by the defendant. The procedure of the civil court should of course be the same that has been prescribed in Act VIII of 1869 (B. C.).

20th August 1876.

P.S.—With regard to non-occupancy tenures, the preliminary procedure suggested above will apply: in case the arrear adjudged be not paid, the defaulter should be evicted.

THE PETITION OF LANDLORDS OF BENGAL AND BEHAR TO PARLIAMENT REGARDING THE BENGAL TENANCY BILL.

1.—*The Petitioners' Stand-point.*

The constitution of the Anglo-Indian Government at the close of the last century deprive the people of India of all share in the deliberation and adjustment of their affairs by it. "It had been customary," as Parliamentary records shew, "for the landholders of distinction, and other principal inhabitants, to maintain, in proportion to their rank, an intercourse with the ruling power."* This custom was brought to an end under the British rule, and the zemindar "was referred to the Code of Regulations as the only protection any longer necessary to maintain him in the possession and enjoyment" of his benefits.†

But the Regulations are modified from time to time, and not seldom the very policy of the laws is changed. And then the zemindar and his fellow subject are liable to lose, and have at times missed, what he once possessed. They still possess the right of making petitions, but that is often found insufficient, so that the last resource left to them is to appeal to Parliament. Hence the petition to which this is intended to form an explanatory note.

The petition comes from subjects who are quite unrepresented; it comes to their Sovereign exercising absolute powers over them; and it comes from a quarter of the globe afar. The

* 5th Report of the House of Commons, p. 54. † Ditto ditto, p. 55.

landholders of Bengal belong to no party in England, and it would be their misfortune if party considerations should affect their interests in Parliament. In this regard they labour under peculiar disadvantages owing to the transfer of Government from the East India Company to the Crown. But it is still more unfortunate for them that somehow or other questions relating to Ireland have just now got mixed up with their affairs in India. Indeed, it is apprehended that the intense agitation in the United Kingdom on these questions may have largely influenced, if not actually originated, the changed policy against which the present appeal is submitted to Parliament.

The position of the petitioners is thus extremely delicate. But it is hoped that the wide difference between a European and an Asiatic country—an integral part of the kingdom and a far off dependency—will not be overlooked, but will, on the contrary, serve to remove any prepossessions which might otherwise prevail. Changes which may be justified by the constitution of Parliament, or by the peculiar circumstances of Ireland, or Great Britain, or Europe, may not be fitly transported to a distant and conquered country like India, and among a people whose feelings, views, habits, customs, and social conditions are, in the natural course of things, so widely dissociated from those of the sovereign power. Besides, in Ireland, troubles traced to a long and painfull history may have justified the measures recently adopted by Parliament: in India nothing of the kind has occurred, or is to be apprehended for very many years to come.

The landlords of Bengal do not claim or possess any class privileges over their tenantry; their relation is not derived from conquest or political ascendancy of any kind, as was the case in Ireland, nor is there any the least distinction of race between the classes said to be arrayed against one another. Hence they feel aggrieved that a class question should be raised between two sections of the same community who are constantly passing from one to the other, and many of whom belong to both sections in relation to different individuals. Property-questions certainly exist, as they do exist, all over the world; but the legitimate remedy for differences arising from such causes is, of course, impartial dispensation of justice between individuals. They do not suggest a repressive policy to be directed against the topmost section, really or ostensively for the benefit of the lowest order of society. Such a policy, dictated at best by sentimental reasons, cannot but be subversive of the hitherto prevailing course of legislation and system of land tenures, and a source of serious mischief. Such a policy and consequent legislation of vast magnitude, and those adopted and conducted without any concert with the people so deeply to be affected thereby. Such a change, advocated only by gentlemen belonging to a foreign race, who again, by their tenure of office, are quite cut off as much from the traditions of their predecessors as from local experience of their successors—the landholders of Bengal firmly deprecate and respectfully protest against. Such revolutionary changes, they contend, urgently calls for Parliamentary interference, and their prayer is that further progress of the Bill entitled "The Bengal Tenancy Bill" may be stopped by order of Parliament.

2.—*Revolutionary character and inexpediency of the proposed measure.*

The foremost contension of the petitioners is that the changes proposed will injuriously affect private property in land of great value: in fact the bulk of all that exists in the country. It will be shown gradually how far the policy of Government in this respect is being revolutionized, and to what vast extent the property is going to be re-distributed, and how, to attain these objects, disabilities of the most complicated kind are going to be imposed upon the people. But the general truth of this contention will be manifested by the opinions of responsible officers of Government, as given in the following extracts:—

Mr. Ravenshaw, Commissioner of the Burdwan Division, reporting on the subject some time between July and December 1880, says:—

"I am not in favour of revolutionary measures, and I think that legislation should rather take the form of consolidating the existing law and rulings than re-constitution of the relations between rent-payer and rent-receiver, which must produce an increase rather than mitigation of existing evils.

"For all practical purposes, it would suffice to re-enact the law with as little radical change as may be possible, with reference to the conflicting interests concerned.

"As regards the existing law, nothing can be more precise and clear than Mr. Field's Digest. The present law has been, with little variation, in force for 20 years; and so far as my experience goes, it needs only slight modification and simplification to adapt it to the real wants of all parties."*

Mr. Beames, successor to Mr. Ravenshaw in the same office, but with experience derived from another division of the province, says, under date the 26th April 1881:—

"From the experience I have had of the very great difficulty which the officers of Government feel in managing wards and attached estates in the Chittagong and Dacca Divisions, I am convinced that the position of the zemindar (landlord) in those parts is a precarious one. As far as I am able to judge, it will be rendered more so if the present Bill, moderate as it is, becomes law.

"After tacitly acquiescing in the assumption and exercise of certain powers by the zemindar for nearly a century, it is rather late in the day to discover that it was never intended that he should have those powers, and that neither past history of the land question, nor the legislation under British rule, justifies him in in exercising them. That, in fact, his status is, and has all along been, understood to be something very different from what it practically has been.

* Report of the Government of Bengal on the proposed amendment of the Law of Landlord and Tenant in that province, Vol. II., p. 162.

"I am not aware that any section of the community in Bengal has suggested or manifested any desire for new legislation on the rent question. If there is really a want for it in Behar, it would perhaps be sufficient if a law were passed giving the inhabitants of that province the relief they desire without disturbing another province where no change is called for."*

Mr. Smith, Commissioner of Orissa, says :—

"Nearly a hundred years have passed since the time of the Permanent Settlement. The power conferred on the zemindars of selling their estates has been largely used, and money has been largely invested in this description of property with regard rather to existing usages than to old and forgotten minutes in Government offices. Neither the ryots nor the zemindars of the present day have, as a rule, had much regard in their dealings to the minutes of Lord Cornwallis, although the usage of the time under which the ryot is to pay only a fair and equitable rent is in accordance with its spirit.

"It appears to me that any legislation to be now adopted should be directed towards facilitating the ascertainment of what the fair and equitable rents are, rather than to any extensive adjustment and alteration of existing relations, and a measure of this sort would, I have little doubt, prove acceptable to both tenants and landlords."†

Mr. Monro, Officiating Commissioner of the Presidency Division, speaks still more strongly. The following extracts are given in order to avoid longer quotations. The Report is dated 31st December 1880 :—

"So far as the practice of Government is concerned, I fail to find in their dealings with the ryots upon Crown lands any indications of the recognition of a living tenant-right among any class of ryots save and except those known as khodkasht (resident) or kudeemi (ancient).

* * * * * * * *

"I do not here stop to consider the various modifications in the rights of zemindars effected by Act X of 1859. It will be sufficient to mention that sundry very important modifications of these rights were introduced by that Act; that such modifications were strenuously resisted as infringements of the rights of zemindars under the perpetual settlements; and these modifications have, although unwillingly yet practically, been accepted by zemindars as the basis of the relations between them and their tenants.

"The proposed Bill (*i.e.*, the one prepared by the Rent Commission), however, goes very much further than Act X of 1859. It further curtails the rights of the zemindars."

* * * * * * * *

"I cannot see that it is just to them, whatever may have been their failings, to deprive them of rights * * * which, so far as I know, have been believed universally to attach to the position of a landholder in this country. Nor does it seem to me to be just to declare the existence of rights on the part of ryots * * * which, so far as I know, are not claimed as belonging to them by the ryots themselves.

"The proposed Bill seems to me, on the principles above referred to, to contemplate grave infringements on the rights of zemindars as hitherto recognised; to destroy such recognised rights and to give the landholders no compensation for such damage done to their interests. It seems to me moreover peculiarly unjust to contemplate such restrictive legislation with reference to the rights of zemindars, when the whole tendency of recent legislation on the part of Government has been to throw more responsibilities on the landholders in the way of providing funds for improvements connected with lands."‡

Lord Ulick Browne, Commissioner of the Cooch Behar and Rajshahye Division, says, under date the 1st February 1881 :—

"I think such important changes, deeply affecting the rights and pecuniary interests of a large and important class in a vast country, should only be made on very strong grounds, such as, for instance, the grounds advanced by Mr. Gladstone when introducing a somewhat similar measure for Ireland in 1870, when he supported his proposals by urging that, as good general laws...had failed to dispel the serious ill-feeling of the mass of the population of Ireland towards England and the Government of the United Kingdom, it was necessary to take an extreme step in a direction specially acceptable to that population, in the hope that it would put an end to what was always a serious political danger. No strong and special grounds, political or other, exist in the present case, nor are they asserted by the Commission, who, indeed,......seem.........to be unanimous in holding what is a nearly universal opinion, *viz.*, that the ryots of Bengal are stronger than the zemindars."

In the opinion of His Lordship the proposed law would be in accordance solely with the "individual views" of some "gentlemen (the majority of the Rent Commission) as to what the respective positions of landlords and tenants *ought* to be; and a key to their general views...may, perhaps, be found in their adoption, in the face of Lord Cornwallis' declaration, ...of the politico-economical axiom, that the land of the country is the property of the people of the country." Further on he says :—

"Not only there is no general feeling of discontent among the ryots, in whose favour it is now proposed to sacrifice the zemindars, but that there is not even a partial feeling of that nature, and that the ryots of Bengal Proper, at all events, are, as a body, in a prosperous and contented condition.............Lastly, I think the passing of such measures into law would

* Report of the Government of Bengal on the proposed amendment of the Law of Landlord and Tenant in that province, Vol. II, p. 362.
† Ditto ditto, Vol. II, p. 200.
‡ Ditto ditto, Vol. II, p. 219.

create no little discontent among the zemindars as a body, though being loyal and well-affected, they will bow to the decision of Government."*

The Officiating Commissioner of the Dacca Division, writing on the 27th December 1880, says:—

"Innovations in the law and the creation of principles foreign to the customs of the country are, I maintain, strongly to be deprecated, unless their urgent necessity can be demonstrated."

Speaking of Chapter IV of the Bill of June 1880, he says:—"I see no reason for the innovations proposed in this chapter, which would create a class of ryots never before in existence."†

Thus, it will be seen, the Commissioners of the western districts grouped under Burdwan, of the Eastern districts under Dacca and Chittagong, and of the Central districts under the Presidency, Rajshahye and Cooch Behar Divisions,—all the Commissioners of Bengal Proper in fact, besides Orissa and other places, have, in terms more or less explicit, recorded their opinion that the measure proposed is decidedly of a revolutionary character. And it is well known how the present Chief Justice of Bengal has also borne testimony to the same fact in a minute seperately given to the public (dated 6th September 1882).

3.—*The Permanent Settlement.*

The petitioners do not enter into the history of the permanent settlement. But the landlords of Bengal cannot help observing that their mortification becomes naturally great when they find even a reference to the documents of their title is repelled with pleasantry ‡ or displeasure by representatives of the Sovereign power. The Law Member of H. M.'s Government in India has no time to enter into an exhaustive inquiry into the meaning and effect of the permanent settlement, and yet the legislature has taken up the functions of judicial authority, in order to decide the question of right determined by that settlement as between the Government, the landlords and cultivators of the soil in Bengal!

The petitioners have not been shewn the danger which may have rendered expedient the present extreme measure, and the arguments adduced are all the more painful to follow, because they are unsupported by facts, and still more because all forms of arriving at facts have been arbitrarily set aside.

It has been assumed that at the time of the permanent settlement three different parties were interested in the transaction, and that the authors of the measure settled and defined the mutual rights of only two of these, but put off for the future all questions as between the second and the third. "The ryots," says Mr. Ilbert, "were not consulted about the arrangement, and were in no sense a party to it, and, according to the most ordinary principle of contract, it could not affect *any right* which they then had, or *might thereafter acquire.*"§

An immediate reply to this argument would be that, in the sale and purchase of slaves, the third party was never consulted; but in abolishing slavery in the West Indies, the British Parliament never adverted to it, and sanctioned ample compensation for the revocation of the contracts.

This extreme case apart, the question at the time of the settlement did not concern the alleged third party. As a matter of fact, the old proverb, "the lands belongs to the zemindar and the rent to the king"¶ would seem to point in quite a contrary direction, and to fairly bear out the daily experience of everybody, that the ryots have no right in the soil, except what is conferred by the zemindars. It is true that the Government reserved to itself the power of legislation for the protection and welfare of the ryots. But surely that did not imply the abrogation of the substantive law, or the rights conferred on the zemindars by the permanent settlement? The simple question is, whether the leading provisions of the Bill fall under the reservation referred to. And it is for Parliament to consider whether, in a matter like this, and especially when one of the parties interested appeal to the judicial wisdom of the United Kingdom, the executive authorities should ignore that appeal and instruct the legislature to enact a law suited to their extra-judicial opinions and at variance with other laws still in prevalence.

The well-known Sudder Judge, Mr. Hawkins, thus interpreted the permanent settlement:—

"It is a narrow and contracted view to suppose that the permanent settlement consists in nothing more than the obligation on the part of the zemindar to pay a certain amount of revenue annually to the Government. The settlement is a compact by which the zemindar engages on his part to pay a fixed amount of revenue to the State; and the State on its part guarantees to the zemindar, by means of its judicial and fiscal administration, the integrity of the assets from which that revenue is derived, and which in fact constitute the Government's own security for the realization of its revenue."

The contention of the petitioners is that, of the three parties—the State, zemindars, and cultivators—the first had, without consulting the other two, virtually plotted out the map of the country; that it then distributed the different portions to individuals comprising the second class, defined most accurately their respective liabilities to the State; and required them to respect any claims against them, such as might then exist, on the part of any individuals of

* Report of the Government of Bengal on the proposed amendment of the Law of Landlord and Tenant in that province, Vol. II, p. 222.

† Ditto Ditto, Vol. II, pp. 144-45.

‡ Abstract of Proceedings of the Council of the Government, 2nd March 1883, pp. 89-90.

§ Ditto Ditto, p. 91.

¶ Hartington's Analysis. Extracts published from the Office of Superintendent of Government Printing, p. 8.

the third party. Nothing was left open for legislation as to the *substantial rights* of subsequent cultivators.

The Government, though a conquering power, sought at first to assimilate its position with that of a landlord, but as landlord it took every care to appropriate all that lay at its feet as conquerors. The main transaction undoubtedly concerned property in land. And there is no question that the State had made up its mind to forego for ever all its claims as landlord for a fixed annual return. But it had after all to make its choice between the two other parties in order to decide to which of them it should look for the money—call it rent, revenue or whatever you like. And the considerations incidental to such choice could not possibly be put off; nor was the sovereign power then so distinct as to allow of its foregoing as landlord any right which it was not necessary for it to give up.

The considerations alluded to may be distinguished in the following way, with a view to hold in contrast the revolutionary principles of the Bengal Tenancy Bill:—(1) Land occupied by cultivators; (2) land lying waste; and (3) land which might be expected to become vacant subsequently. It is wrong to suppose that the State took all the land in the country as a whole and legislated for revenue-payers and rent-receivers, leaving the question between rent-payers and rent-receivers perfectly undecided. At all events this is a question of fact, and cannot be decided *ex parte* by the supreme landlord, because that landlord holds the sovereign power.

Viewing the matter from the above point, it would follow that, if the State omitted to determine any question between landholders and cultivators, it could only have been with respect to the land which was occupied by cultivators, and held by their landlords. And the claims of these cultivators were respected for a special reason, *viz.*, because there were higher claims set up on their behalf, the claims, that is, to the permanent settlement which was made with their landlords. In respect of the other two descriptions of land, the landlords deny that the cultivators had any right whatever.

They could not possibly have had any such rights, and for the simple reason that they had no distinguishing features of character to form them into a class, and that they have never formed a distinct class of the kind. There have indeed been caste reasons precluding some people from the ploughman's work. But that has never led to the recognition in any persons to a preferential claim to the lease of any land going to be let out; and the proof for this contention lies in this, that no rules are known to exist to decide in such matters between rival applicants for lease. Village communities are said to possess an indefeasible right in the land, but village communities have been broken up in Bengal since long before the Permanent Settlement; and it would, besides, be most singular if, in the primitive communal system, the upper classes had no rights whatever, and the land had belonged entirely to the lower, *i.e.*, the cultivating classes in the country. In fact, where the village system has not gone out of use it was invariably the upper classes who held as well the village franchise, as the proprietary rights in all the village lands.

But even if the cultivators had any claims to the lands referred to—lands remaining or subsequently becoming vacant or waste—such claims must have been extinguished by the conquering power having laid hands upon them and made them over to the landlords of their choice. "In case of foreign invasion," records Lord Cornwallis, "it is a matter of the last importance, considering the means by which we keep possession of this country, that the proprietors of the lands should be attached to us from motives of self-interest" (Fifth Report, p. 492). It may be that the present motive to the proposed changes is something of this same kind. But its obvious inconsistency with the old policy would be sufficient to neutralise the effects of both, and thus the new policy of this kind would stand self-condemned.

As regards the lands of the then existing cultivators, the case was a little different; but different only in relation to the Government. If the Government of 1793 believed that the cultivators were "the actual proprietors of the soil," and yet accepted the zemindars as such, their action was a huge fraud. If they committed a mistake, it would be as great a wrong to relieve the State of its consequent responsibilities in the way proposed. Happily, neither of these theories is tenable. The truth is, the farmers of the permanent settlement believed the zemindars to have been, as they were in fact, the rightful owners. But situated as the Government then was, they tried to do all that lay in their power to serve the cultivators who had become, in some shape, rivals to the zemindars, in regard to the grant of the permanent settlement; and they laid down that the claims of these persons, as against the zemindars, would be duly considered by the judicial authorities then being appointed.

It is necessary to understand this point; for people are apt to be taken away by the comparatively irrelevant fact that the policy of granting permanent settlements has not been adhered to by the Government in administering the affairs of the North-Western Provinces, or of Bombay. The Madras settlements were earlier, and led probably to the claims on behalf of the cultivators. Thus the permanent settlement of Bengal, whether good or bad, as a piece of fiscal policy, whether wright or wrong, as a political measure, was the result of mature deliberation, and to break it by roundabout means would obviously be worse from considerations of either kind.

The engagements of the time, it may be repeated, was made in respect of land, and not in respect of cultivating, as distinguished from rent-receiving classes; for it was the land which was made over to one or other of the applicants, and it was never that the members of any particular class had to be provided with land from the country by Government, or from the village by the landholders.

And as for that permanent settlement itself, the parties were at first, and only for once,

chosen with reference to the history of their connection with the lands. But this was only when the new departure was to be made. And then, too, sufficient regard was shewn to all other sections of the community by the provision that, in the event of the estates being afterwards sold by the State or by the landlords themselves, all prior claims derived from such history would be entirely overlooked. And if anything more was necessary in order to further disarm the zemindars, it was accomplished by depriving them of the rights of primogeniture, of the functions of keeping the peace of the country and administering justice over the tenant classes, and of the power of levying taxes on cultivators and duties on trading people.

Mr. Ilbert says:—

"We have indeed been told that it was part of the bargain between the Government and the zemindars that the latter should not only be exempted from payment of revenue for lands which were then waste, but which might subsequently be taken into cultivation, but should be given full and absolute discretionary powers as to the mode of dealing with such lands, unqualified by any village custom or local usage. But it would require extremely strong and clear words to make an enactment conferring such powers"*

The following, however, appears in section 31 of Regulation II of 1819:—

"Nothing in the present Regulation shall be considered to affect the right of the proprietors of estates for which a permanent settlement has been concluded to *the full benefit of all waste land* included within the ascertained boundaries of such estates respectively at the period of the decennial settlements, and which have since been, or may hereafter be, reduced to cultivation. *The exclusive advantages* resulting from the improvement of all such lands were *guaranteed* to the proprietors by the conditions of that settlement."

Whether or not these words "are strong and clear," the only "guarantee" now left to the landlords of Bengal is reliance on the high sense of justice of the British Parliament. For all but the last three lines of the above were cited in Council and found to fail.

The issues should be clearly defined in order to determine the question raised, and contemptuously put aside, by the chief authority for making *just* laws in the country. The issues are (1) the terms under which the then existing cultivators should hold their lands under the zemindars; (2) the mode of dealing with the lands then lying, or subsequently becoming, vacant or waste. It is never contended that anybody in the country ever enjoyed any right in land without paying rent or revenue for it, or that the tenants paid any rents for unoccupied village lands. The zemindars could always cultivate these latter lands by hired labour; and no one has come to dispute that even at the present moment. But they generally proposed to carry on the work through tenants, and hence arises the further questions—(*a*) Had any cultivators any preferential claim to the lease of any of these lands? (*b*) Were the terms of lease, when any was to be granted to cultivators, terms as to period and rent, subject to any restrictions? (*c*) And if so, were they of the kind proposed in the Bill?

The answer of the zemindars to all these questions being in the negative, the burden of proof obviously falls upon those who claim for the ryots rights of the kind proposed.

It may, however, be asked—Was the permanent settlement of so little consequence that it did not give to the zemindars even a presumable title to the free disposal of such lands, and that they should have to *rebut* a contrary presumption according to the stringent requirements of section 6 of the Bill? And is the legislature to be justified in simply suggesting a conflict of claims unknown to the people, and then authoritatively relieving the fevoured class from all burden of proof? The cultivating classes had, it is said, a right to what is called *ryoti* or the tenants' lands. How then was the right to be determined with reference to each particular plot which had to be disposed of? Was the zemindar bound to prefer the resident over non-resident ryots? If so, would the question have to be decided by the judicial authorities, and meantime the land remain uncultivated? And if the judicial authorities were then relieved from the function of determining the limits of ryoti lands not in their posession, and the claims to such lands of individuals, members of the cultivating class, how is the function—one of very great pecuniary value—now going to be withdrawn from the landlord? The only question remains as to the terms on which the land was to be let out. But that is obviously distinct from the starting principle of the Bill,—a presumable right to the lease of such lands in people whose character, as a class, the legislature claims to have determined, unknown to them or their supposed antagonists—the landlords. A great deal has been built upon the alleged history of land tenures and the customary laws of this country. But the landlords only contend that the proper way to establish the facts and to test the laws is to submit them to judicial authorities, in order to have the points controverted by parties setting up an adverse position.

And the reference to customary law is the more singular, since the Bill brings within its purview affairs of great extent, but does not claim to consolidate, or even to have ascertained the customary law relating to those affairs.

Mr. Ilbert supposes that the permanet settlement served merely to determine who was to be liable for the land revenue, and that the exemption of waste lands from like charges leaves it open to the legislature to dispose of all lands falling vacant in future in the way it pleases. But the following considerations are urged against this astounding assumption, apart from the technical methods of interpreting the wording of laws, and from the controversy thereon raised and arbitrarily disposed of with regard to the Regulations of 1793.

The revenue charged under the permanent settlements, it will be remembered, was $\frac{10}{11}$ths of the actual collections in each estate, and the remaining $\frac{1}{11}$th of the total collections from the cultivating classes, called *malikana* (proprietors' dues) was due to the here-

* Abstract of Proceedings, pp. 93-94.

ditary zemindar, whether he accepted the settlement or not.* Even if the Government collected the rents from the cultivators by its own paid officers, it was bound to pay this $\frac{1}{11}$th to the zemindars. In Behar, the origin of this system was untraceable even at the time of permanent settlement, and was supposed to be only hereditary pensions with which the "proprietors" had been "shelved" probably by the Mahomedan Government. And referring only to two divisions of Behar, this allowance to proprietors out of possession is reported to have amounted in 1871-72 to Rs. 82,078, from 3,426 estates.† This ought to have satisfied Mr. Ilbert that the zemindars were something better than the nondescript trustees they were sought to be made out by two of his speeches. Again, when in 1819 waste lands, not included in the permanent settlement, came to be disposed of by Government, it was not the cultivators, but the zemindars of the adjoining villages, who were recognised to have a preferential right to them.

The question therefore is, if the zemindars only collected the revenue for the Government, what was their remuneration for the work, and how were they compensated for the many bad debts from cultivators which, it could well be foreseen, they would have from time to time to write off? Add to this the well-recognised contingency of the remaining $\frac{1}{11}$th of the collections having to be paid as *malikana* by a farming zemindar to a refractory *malik* (proprietor), who had a *right* to the permanent settlement? The answer is simple. The waste lands capable of cultivation (variously estimated from $\frac{1}{3}$ to $\frac{3}{8}$ of the entire area of the country) were explicitly pointed out for the one case, *i.e.*, for the remuneration; and for the other, *viz.*, the risks of collection, it was but just that landlords should recoup themselves by subsequent increments to the then existing rents. This liability of the State to remunerate the zemindar does not now seem even to be felt, but on the contrary it is argued that the zemindar shall not draw from unoccupied lands all that tenants might fairly afford to pay.

The so-called customary or pergunnah rates of rent were applicable only to the ryots whose supposed claims had been rejected by the Government at the time of the permanent settlements, who, in any case, could not have been *let into* possession under the authority of the permanent settlement, and as such might possibly claim a prescriptive title against the parties chosen as zemindars by the Government. These customary rates are now a subject of historical enquiry and of infinite controversy therein. But the difficulty probably arises from the simple fact that the benefit of these rates is now claimed for parties who were never privy to their assessment, whereas at the time of the permanent settlement the question had entirely a judicial aspect, and was justly left to judicial trial between parties, both of whom knew the terms of their mutual engagement. It ought to be further borne in mind that even to these old ryots the zemindars were not to grant leases for more than ten years, for fear the value of Government rights in the land should be fraudulently impaired. And as regards lands which reverted to the landlords, it is but reasonable to suppose this to have been the original understanding that "where the landlord," to borrow the language of Chief Justice Garth, "ran the risk of getting nothing for his land in bad seasons, he should be compensated to such an extent as the ryot was willing and could afford to pay."‡ In any case it would be inconsistent with the policy of the times to suppose that the landlord, having the opportunity of making such a fair bargain, was disallowed from doing so by the Government for the sake of future cultivators.

On the other hand, for the lands lying waste, and about tenants who were actually let into possession thereof by the zemindar, it is simply absurd to hold that he had not the right to name his terms; or that the tenants had, as a class, a beneficiary interest in the land independently of him, and without having ever paid any rent for the same.

In fact the much debated question of the permanent settlement of 1793 might find a more intelligible solution in the histories of Europe and America, where the doctrine of sovereignty of the people (shorn in Asia of adjuncts like the zemindars) was then practically but four years old, and whence Lord Cornwallis had come with special views as to the policy of governing distant and foreign dependencies.

The exclusive proprietary right of the zemindars to all the lands included in the permanent settlement of 1793, and to those excluded therefrom, but subsequently included under operation of Regulation II of 1819, is further brought into relief by the Regulation III of 1828, whereby the limits were defined of all the immense uninhabited tract called Sunderbuns, and immediately adjoining the permanently-settled lands, in which even the cultivators are now supposed to have had an interest, and, as compared to the zemindars, a "preponderating"§ share of the whole. In that Regulation the Government lays down how certain lands were to be attached by Government as "in the case of a lapsed farm," and how "certain tenures, however designated, were not to be considered hereditary and perpetual, if the grants under which they were held *did not convey in express terms* an hereditary or perpetual interest." And in regard to the Sunderbuns, it was provided that all parties having leases from Government for any lands included therein "shall be entitled to hold or to *take* possession" of them "without question or opposition;" and that, if "any zemindar, talookdar or other sudder malgoozar, or *any other person* (evidently *not* excepting the class for whose benefit section 6 of the Bill has been drafted), owning and occupying or collecting the rent or revenue of cultivated land in the neighbourhood," shall "sue to contest the title" of the former, "the suit shall be dismissed with costs. Provided, however, that if any zemindar, talookdar, or

* Reg. VIII, 1793, sec. 44. See also memorandum on the Revenue Administration of the Lower Provinces of Bengal submitted to Government by the Board of Revenue, 16th June 1873, pp. 98-99.

† Board's Memorandum, p. 99.

‡ See the edition published at the *Hindoo Patriot* Press, p. 25.

§ Ilbert's speech: Abstract of Proceedings, p. 113.

other person aforesaid shall claim to possess a valuable interest in part of the Sunderbuns, by virtue of authority to collect money or other valuable thing *from the persons engaged in* gathering wax, or cutting wood, or obtaining other jungle products of the tract, or by virtue of any other similar privilege or advantage which may have been recognized as part of the assets on which the assessed revenue of his zemindary, talookdary or other tenure was adjusted at the time of farming the perpetual settlement of the district, and the collection of which was not subsequently stopped and due compensation made under the rules relative to the collection of sayer revenue or other similar arrangement, such zemindar, talookdar, or proprietor [*no mention is here made of ryots or even of the* PERSONS *abovementioned engaged in gathering forest produce*] shall be entitled to receive from Government *compensation* for any diminution in the value of such interest and advantage consequent on the arrangement adopted for the cultivation of the Sunderbuns."—*Regulation III*, 1828, *sections* 12 *and* 13, *clause* 1.

Two questions arise from the foregoing; (1) If the ryots in the neighbourhood, actually engaged in gathering on these lands wax, &c., for themselves or for their zemindars, were not entitled to compensation, how can they be supposed to have had a right in these unoccupied lands or in similar lands included in the permanent settlement of 1793? (2) If the ryots living in the neighbourhood had no such right, how can ryots procured from a distance, not unoften hillmen from the southern parts of Behar, by the lessees of these lands, be held to have had a right in these unoccupied lands which have been reclaimed at the expense of the lessees referred to, and under the declaration quoted above?

It has been argued that the Bengal Tenancy Bill would not take away from the landlords more than what, under customary law was, from before the year 1793, due to the cultivating classes, and that it had never been intended to make of Bengal zemindars anything like English landlords; and hence clear words have been required of the zemindars to show their absolute right in respect of the waste lands. Now it happened, even so late as 1861, that for all the care evinced by Government in 1859 for customary rights, supposed to have been held by cultivators against the zemindars, it did not care to vest the property of the soil with any but the non-cultivating zemindar class. It had in 1861 large tracts of waste land at its disposal, and an attempt was made, and partially carried out, to introduce certain property-rules into all such and divers other classes of lands. Whether the precise object was to import the English system of property cannot of course be definitely proved. But the tenure introduced by the measure alluded to has been currently expressed by the term "Fee-simple;" and English proprietors were expected to, as in fact they did, avail of the rules framed.

The following extracts are given from a Resolution recorded by the Government of India during the time of Lord Canning. It bears date the 17th October 1861:—

"He (His Excellency the Governor-General in Council) confidently expects that harmony of interests between *permanent European settlers* and the half-civilised tribes, by whom most of these waste districts, or the country adjoining them, are thinly peopled, will conduce to, &c."

The Resolution then proceeds to state the rules under which effect was to be given to the two proposed measures for sale of waste lands belonging to the State and the redemption of land revenue by the landlords:—

"8. I.—As to the sale of unassessed waste lands, in which no right of proprietorship or of exclusive occupancy are known to exist at present, or to have existed in former times, and to be capable of revival.

"9. In any case of application for such lands, they shall be granted in perpetuity under the rules which will be presently laid down, as a heritable and transferable property, subject to no enhancement of land revenue assessment.

"10. All prospective land revenue will be redeemable at the grantee's option by a payment in full when the grant is made, and the land granted will thenceforward be permanently free of all demand on account of land revenue."

It then goes on to consider "prior claims of property or occupancy in the land applied for," prescribes for the raising of such claims "a term which, probably, need rarely exceed thirty days" from advertisement, and directing how, after their disposal, the applicant was at once to have the land allotted to him, proceeds as follows:—

"19. If after the allotment of the land under the preceding rule any persons shall establish a right of property in the lands allotted, the possession of the party to whom the land has been granted *bonâ fide* shall not be disturbed. But provided the claim be made within one year from the allotment, the claimant on proof of his right, and on shewing good reason why his claim was not advanced before the allotment took place, shall be entitled to receive *from Government* full compensation for the actual value of his interest in such land. After the expiration of a year all rights of third persons, which have not been already claimed, will be altogether barred. [The Bengal Tenancy Bill applies equally to estates protected by these rules and to all other lands, *e.g.*, the Sunderbuns: the landlord's right of re-entry in respect of lands held by settled and occupancy ryots and the question of compensation for disturbance are governed by the same rules in these as in other kinds of property in Bengal.]

"33. Holders of grants under any existing rules (*i.e.*, governing, for instance, leases of Sunderbun lands under Regulation III of 1828), who have not yet completed the purchase of their grants, will be allowed to commute them under the new rules..... and he (the grantee) *will be free to purchase absolutely* as much or as little of that area as may suit him......

* * * * * * * * *

"37. The tenures of *all waste lands granted under this Resolution* will be that of an heritable and transferable property held in perpetuity free from all claims either of the Government *or of third persons prior to, or inconsistent with, the grant.*

"11.—As to the redemption of the land revenue: [*i.e.*, applying even to permanently-settled lands (see paragraph 42.)]

* * * * * * * *

"43. The tenure obtained will, as in the case of waste lands, be that of an heritable and transferable property......But such tenure will not carry with it, as that of waste lands will, immunity from any legal claims other than those of Government to which the lands may be subject, and *which may date prior to the grant under this Resolution* (Qy. Does not the restriction as to *prior* legal claims exclude all subsequent legal claims of third persons including tenant-right, dating from October 1861? And does not this afford some commentary on section 7 of Act X of 1859, whereby permission was given to provide against the growth of occupancy rights coming under the purview of section 6?)"

It would be hard to say what other "strong and clear words" could be required to substantiate the contentions of the landlords.

But what a falling off there has been from the land-policy of Lord Canning's Government will be perceived from the following remarks of the Government of India, contained in its Despatch to the Secretary of State for India, on the Bengal Tenancy Bill, dated the 21st March 1882:—

"Many events had tended to lower the claims of tenants in official estimation and to help the cause of the large landlords. Before the mutiny, ideas on the subject of property and tenant-right in India took very much of their colour from the views of the able peasant-proprietary school of the North-Western Provinces. But the occurrences of 1857 drew attention to the leaderless condition of the people; the sympathies between the mass of the agricultural population and their rulers were for some years disturbed by reminiscences of disorder, and severity; the development of the country gave rise to hopes of European colonization, and *thus* theories of land tenure, which were unfavourble to tenant-right, as being an impediment to the free disposal of property, were advocated in Lower Bengal on behalf of great European interests, and elsewhere, as coincident with political expediency (!) The relation between landlord and tenant *began* (?) to be regarded purely as one of contract. Sir Barnes Peacock objected to section 6 of Act X, because, in his opinion, it interfered with the just rights of the zemindars, at least in the permanently settled districts, by vesting rights of occupancy in the ryots which, as he thought, had no previous existence.*"

The spirit which has dictated the above is manifest enough. It is nothing less than a desire to wean the agricultural population from their natural leaders and protectors—the landlords. The very basis on which the relations between the landlord and tenant had hitherto subsisted is denied. The principle of contract is held in supreme contempt. It is even broadly asserted that this principle, which dates from the days of the farming out the public revenues before the permanent settlement, *began* to be recognised only after the convulsions of the Mutiny. And the emphatic opinion of Sir Barnes Peacock, the highest judicial authority in the land, is mentioned as if it was an outcome of that political commotion and not the result of mature juridical deliberation and reasoning.

The judgment of Lord Lyndhurst, cited by one of the Members of the Council to show that the zamindars "had an absolute dominion and ownership of the soil," has, by an argument endorsed by the Law Member, been explained away by a third, the argument being that the immediate question before the Privy Council in that case was not one "as to the relative position of zamindar and ryot." This argument would certainly be very important in a *Court of Justice*, in order to leave the Judge free to fully try the same question after hearing arguments and weighing evidence on both sides, The dictum of one Judge does not bind another's ruling, because counsel is not heard in regard to the former, and *is* heard in arriving at the latter. But how the circumstance alluded to justified the *legislature* in arriving at a conclusion different from that of Lord Lyndhurst remains a mystery. But perhaps the case of Raja Lelanund Sing *vs.* the Bengal Government, might be more acceptable. In that case the Right Hon. T. Pemberton Leigh, after a long inquiry into the circumstances of the permanent settlement, finds the object to have been "to leave to land proprietors the benefit of all subsequent improvements.†" And, at all events, if all dicta of Sir Barnes Peacock on the land question have not become vitiated, because one of his rulings has been overruled by the majority of his colleagues in the High Court, the following passage may have a value in the eye of the legislature:—

"I will add," he says, "one word as to the argument of Mr. Montriou that the ryots were originally the owners of the soil, and that neither the Government nor the zamindars were the proprietors. This argument cannot apply to ryots who are in possession of land which has been occupied and brought into cultivation for the first time since the permanent settlement. It is clear that a ryot cannot at the present day, by merely entering upon land belonging to a zamindary, and bringing it into cultivation, become the proprietor of the soil. The zamindar may lose his right by the operation of the statute of limitations, and the right to the soil may then be acquired by the ryot. But in cases in which there is no contract, and to which the statute of limitations does not apply, the ryot cannot by occupying and cultivating become the proprietor of the soil. Neither can he, by occupying with the consent of the zamindar, and paying rent for the land to him, become entitled to the proprietorship of the soil, even though he should acquire a right of occupancy by virtue of Act X of 1859.‡"

Moreover, if the cultivating classes had, with the zemindars, a part interest in the soil, it does not appear that the Government has hitherto given it any recognition in dealing

* Correspondence, p. 8, para. 7.
† 6th Moore—pp. 108-10, quoted at 2nd hand.
‡ Ishur Ghose *versus* Hills, on a petition of review of judgment.

with land over which the State has had exclusive control. Mr. Monro, in reporting on the Rent Bill prepared by the Rent Commission, quotes certain rules to shew what has been with the Government, as landlord, "the practice with reference to the eviction of mere ryots."

"In dealing with mere ryots," so runs the rule, "it is desirable not to interfere with their possession till it becomes necessary to displace them.

"Should an arrear remain due at the close of the year, if the defaulter be a mere ryot having no transferable interest in the soil, he may be summarily ousted and his lands given to another."*

So also the Revenue Board in its memorandum dated 1873—

"Lastly, it is to be observed that it is the *present policy* of Government to take no means, either in Government or in wards or attached estates, to prevent tenants-at-will from acquiring rights of occupancy; though, on the other hand, it will not, in recording the rights of tenants and delivering pottahs to them, *assume the existence of such rights unless they are claimed.*"

And "where the practice of the former proprietor" was "to guard, by special precautions, against the accrual of rights of occupancy, *the continuance of that practice is sanctioned.*"†

The customary right of the cultivators in the property in the soil, unaffected by the permanent settlement, is said to be a fraction of the whole. But it is nowhere stated what the zamindar's interest was independently of that settlement, and as distinguished from the supposed class of cultivators who, it would follow from the opposite point of view, were not free, like the landlord class, to buy permanently-settled lands. It cannot be said that the zamindar had no interest whatever in the land, apart from the malikana allowance; for in that case this allowance in respect of lands taken away from his possession would remain unaccounted for. On the other hand, if he had any such part-interest derived from customary law, it does not apear that the legislature has given it the least recognition in the Bill under consideration. Certain it is that jungle lands (*jalpai*) at one time yielding fuel for the manufacture of salt, have been surrendered by Government, and only to zamindars, on the closure of salt works in many parts; and in some cases refusal to surrender has been overruled by the civil courts of the country.

Again, the Government as landlord, has had often enough to let out land to cultivators: but why does not the Government allow the zamindars their customary share in such lands? Nor does it appear that the Government has ever had occasion to decide which of any number of applicants, zamindar or cultivator, had the right to the lease of tenures at its disposal. In any case, when land is taken by Government at a valuation, for public purposes, "the fact," noticed by the Board of Revenue would be inconsistent with the policy of the Bill, "that, as a rule, the occupancy ryots have advanced no claims to compensation, except for damage done to personal property."‡ Thus the whole theory is absurd; and whether the absolute ownership of land lay with the conquering power or the zamindars, it is certain that the cultivators of the soil had no share in its property, as of right. The first point in Indian land tenures is that whoever holds land must pay for it something every year. The cultivator's rents never covered the waste or unoccupied lands of the village. The zamindar's revenue has always covered these. Hence the zamindar's right is unassailable, except by a ruthless act of spoliation. The permanent settlement did not leave the question of property an open one between the zamindar and the cultivator of the soil. Power was certainly reserved to Government to make laws; but that was only as common sovereign over landholders and cultivators: and calculated not to diminish, but in the language of the Court of Directors, to "enhance the value" of the proprietors' rights: to prevent the ryots "being *improperly* disturbed in their possession" (*i. e.* in the matter of eviction), and "to define the limits by which rent could be determined" so as to prevent *unwarrantable* exactions and arbitrary conduct of the zamindar. Instructions like these cannot have justified the policy of the present Bill.

This would, perhaps, be the proper place to consider how far, if at all, Act X of 1859 interfered with the proprietary rights of the landholders, and gave a sanction for further encroachments of the kind proposed. It will be necessary for this purpose to read together the sections 2—7, 21, and 78 of that Act which have been re-enacted respectively as 2—7, 22, and 52 of Act VIII (B.C.) of 1869, together with sections 9 and 46 of the latter Act.

Section 2 of Act X of 1859, and VIII (B.C.) of 1869.—"Every ryot is entitled to receive from the person to whom the rent of the land held or cultivated by him is payable, a pottah containing the following particulars:—

The quantity of land; and where fields have been numbered in a Government survey, the number of each field.

The amount of annual rent.

The instalments in which the same is to be paid.

And any special conditions of the lease.

If the rent is payable in kind, the proportion of produce to be delivered, and the time and manner of delivery.

Section 3.—Ryots who, in the provinces of Bengal, Behar, Orissa and Benares, hold lands

* Bengal Govt. Report, Vol. II, p. 219.

† See Board's Memo., p. 159.

‡ Memorandum of Revenue Administration, p. 104.

at fixed rates of rent which have not been changed from the time of the permanent settlement, are entitled to receive pottahs at those rates.

Section 4.—Whenever, in any suit under this Act, it shall be proved that the rent at which land is held by a ryot in the said provinces has not been changed for a period of twenty years before the commencement of the suit, it shall be presumed that the land has been held from the time of the permanent settlement, unless the contrary be shown, or unless it be proved that such rent was fixed at some later period.

Section 5.—Ryots having rights of occupancy, but not holding at fixed rates, as described in the two preceding sections, are entitled to receive pottahs at fair and equitable rates. In case of dispute, the rate previously paid by the ryot shall be deemed to be fair and equitable, unless the contrary be shown in a suit by either party under the provisions of this Act.

Section 6.—Every ryot who has cultivated or held land for a period of twelve years has a right of occupancy in the land so cultivated or held by him, whether it be held under pottah or not, so long as he pays the rent payable on account of the same; but this rule does not apply to khamar, nijjote, or sir land belonging to the proprietor of the estate or tenure, and let by him on lease for a term, or year by year, nor (as respects the actual cultivator) to lands sublet for a term, or year by year, by a ryot having a right of occupany. The holding of the father or other person from whom a ryot inherits shall be deemed to be the holding of the ryot within the meaning of this section.

Section 7.—Nothing contained in the last preceding section shall be held to affect the terms of any written contract for the cultivation of land entered into between a landholder and a ryot, when it contains any express stipulation contrary thereto.

Section 21. (*Section 22 of Act VIII* (*B.C.*) *of 1869.*)—When an arrear of rent remains due from any ryot at the end of the Bengal year, or at the end of the month of *Jeth* of the Fusly or Willayuttee year, as the case may be, such ryot shall be liable to be ejected from the land in respect of which the arrear is due. Provided that no ryot having a right of occupancy, or holding under a pottah, the term of which has not expired, shall be ejected otherwise than in the execution of a decree or order under the provisions of this Act.

Section 78. (*Section 52 of Act VIII* (*B.C.*) *of 1869.*)—Any person desiring to eject a ryot, or to cancel a lease on account of non-payment of arrears of rent, may sue for such ejectment or cancelment, and for recovery of the arrear in the same action, or may adduce any unexecuted decree for arrears of rent as evidence of the existence of such arrear in a suit for such ejectment or cancelment. In all cases of suits for the ejectment of a ryot, or the cancelment of a lease, the decree shall specify the amount of the arrear, and if such amount, together with interest and costs of suit, be paid into court within fifteen days from the date of the decree, execution shall be stayed.

Section 9 of Act VIII of 1869.—If on the trial of a suit for the delivery of a pottah instituted by a ryot having a right of occupancy, the parties do not agree as to the term for which the pottah is to be granted, the court shall fix such term as, under the circumstances of the case, may seem just and proper: provided that the term shall not in any case be longer than ten years; and in estates not permanently settled, shall not extend beyond the period for which the proprietor of the estate has engaged with Government: provided also that, if the defendant be a farmer or other person, having only a temporary interest in the land, the term of the pottah shall not extend beyond the period of the continuance of such interest. For cultivators not having a right of occupancy, the term of pottah shall be exclusively in the discretion of the person entitled to the rent of the land.

Section 46.—If any under-tenant or ryot shall, at the Mâl Cutcherry for the receipt of rents, or other place where the rents of the land or other immoveable property held or cultivated by him are usually payable, tender payment of what he shall consider to be the full amount of rent due from him at the date of the tender to the zemindar or other person in receipt of the rent of such land; and if the amount so tendered shall not be accepted, and a receipt in full shall not be forthwith granted, it shall be lawful for the under-tenant or ryot, without any suit having been instituted against him, to deposit such amount in the court having jurisdiction to entertain a suit for such rent, to the credit of the zemindar or other person aforesaid: and such deposit shall, so far as the under-tenant or ryot, and all persons claiming through or under him are concerned, in all respects operate as, and have the full effect of, a payment then made by the under-tenant or ryot of the amount deposited to such zemindar or other person.

Section 2 ought to be read with reference to the old rules of 1793, where by the exchange of leases was strongly insisted upon, and ten years was made the maximum limit; though by Regulation V of 1812 the restriction was afterwards withdrawn. In section 3 it will be seen that, as between the zemindars and the cultivators holding at fixed rates from the time of the permanent settlement, the Government assumed that, where the zemindars had hitherto omitted to exchange any leases, all subsequent leases obtained through the courts of justice should be at such rates. It certainly does not warrant the inference that all cultivators of that date were entitled to fixed rates, but only those who had been holding at fixed rates. Certainly the omission to vary the rates did not justify such a penalty. Thus Act X did make encroachments on the rights of the zemindar. But the encroachment was made ostensibly at least in the shape of a penalty for the violation of a well-known rule—the one about exchange of leases. The Government claimed that the discharge of its judicial functions should be helped by adequate evidence being furnished by litigants.

Section 4 was another rule of the same kind. It was a very hard rule as against the landholders, but after all the rule was one of presumption, and directed against the same fault of omission to exchange leases.

Section 6 is supposed to have been the worst violation of the rights secured by the permanent settlement. But in fact this section was only one about exceptions to those—the majority of—cases which came under section 7. And if any doubt could be thrown on this explanation, all would vanish on reference to section 9 of Act VIII of 1869, whereby the old limit of ten years was maintained for leases under section 6. And "for cultivators not having a right of occupancy, the term of the lease" was to be "exclusively in the discretion of" the landlord. If therefore the landlords have anywhere betaken themselves to "shifting ryots" from land to land, the fact must be attributed to the unjustifiable endeavour made in certain quarters, exposing the landlords to the loss of a valuable right, rather than to any want of loyalty on their part to the just laws of the country. Injustice is the most fruitful source of violations of justice; and even the legislature must fail to transcend this universal truth.

Section 6 simply provided that where the terms of lease were not to furnish any guide, duration of possession was to be taken to determine what lands the tenant was not to be disturbed from possession of, at the will of the landlord: it was again a question of evidence. The absence of a certain important entry in a document was to be interpreted in a certain way. It did not interfere with the general principle, which was fully recognised in section 21 that non-payment of rent renders all tenants (those with unexpired leases, and the occupancy ryots being both put in the same category) liable to peremptory eviction. The Act X, however, only required the question of eviction in such cases to be brought before courts of justice; and in section 78 (sec. 52 of Act VIII) the most stringent provision was made against the ryot,—a provision, by the way, which is for realization of arrears of rent by far the safest and least objectionable to all the parties concerned. And in section 46 of Act VIII of 1869, which was a re-enactment of a short law passed in 1862, the Government did all that lay in its power for the protection of honest cultivators. It threw open its treasury as an ordinary banker for the adjustment of accounts whenever required by the cultivator.

Thus in the matter of occupancy right, all that the legislature did in 1859 was to close the loopholes, of which any undue advantage might be taken by the zemindar. First there was the lease to set forth the terms between parties; then there was the interpretation to be put on omissions in respect of such terms; thirdly, this interpretation was not to be enforced for a period of 12 years from when a tenant was let into possession. No indulgence was shown to cases of non-payment of rent; but for the sake of the ryot, the rent was allowed to be deposited in the Government treasury, instead of its having to be carried to a perverse landlord. It is believed by some that the occupancy clause was an application of the doctrine of prescription, but the argument of Sir Barnes Peacock in this connection has nowhere been met. "The civil law," he says, referring to Domat 2227, "held that a farmer or tenant could not acquire by prescription what he held by that title, for in order to prescribe it is necessary to possess, and *to possess as master*." It is not meant that the anti-zemindar policy had not begun in 1859. But it had not then made such advance as it has done since the recent difficulties in Ireland.

The question of eviction having been determined by the framers of Act X of 1859 in the way mentioned above, another difficulty arose as to the question of rents. Where the landlord had chosen not to insist upon his right of re-entry; where the current rents were regularly paid, and neither party was in consequence to be disturbed in his possession, the rate of rent payable would obviously have to be determined between them at times at least, and by a third party of course. Accordingly the task was made over to the judicial authorities; and the legislature thought—wrongly as it has since appeared—that sufficient indication would be given to Judges by the simple expression "fair and equitable rates."

But the error of the legislature, if any, has been exceeded by the assumption, probably traceable to politico-economic views, that the difference between a rack-rent and a fair rent is equivalent to a proprietary right in the land. A rack-rent denotes the limit of what the land is capable of yielding. Anything paid in addition converts the payment into a cottier rent, and as such becomes a charge levied on the privilege of keeping one's self to a particular calling, *viz.*, that of cultivators. Such a tax is open to grave objections certainly, though the outcry comes with very little grace from a Government which levies several taxes, like the Road and Public Works cesses, from the poorest of the cultivators. But as compared to a rack-rent, a fair rent must always be a very indefinite amount; for in estimating the fairness, account would have to be taken of the demand for land, even where the wages of labor were regulated only by custom. It is also mathematically true that an annual charge, whether of rent or other kind, can be equated to what is called its capitalised value, but that would not justify its being looked upon as property, for one of the data required, as a constant quantity, is the rate of profit common to both terms of the equation; and in the present case this constant quantity has always been uncertain. And where this variable element, the rate of interest, was not intended to be meddled with, and where too the question of property was left in act, no greater mistake could be committed than to presume that a difference was intended between rack-rent and fair rent, and to assume that the necessity to determine a fair rent, which was imposed on judicial authorities, was tantamount to giving the tenant a property in land equivalent to what would be the capitalised value of the difference under an unknown market value of money.

The truth seems to be that Act X intended by section 7 to make written contracts the rule in regard to the question of eviction, and to provide for the extinction of the landlord's right of re-entry where, save for non-payment of rent, the omission to enter into such contracts would show that no such reservation of right was intended at the time the tenant was let into possession. The retrospective effect given to the provision seems to have caused all the evil complained of by landlords. But they do not now wish to call in question the finding of judicial authorities.

However that might be, the restriction alluded to being imposed upon eviction, the determination of fair rents became unavoidable in consequence. This question was taken up by Government with obvious reluctance; and at the first instance it was left to the Judicial Department to do, as the Settlement Officers were doing in other provinces, but without the bias, unavoidable in those officers, of the peculiar interests of Government. But it was found afterwards that more detailed rules were necessary than the guidance furnished by the expression "fair and equitable rates of rent." And it is contended by landlords that this necessity for making such rules could never have justified the proposed division of the zemindar's proprietary right.

To sum up: The proprietary right of the zemindar is evidenced—(1) By the simple consideration that there could be no rival claimant on lands not occupied by the cultivators of the time of the permanent settlement. (2) The fact that the zemindar had an allowance even when he refused to accept the permanent settlement, and was in consequence put out of possession. (3) The fact that a similar right was recognized over lands claimed to be included, but proved to be excluded, from the permanent settlement. (4) The fact that in the Sunderbuns compensation was provided for to the zemindar and to the exclusion of persons belonging to the cultivator class who collected the forest produce for the zemindar. (5) The fact that some of these lands actually occupied by people were treated in certain cases "as lapsed farm." (6) The fact that waste *jatpai* lands have been surrendered by Government to the zemindars in whose estates they were situated. (7) The fact that the Government ignored all right of cultivators in the neighbourhood, as against the parties let by Government into possession of lands in the Sunderbuns. (8) The fact that it ignored all such rights when, within living memory, the English system of property and the rights of fee-simple were introduced in this country. (9) The fact that the Government in dealing directly with the land and the cultivators never treated the latter as having the whole or part of the property in the soil, nor (till of late) gave any compensation to the occupancy ryots when acquiring land for public purposes. (10) The fact that Act X strictly adhered to the general principle of tenant-right in this country, that non-payment of rent determines all occupancy rights, and that consequently the tenant could never be a co-proprietor with the zemindar, least of all in lands which have ever remained unoccupied by tenants, while the zemindar paid the revenue for them. (11) The consideration that, apart from *their* customary rights, a two-fold compensation was due to the zemindars who accepted the permanent settlement—one, for the labour of collecting the Government dues, and the other, for the risks of the collection, and that this compensation was obviously afforded by (*a*) the profits of lands which were yet to be reclaimed, but which were nevertheless included in the permanent settlement and covered by the revenues assessed; and (*b*) by profits realisable on extinction of the tenant-right then existing. And lastly, (12) that judicial findings or dicta have been recorded, suggesting at least that the point in issue should not be decided by the legislature and without the usual judicial tests provided for the purpose.

4.—Tenant-right.

But even if property in land belongs to the zemindar, and the zemindar alone, the question as to the distribution of the proceeds of land would have to be decided, and upon its own merits. The economic doctrine of distribution on the triple basis of land, labour and capital is hotly contested in Europe; and perhaps the present agitation among the members of the Anglo-Indian Government is due only to get that science out of the way. But the attempt to break up landed rights, so as to lay by something in the name of the cultivator, will probably be found to be neither fair nor reasonable. In any case, the position could not be maintained, on grounds of political economy, that a man who was free to keep any land in his own hands, and to cultivate it by his servants or by hired labourers, should not be permitted to let it to another so as to reduce the tenant's margin of profit though with his own consent and for valid reasons. A doctrine like this may, however, be traced to a growing class of men in Europe, whose general views of social relations the Government would least desire to see extended in India. Besides, the doctrines about peasant proprietors are absolutely inapplicable in a country where the land can never be held without paying for it something in the shape of rent, either to the State, or to the landlord, or to both.

But if regard was to be shown to the customs of India (the scientific character of which is still unsettled), the communistic prejudice against landlordism ought to have been guarded against with more care.

The three kinds of right, shortly denoted by the term three F's, however desirable in Ireland or in Great Britain, are not logically inseperable, nor are they universally acceptable. Fixity of tenure no doubt calls for fair rents: but the question of free sale is a politico-economic idea which, it will be found, is not suited to this country in its existing condition, and there is no reason why fixity of tenure should be given to those who are not entitled to have it. Pauperism would be provided against, within the limits of human power, by fair rents. Fixity

of tenure in fact was what was given to the country by the permanent settlement itself: for everybody has been declared free to buy the property created by that measure, and people, too, have freely availed themselves of the opportunities thus afforded. It may not agree with some people's views of the fitness of things, that those who have purchased permanently-settled lands do not confine themselves to the function of cultivating the soil. But even the cultivating classes of the country have had other feelings, and when they have had money to invest, they have depended largely upon the promises given by Government in 1793. In point of fact, all descriptions of caste may be found among the zemindars of Bengal, and if that would not satisfy the desire displayed for the nation's prosperity, the philanthropy might be seriously impeached which aimed at turning all landholders into cultivators.

Section 7 of Act X, it is said, has been perverted to noxious purposes by what has been called "shifting" of ryots. But was that section (especially when viewed with reference to section 9 of Act VIII of 1869) inserted in order that it should be made a dead letter of? The intentions of the framers of Act X have been largely appealed to, but the object of such appeals—to explain that section away—is obviously of greater significance.

On the other hand, it cannot be denied that just as in land the unit for assessment of rent must be that which does not leave any profit, so in social life the unit of prosperity must be found among those who are barely removed from starvation. This may be a misfortune, but it is the common fate of mankind; and the zemindars of Bengal are certainly not responsible for the inevitable consequences of man's struggle for existence. However, the framers of Act X of 1859 attempted to minimise this evil by confining it to those cultivators who could manage to hold to their land continuously for 12 years. For the rest, it may be hard that the zemindars should endeavour to save their own from being eaten into; but it is not a little creditable to them that the number of the tenants-at-will is so small, and that their rents are so often below a rack-rent. The Secretary to the Government of Bengal, while sending the Bill which was the immediate precursor of the one under consideration, bears testimony to this fact in the following terms :—

"The inquiries made in connection with Sir R. Temple's proposal to fix occupancy rates with reference to competition rates, brought to light the fact that competition has as yet got next to no hold upon the rents of Bengal. In one or two districts near the Presidency there is perhaps some little competition for land, but even this is local rather than general, and confined as a rule to the village to which the land under settlement belongs. * * * Generally speaking, there is nothing like competition for land in the economic sense even in places where the population is most dense. In the majority of districts the effective demand is still for ryots rather than for land, and even where the land is nearly all taken up for cultivation, custom is still the principle that decides the rent. The rates are customary and not competitive rates, *however high they may in any particular case be found to be.*"* (The italics are as in the original.)

The foregoing passage is interspersed with observations tracing a parallel in the far-off cottier questions of Ireland. But the facts of every-day experience with the people of Bengal,—facts, for instance, about the caste question and the consequent overcrowding of particular branches of industry and in particular localities, and facts about the inducement afforded by the personal character of individual zemindars, and even by that of their land-stewards, to the poorest and the floating portion of cultivators—these facts have for obvious reasons, escaped the attention of European gentlemen reporting upon the subject.

The stern economic fact remains unassailed after all, that the poorest classes must be converted into day-labourers, and that the section 7 of Act X of 1859 only indicates where this residuum is to be found. To extinguish it would be simply impossible; and so long as this class of non-occupancy ryots is not reduced to competition rates, all anxiety of the kind evinced by the legislature is simply out of place.

Even if shifting of ryots does prevail to any large extent—and no statistics are forthcoming to prove this, while the experience of the zemindars, belies it,—it would only show an increase in the number of tenants-at-will; an increase which would be perfectly innocuous so long as competition rates did not prevail. The trick of shifting ryots certainly discloses another fact, which, though it may rouse the ire of Government, ought even therefore to be the less meddled with. It shows a desire to avoid the interference of judicial or executive authorities in the fixing of rent-rates. But if the rent-rate fixed by the zemindars in such cases be not objectionable, the desire in question is not positively culpable; and the only way to get such desire under the civilizing influences of the British Government is to improve the *quality*, rather than the *strength*, of the law and the justice of that Government.

It would certainly become a difficulty if the number of tenants-at-will become very large, and if afterwards their rent-rates rise up to, or tend to exceed, competition or economic rates. But the natural solution to this difficulty—conversion of tenant-cultivators into hired labourers—is very obvious; and it is an assumption of no ordinary kind to suppose that the peasantry of Bengal will not take to this solution, but follow the example—unknown to them—of *Irish cottiers.*

A certain section of tenants verging upon the condition of day-labourers being unavoidable, there is no reason why the principle of section 7 of Act X of 1859, confining the class to less than 12 years' occupation of specific plots of land, should be rejected. On the contrary, its due recognition would largely facilitate legislation about fair rents for occupancy tenants.

* Report of Government of Bengal, &c., Vol. I, p. 13.

What, then, is the principle of fair rent? The answer to this question would be easy enough from the stand-point of the permanent settlement, if the authorities would have the patience to view it from that point. The State share of the produce at the time of the permanent settlement is roughly given at ⅗ths or 60 per cent. of the produce. Then the metayer systems prevailing at places also afford important indications. And in the "Directions for settlement officers in the North-Weastern Provinces," 66 per cent. of the nett assets used at one time to be taken by the State from cultivating proprietors (as well as non-cultivating zemindars drawing rents from tenants). If, with these facts, the instructions of the Court of Directors in 1793, not to deteriorate the value of zemindari tenure had been duly coupled, little or no opposition would have been apprehended from the landlords. But since these limits have been exceeded, and since this difficult question has not been approached in a judicial spirit, the petitioners to Parliament pray that they would withdraw their former prayer for legislation rather than have a law for enhancement of rents, which would take away a large slice from their existing property in land.

5.—Necessity of the Legislation.

The facts set forth above, to show the revolutionary character of the proposed law and the absence of competition rents in Bengal, will show how little a measure like tne Tenancy Bill has become necessary in Bengal. But it has been argued that the landlords prayed for legislation, and cannot now recall that prayer. But whether they must have King Stork because they wanted something better than King Log, now rests with Parliament, and Parliament alone. The facts will show, however, how little the landlords, when their consent was obtained (and in a characteristic way too) to a general revision of the law, could foresee the leaning, since disclosed against them, in the minds of the ruling authorities.

It is now pretty well known that the punctual payment of revenue required by the permanent settlement, coupled to the checks interposed against the semi-regal or feudal powers exercised by the zemindars, led to the introduction from Europe* of the rules for the distraint of the crop, &c. But these foreign ways of dealing in business, as the Parliamentary Report of 1813 records, "were ill-understood, and not found easy of practice;" "the tenantry were enabled to withhold payment of rents," "the zemindars suffered oppression from the mal-practices of the cultivators," "the courts of justice were found 'incompetent' to afford them redress," "hazard of a reduction *in the rates of the assessments* as well as *the property of the zemindars*" was strongly apprehended, and a remedy was applied by Regulation XXXV of 1795. But "the experience of four following years did not justify the expectations formed" in regard to that Regulation†; and it appears that the total collections in the Government Treasury, from 1794 to 1798, fell short of the annual revenue demand by no less than three lakhs every year.‡

Again, of "some of the oldest and most respectable families," we are told that, "the dismemberment of their estates *at the end of each succeeding year* threatened them with poverty and ruin;"§ and "within the ten years that immediately followed the permanent settlement, a complete revolution took place in the constitution and ownership of the estates which formed the subject of that settlement."‖ The passing of Regulation VII of 1799 had been deemed necessary in order to further "strengthen the hands of the zeminders over their undertenantry, who, it appears, had, under the general protection afforded by the courts of justice, entered into combinations which enabled them to embarrass the landholders in a very injurious manner by withholding their just dues and compelling them to have recourse to tedious and expensive process to enforce claims which ought not to have admitted of dispute."¶ These facts are well known. There was a corner, however, whence they were explained to the Court of Directors as "a change of circumstance which ought to be received with *satisfaction*!"

It was said to evince that "the *great body* of the people employed in the cultivation of the land experienced ample protection from the laws, and were no longer subject to arbitrary exactions"** that "the equal administration of justice" was "real and efficient," and in the words of an Indian document bodily transferred to the Parliamentary report, that "it had been foreseen that those immense estates were likely in the course of time to fall into other hands by becoming gradually sub-divided,—an event, however, much to be regretted, as affecting the individual proprietor, would probably be beneficial to the country at large, from the estate falling into the possession of more able and economical managers."

Such explanations seem to have raised "a doubt in regard to the sincerity of the intentions expressed by the ruling authority for the prosperity of the principal zemindars." But it was allayed by the fact that at the very time they were written, remedies were being assiduously devised for the evils alluded to. And then "the great body of people" quietly submitted to Regulation VII of 1799, for which, however, sixty years afterwards a change was perceived to have been requisite from the aspect of affairs.†† "A great financial improvement," records the Board of Revenue in 1873, "was effected by the legislation of 1799. The zemindars began to collect their rents with ease and success.

* Some maintain that the principle was *not* new to India, but may even have been borrowed in Europe from the East.
† Fifth Report, pp. 55-56.
‡ Memorandum on Revenue Administration, p. 9.
§ Fifth Report, p. 56.
‖ Memorandum, &c., p. 9.
¶ 5th Report, p. 57. | ** 5th Report, p. 55. | †† 5th Report, pp. 57-58.

The Government dues were paid up with greater regularity." In 1824-25 the revenue demand showed a tendency to rise, and then "rapidly expanded" under the operation of Regulation II of 1819. But in 1859 "the remedies assiduously devised" for the protection of the little body of zemindars, and against the great body of the people, were completely wiped out of the Statute Book. Difficulties, however, again arose, despite the liberal views which in 1859 had perceived a state of things different from that in 1795 and 1799. These difficulties were brought to a head by a well-known ruling of the High Court, dated 1865, and in 1872 the great body of the people had made a corresponding advance over the old tactics of "withholding their dues," and broke out in open riot against the little body of zemindars, publicly claiming to be the especially-favoured subjects of Her Gracious Majesty the Queen. And it would seem that they were not far wrong since the then Lieutenant-Governor of Bengal recorded the following opinion in the public Proclamation dated the 4th of July. "It is perfectly lawful to unite in a peaceable manner to resist any excessive demand of the zemindars, but it is not lawful to unite to use violence and intimidation."*

The spirit in which the above proclamation was issued needs no comment. It proceeded from a Lieutenant-Governor whose energetic inquiries disclosed the prevalence of certain illegal cesses in *different* parts of Bengal, but who nevertheless presented the facts as if every zemindar had been levying all the cesses compiled in the list. And it is no less singular that in spite of the opinion expressed by him, and generally admitted by others that the cesses are nothing but a convenient, though illegal, mode of enhancing the rents of land by adding a rate on the rental, instead of one on the acreage; and in spite of the fact that this same principle has been embodied in section 59, clause 2, of the Bill under consideration, it is singular after this that these cesses have been set up as the clearest proofs to justify an interference with the permanent settlement.

The Lieutenant-Governor, Sir George Campbell, has himself recorded as follows on the subject of these cesses:—

In Bengal the levy of cesses may or may not be carried to such an excess as in comparatively primitive Orissa, but that the system does prevail there is no doubt. *In Bengal Proper, however, the Lieutenant-Governor also feels this, that the cesses, illegal though they be, do in practice to some extent take the place of the enhancement of rents to which by litigation the zemindar might perhaps establish a right, and there is little doubt that the people much prefer such cesses to any alteration of their old-established rents.* Where, then, there has not been any recent general enhancement, and the cess system is not carried to very great excess, the Lieutenant-Governor is inclined to think that, while the people do not complain, it may be better not to embark on a crusade to put down such customary illegalities, and that we may perhaps trust to the gradual enlightenment of the lower orders to enable them so far to look after their own interests.†

It is hoped that the rise in rents has not been so great as to absorb the whole of the ryot's share in the general improvement. It may even not improbably be that if the proprietors, instead of levying irregular cesses, were systematically to pursue in the courts a course of enhancement to the utmost limits that the law allows, they might still establish grounds for further enhancement in many cases, while the expenses of such a mode of proceeding would fall very heavily on the ryots, whatever the event of such suits.‡

It may be said that the rights of enhancement conferred on landlords by Act X of 1859 have not been the occasion of much serious excitement or great social disturbance in these provinces generally in the past year. Of late years the courts have shown a tendency to scrutinize thoroughly the grounds of enhancement, and to watch the cases affecting great classes of ryots, who are individually unable to contest particular cases with zemindars on equal terms in respect of money and legal aid; and the zemindars of Bengal have not generally been very pushing in this respect. It was principally in connection with the indigo question that the planters of Bengal Proper fought and lost the battle of an unlimited right of enhancement of the rents of the ryots possessed of a right of occupancy. The zemindars are most frequently content if they can get extra cesses and benevolences, illegal, but which the ryots certainly prefer to enhancement of rent.§

The permission which, as shown above, was given by the Lieutenant-Governor to the ryots to withhold payment of rents, indicated a grave misconception, in so far as tenant-right in Bengal is always conditional on the payment of the rents. Some time after the Proclamation referred to, the Government decided to impose certain cesses as well upon the richest landlords as upon the poorest cultivators—the Road and Public Works cesses—and it was deemed expedient to lay the trouble, risk and odium of collecting these taxes upon the zemindars. The zemindars knowing that resistance was hopeless, and European modes of agitation not being familiar to them, consented to bear the burden, but only upon condition that facilities should be given them to collect their dues from the tenants. No reference was made to the laws of 1795 and 1799, which had been repealed in 1859; none whatever to the Pubna riots alluded to, which, however clearly traceable to the changes in law and the interpretation thereof, were unjustly set down against the zemindar's demands for rent, nor was any prayer ventured to undo the mischief created by a public proclamation, which

* Administration Report, 1872-73, Part III, p. 31.
† Bengal Administration Report, 1871-72, Part I, p. 170.
‡ Do. do. do. p. 180.
§ Do. do. do. pp. 23-24.

openly justified a wrongful act and a conspiracy for the purpose. But the only prayer was that, while additional burdens were being imposed by Government, the zemindars might be put in the way of discharging them without loss to themselves. And the Government promised to afford them the facilities, the need of which even now the Law Member acknowledges, though unfortunately for the zemindars, only as being beyond the reach of his talents in law-making.*

At this very time the question of fair rents had also come to engage the public attention with reference to Act X of 1859. It has been shown that, according to that Act, fixity of a kind was to be assumed as intended to be given to those tenures which continued to be held for 12 years without any documentary evidence to prove the contrary. This construction of sections 6 and 7 of that Act, quite in accordance with the hitherto prevailing policy of encouraging the exchange of leases between landlords and tenants, would also reconcile them to the terms of the permanent settlement. But somehow or other economic rent, as defined in English books, was taken by Sir Barnes Peacock to be the fair construction of the expression "fair rates" in that Act. Now, negative to this connection would simply be that fair rents and rack-rents were not necessarily identical. But it seems that the learned arguments of Sir Barnes called forth only an emphasis on the contrary positions, that fair rents should always be less than rack-rents.

The next step (shown before to be as much an assumption as the foregoing) was that the difference between the two kinds of rent had been given by the legislature to the creatures of Act X in contravention of the terms of the permanent settlement; and hence the opinion that section 6 of that Act ought to be repealed.

Mr. Justice Trevor, in the very judgment which has determined that the fair rent of section 6 is less than the rack-rent of Ricardo, held that "the new law" *i.e.*, the Act X, "interfered with the right of the zemindars as laid down in the legislation of the last thirty years." This was endorsed by Justices Lock, Bayley, Jackson, and Glover. Elsewhere Justice Trevor declared it "a great infringement of the law previously existing." And Chief Justice Peacock and Justice Shumboo Nath Pandit and others suggested its abolition, the Chief Justice basing his recommendation among others on the ground that "it interferes with the just rights of the zemindars, at least in the permanently-settled districts, by vesting rights of occupancy in the ryot which had no previous existence." And even down to this day, Chief Justice Garth finds it "impossible to deny that it operated as an invasion of the landholder's rights as conferred upon him by the permanent settlement."†

Under these circumstances, the landholders were least prepared for the views of Bengal Government which had been carefully withheld from the public, or for those announced by Mr. Ilbert in the Council Chamber on the 2nd of March 1883. Hence, when a certain native member of the Bengal Council was asked to give his consent to a general revision of the rent law, on the ground that the question of arrears of rent was often found mixed up with that of assessment and enhancement of rents in general, no hesitation was shown on the part of the landlords of Bengal to accede to the proposal. But if circumstances like these can justify the demand of some Government officers, that the zemindars must make equivalent sacrifices to the ryots, who had nothing whatever to say, there does not appear any reason why the zemindars should not urge, in furtherence of their prayer before Parliament, that the promises given in 1871 and 1877, about speedy realization of arrears of rent, might be allowed to stand over, along with the newly remembered one of 1793, to make laws for the protection of all classes of subjects.

6.—*The Rent Commission.*

The consent of the landholders for a general revision of the rent law having been obtained, the Rent Commission was appointed by Government; and so long as their labours were confined to preparing an analysis and digest of the existing law, the public were not apprised of what was intended by the Government. But Mr. Field, the most energetic member of the body, supplemented his digest of the Rent law with certain notes, and especially one on the question of free sale of tenures. In that note he had occasion to notice the argument that it was discretionary with the landlord to withhold fixity of tenure from their tenants, and that by arbitrarily making all occupancy tenures transferable against the consent of landlords, the legislature might virtually stimulate the landlords to exert themselves with a view to prevent the acquisition of occupancy rights by tenants. And the following characteristic solution given to this question, in the teeth of section 9 of Act VIII of 1869, clearly showed how dispassionate and judicially disposed the most active member of the Commission was:—

"The 13th argument (stated and numbered by Mr. Field himself) partakes in some respect of the nature of a threat, and cannot therefore carry much weight. The great majority of the ryots have already acquired the right of occupancy: and in respect of those who have not, the legislature is not likely to be much moved by the fear of that being done which it has permitted to be done, and *which it could prevent from being done by a stroke of the pen.*"‡

To this the following may well be contrasted:—

"Justice E. Jackson, in his minute on Act X, said with reference to section 6: 'They (the zemindars) will not be affected by it. They have it in their power to put an end to every right

* Ilbert's speech, Abstract of Proceedings, 2nd March, pp. 119 & 124.
† See Rent Commission Report, 1st edition, Vol. I, pp. 105, 96, where references to the original are given.
‡ Field's Digest, p. 177.

of occupancy which exists on their estates, as the tenures fall in, if they will only take care to let out the tenures again on term leases. The only landlords who can suffer by the law are those who pay no attention to their estates, and who disobey the direct injunctions of the legislature under which they hold their estates.' "

Again, the President of the Commission, speaking of his votes as given in it, has since thought proper to record "that on many points I preferred to give my voice according to the opinion of the moment rather than prolong discussion, being satisfied that the point...would meet with full further discussion before the time came for taking action on it."*

After this the following from Sir Richard Garth would be quite significant of the constitution of the Rent Commission :—

"I have taken the pains," he says, "to go through all the minutes of the committee meetings, and I find that out of thirty-five discussions which took place, Mr. O'Kinealy in every single instance voted in favour of the ryots and against the landlords, and Mr. Mackenzie did so in almost every instance."†

The fact is, the Commission was from the very beginning furnished with a standing majority against the landlords. And when the Bengal Government sent its draft Bill to the Government of India, both the Bill and the covering letter No. 849T, dated 27th July 1881, were kept a dead secret from the public. Referring to this, Sir Richard Garth observes :—

"I am afraid that individual Judges have, like myself, felt a disinclination to oppose what were generally known to be the strong views of Sir Ashley Eden in favour of the ryots until those views had assumed something like a definite shape.

"The Bill, as drafted by the Rent Commission, differed in many important respects from that which has since been prepared by Mr. Reynolds, and we are now in still greater uncertainty as to what is really proposed, because we learn that Mr. Reynolds' draft was again materially altered before it was sent to the Government of India, and that it has now been submitted with still further alterations for the consideration of the Secretary of State."

The third draft settled by Sir Ashley Eden was the one sent to Her Majesty's Secretary of State for India‡ with letter dated 21st March 1882, so that the secrets of the Executive Department appear to have been very carefully kept even from the Chief Justice of Bengal, whose minute is dated 6th September 1882.

"It is true," continues Sir Richard, "that through Sir Ashley Eden's kindness ..I was allowed a perusal of the Bill before it left the Bengal Office; but as this was for my private information only, I do not feel at liberty to discuss it publicly in other shape than that in which it was presented to the public.

"This method of dealing with important legislative measures, however much it may be in accordance with practice and precedence, is, I venture to think, inconvenient. It places myself and others...... in a position of considerable difficulty, and it seems hardly fair to those classes of the community whose interests may be most seriously threatened."§

Sir Richard is mistaken: there was no difficulty, for he was not let into all the secrets. Elsewhere he says :—

"In the numerous notes and minutes which this discussion has elicited, I find some pains have been expended upon the argument that the Government, in case of necessity, has a right to interfere with vested interests, although created by so solemn a compact as that of the permanent settlement, and it has been further argued that in the settlement itself the Government has expressly reserved such a power of interference.

"For my own part I consider this argument quite superfluous. Any Government, *in case of real emergency*, has a right, so far as it is necessary, to interfere with vested rights to whomsoever they may belong, or howsoever they may have been created. But then I take it to be equally clear that *without some such actual necessity* no Government is justified in interfering with the vested rights of any class of its subjects."||

But to Mr. Ilbert the aspect of affairs is singularly different.

"There is," he says, addressing the Legislative Council, "no great difficulty in showing that this so-called obstacle to legislation for the protection of the tenant is no obstacle *at all*: that it is a mere *phantom barrier, which, the moment that it is approached, dissolves into thin air*."¶

In a note, however, prepared by Mr. Tupper under orders of the Government of India, the summarised objections to the contemplated policy are met by such remarks as these— "A conclusion is not condemned because it is theoretical, the real question is whether the theory is right or wrong. Applied political economy is only another name for statesmanship" And referring to the objection of breaking through anachronising customary and traditional relations, a fitting answer has been found in the assertion "they are the concomitant of foreign and civilized dominion." Before radical views of this kind dissolution of the phantom barrier of a permanent settlement into thin air was no great wonder certainly! The wonder is that a foregone conclusion of this kind has been subjected to such long delay and such expensively protracted discussion.

With all this endeavour, however, the full consent of the Secretary of State could not be obtained, and even after repeated communications. At last the Viceroy telegraphed on the 22nd December 1882: "We shall therefore prepare a Bill in accordance with general

* Bengal Government Report, vol. II, p. 410.
† *Hindoo Patriot*, office edition, p. 11.
‡ See Blue Book on the subject, p. 1.
§ Minute, pp. 1-2. | || Minute, p. 3. | ¶ Abstract, p. 90.

views expressed in Lord Hartington's—17th August." And to "this discussion" the Secretary of State has given his sanction by telegram dated 30th idem; so that it does not seem likely that the Bill begun in January 1883, and presented in Council on the 2nd of March, has yet received the Secretary of State's sanction And since the facts and arguments presented to the Secretary of State are not sound, and since, besides, the directions from England have not been duly followed in the fourth Bill prepared by Mr. Ilbert, the measure stands self-condemned.

One thing besides is deserving of notice. The statesmanlike solutions offered to problems in applied political economy have now run up to four successive Bills, and in each case a re-examination of past labours have led to fresh solutions being attempted of well-known problems in the society of barbarian subjects. And Mr. Ilbert has announced in fervid scriptural language "sufficient for the statesman if he can grapple with the problem of to-day, and for the distant future he must leave posterity to provide." The term posterity in the present case is obviously meant for successive Law Members going to and from England every five or ten years at most: and yet it was not deemed necessary to collect any evidence for the purpose of the present legislation.

7.—*The Bill.*

The petition to Parliament avoids entering into details, for what is prayed for is not how the sections of the Bill might be improved, so as to make the measure perfect, but that a cursory view of the principles and policy of the intended legislation would lead to its rejection. At each successive step in the course of four several drafts, the law-maker has been haunted by one fierce desire to get the ghost of a Bengal zemindar down under the power of the law. Consequently there has been remarkably small leisure to judge how the law would have to be administered. And after many long efforts the definition of the *ryot*, for whom all this trouble is claimed to have been incurred, is left in the form of a negative proposition. The petition avoiding all details of this kind notices only the graver changes in the rent law, of which changes, the inner history is, however, of a remarkable kind. It will be seen that although, after much opposition, the sanction of the Secretary of State was obtained to the introduction of the Bill, yet an endeavour has been made to defeat the declared wishes of Lord Hartington, to say nothing of the misleading reports submitted to him in support of the favourite project of Government.

The principle of the right of occupancy, as created by the Act X of 1859, has been already noticed at sufficient length: its greatest safeguard on behalf of the zemindar were sections 7 and 21 of that Act. All these were proposed to be taken away, for the first time, by the Rent Commission. But the Government of India in reporting upon the subject has coolly ignored the point, mentioning only "that they proposed to institute a new class of ryots, *viz.*, those who had held land for three years or more." The simple plan of making the law acceptable to the people did not commend itself to the authors of the measure, and consequently "a sharply drawn limit of time" was rejected for the purpose of defining the blessing which was intended for this unknown class of people. Sir Ashley Eden had gone beyond the Rent Commission, and had proposed "the resident ryot" instead of the three-year old proprietors. "The Lieutenant-Governor's proposal," so runs the letter to the Secretary of State, "amounts in fact to the creation of an artificial village, residence and cultivation within the boundaries of which shall entitle all settled ryots to rights of occupancy in their lands." But it was objected to by the Government, because they thought "many zamindars will utilise to the utmost extent any opportunity of annihilating the claims of the ryots which may be afforded by the law." They "fully admit the absurdity of supposing that zamindars could cause the great majority of their cultivators continually to shift about from one village or even from one set of fields to another." Nevertheless they "think that it is contrary to public policy (!) that the zamindar should find it to his benefit to oust his ryots or any of them either from house or and."* Strange that in a public document of so great importance such an observation should find its way, while the avowed object of the Government is elsewhere set forth as follows:—"We do not conceal from ourselves that either proposal (that of the Government of India or the recommendation of Lord Hartington) will meet with very serious and painful opposition. Ours will be the more distasteful to the zemindar's interest, but the reason why it will be the more distasteful is obvious."† The only way to reconcile these observations is to suppose that the Government believe either that the zamindars seek to injure their tenants and to elude the law, not for their own interests, but only for the destruction of their tenant's interests, or that whatever is distasteful to zamindars' interests is most in accordance with "public policy." The meaning, however, will not be far to seek; for every body knows whose interests are being most sought to be destroyed, by whom the endeavour is being made, and how few the opportunities are of these English officials to test their schemes by a normal amount of self-interest. Accordingly, the Government of India preferred "simply to take the land as the basis of the occupancy right and to declare that all ryots holding or cultivating ryoti land shall have a right of occupancy therein. The occupancy right would then attach to all *ryoti* land without exception, that is to say, to all land that is not khamar or private land."‡

The Secretary of State has disallowed this:—

"I have to observe," he says, "that whatever may have been the exact position, actual or legal, of the bulk of Bengal ryots prior to the permanent settlement, there can be no doubt that their customary rights at best included the right of occupancy *conditional on the payment*

* Correspondence, p. 22.
† Ditto, pp. 59—60.
‡ Correspondence, p. 25, para. 62.

of the rate of rent current and established in the locality. To this extent therefore I concur in your proposal to restore the ryots to their original position."

But as regards the proposal "to take a classification of lands...as the basis...of the occupancy right," His Lordship says:—

"9 After careful consideration of your arguments, I am not satisfied that a measure is advisable which appears to me to make so great and so entirely novel a departure from both the ancient custom and existing law of Bengal."

His Lordship then proceeds to give his own suggestion to the effect "that every *resident* ryot shall have a right of occupancy in the land which he occupies and *pays rent for*, and that a resident ryot shall be one who, or whose ancestor, has occupied any land in the village or estate for 12 years." This is of course somewhat vague and open to many of the objections previously set forth. But in any case it leaves no room for several of the provisions in the Bill, and more especially for the ignoring of the principle that occupancy rights are at best conditional on the payment of rent, and cannot subsist if the zamindar has unnecessarily to go to court for its realization. The instructions evidently do not justify such a provision, as for instance, that "all land shall be presumed to be ryoti land until the contrary is proved," *i. e.*, proved to have been "the landlord's private land for twelve continuous years before the commencement of this Act." (Sections 5 and 6 of the Bill.)

In answer to the Secretary of State's Despatch quoted above, the Government of India wrote on the 17th October 1882:—

"The number of unprotected ryots will, under Your Lordship's scheme, be thereafter a constantly increasing number. Every acre of land which becomes vacant, whether by pre-emption on the part of the landlord, by death without heirs, &c., falls out of the protected class, and instantly becomes a subject for a renewal of the evil contest. The landlord's interest is immediately concerned in preventing the settlement on such land of any existing cultivator of the estate or village, and in defeating as regards tenants from outside the accrual of occupancy rights by 12 years' prescription on such land."*

The reply to this despatch even was not favourable to the views of the Government of India: and yet we have the following in section 56 of the Bill:—

"Notwithstanding any contract to the contrary when the landlord...acquires...the occupancy right in any of the land...any person thereafter holding the land as a ryot shall have a right of occupancy in respect of it."

A perusal of the Secretary of State's despatch, as well as of Mr. Ilbert's speech, would lead one to think that, at all events, the legislature will not permit any *reduction* of existing rents. The Bill, however, shows a different sort of arrangement. Section 81, clause 6, fixes the maximum limit of produce-rents positively *below* the customary rates in many places, and section 82 is so far dubious in its wording, that it is impossible to say whether clause 2 of section 61 will not operate so as to further reduce the limit by 60 per cent. of what would be due to the landlord under the low limit given in section 81, clause 6.

The redistribution of property, as apprehended from the Bengal Tenancy Bill, is mainly due to the following provision:—

Firstly, as regards Fixity of tenure:—

(*a*) The old occupancy ryots are being placed above the restriction that punctual payment of their dues is indispensable to the continuance of their rights: the value which would be imparted to the occupancy right in consequence of this change would be so much taken from that of the landholder. Nay, it will take away far more from the zamindar than it will give to the occupancy ryot.

(*b*) The occupancy right is further extended in a peculiar way: A tenant holding the right in respect of a square yard or two of land is to have that right extended to any quantity of land, even hundreds of acres, that he may afterwards lay his hands upon.

This provision converts a right in land which was traceable to duration of occupation, into that of a personal status, *i. e.*, privilege attaching to the man who happened sometime in his life to have held a plot of ground for 12 years within the indefinite limits of a village or an estate.

And this personal status of the settled ryot is again made peculiarly obnoxious to the zamindar by the disability imposed on him, whereby he is never to acquire the privileges of a settled ryot, neither for money nor from customary laws.

(*c*) Then the "well-known distinction" which, in the words of the Secretary of State himself, is "deeply rooted in the feelings and customs of the people not only of Bengal, but in most parts of India," between resident and absentee tenants,—a distinction considerably affected by Act X of 1859, is going to be still further relaxed, to the certain increase and possible universality of absenteeism among the rent-payers subordinate to the landholders, and the consequent detriment to agricultural interests and to the much needed facilities for collecting the rents.

(*d*) A further instance of redistribution is the provision about compensation for disturbance, in the case of ordinary ryot, which amounts to a penalty upon the exercise of just rights by the landholders.

(*e*) Lastly, the land is proposed to be cut up in two parts, so as to divest the zamindar of all his proprietary rights in respect of one part, and in the other to make his position as intolerable as what the effect given to provisions of the Act X had generally led to. And for

* Correspondence, p. 58, para. 8.

all this the zamindar is required to bear half the cost of a tedious and most expensive process of land survey, while his rights have to be surrendered through a nominal and summary investigation. In respect of part No. 1, the zamindar is proposed to be denied full rights even when the land should remain unoccupied, and although the revenue demand of the Government in respect of such unoccupied land was not in the least to be relaxed. If he lets it out to a tenant, he must not get the full benefit of what terms he might otherwise obtain, but the tenant must have that benefit even when willing to part with all or some of it, and for valid reasons; and lastly, this lien of the tenant classes will continue for a period of twelve years over all such lands, and the zamindar must not have anything in return for that lien, whether from Government, or from those who enjoy the lien. And in regard to that part of the land which it is proposed would not be especially the zamindar's private land, his rights would have to be established by twelve years' continuous occupation, and even then he would remain liable to be eased for ever of what he thus re-acquires, by simply letting a tenant into possession for the same twelve years.

Secondly, in regard to Free Sale:

The landlord is going to be deprived of all his most important rights: it will deprive him of two of his most ancient rights, *viz.*, that of re-entry in case of non-payment of rent, and that of choosing his tenants; it will require *him*, for the realization of his rents and the punctual payment of his own dues to Government, to look to absentee tenants of uncertain character and all this at inconvenient distances; so that it will make those absentee tenants practically the lords of the soil, leaving all the risks and responsibilities upon the annuitant landlord. Here, too, the landlord is going to be imposed with a grave disability that he cannot acquire, even by purchase, all the rights accorded to any other purchaser for equal value. And while so much is being taken from the property of the zamindar, it does not appear that, even in the expectation of the Government, the ryot is likely to derive much substantial benefit.

And, thirdly, in respect of Fair Rents:

The maximum limits prescribed are inordinately low, and in some cases the limits will lead actually to a reduction of existing rents.

Referring to the question of transferability of tenures, the Government of India write to the Secretary of State:—

"*Para.* 93. So far we have considered the landlord's interest." To this the flat contradiction of the landlords may be entitled to some weight, as coming from those who ought to know their interests better than the authors of the sentence quoted above. Be that as it may, the paragraph then runs as follows:—

"But the protection of the ryot is a matter of much greater difficulty. The money-lender by means of a mortgage might appropriate the whole profits of the holding; or by foreclosure or purchase he might become possessed of the occupancy right, making a sub-lease to a cultivator; or the occupancy ryot of to-day, finding his interest profitable, might gradually disuse cultivation, sub-letting his land to an under-ryot at an exorbitant rent. In all these cases the actual cultivation of the soil would, unless provision be made to the contrary, tend to fall into the hands of a rack-rented peasantry, the fruit of whose labours might be reaped by speculators or absentees or mere annuitants idly consuming the agricultural yield in unproductive expenditure. A generation hence, it may be said, the present circumstances will repeat themselves; the present settled ryots will have become to all intents and purposes tenure-holders, or they will have parted with their rights in favour of non-agriculturists, and the Government will again be moved to interfere for the protection of new masses of peasant occupants against seldom (serfdom ?) and oppression."*

It is hard to say whether language much different from this would have been needed, if the ryots of Bengal had taken to the doctrines of communism and sought to help themselves to the property of the zemindars by violent means, leaving the future to take care of itself.

It is well known that in Ireland it has become necessary to override the contractual relations of people: the reason was that cottier rents there rose above rack-rents. In Bengal the danger is said to be apprehended. No evidence has, however, been adduced, and no statistics collected; but on the contrary competition rates are reported by Sir Ashley Eden to be altogether unknown. Nevertheless the contracts of private parties are proposed to be upset, and the rule about exchange of leases between landlord and tenant, on which the framers of the permanent settlement laid so much stress, is going to be entirely relaxed, because in the opinion of the Government of India the principle dated from the political disturbances of 1857! It would be easy to set right such inaccurate statements of fact: but it is not easy to reach the feeling which could record the following. Mr. Tupper says:—

"Mr. Reynolds remarks that the British Indian Association strongly disapproves this section, and continues, 'it is natural that they should do so, for without this section the other provisions would have little practical effect.' An unfettered contract law, it is stated, is the basis of civilized life and the primary condition of moral and social progress. The aphorism is worthy of Joseph Surface, and I regret that the Association should have stooped to employ an argument which they must have known to be altogether sophistical. Free contract between ignorance, poverty and improvidence on the one side, and cunning, wealth and power on the other, is likely to result in the conclusion of a somewhat inequitable bargain."†

Whether or not the British Indian Association have belied their conscience, or raised a scandal against themselves, the principle, if openly advocated, would naturally raise the

* Correspondence, page 89, p. 93. † Tupper's note, p. 108.

question, how far the high revenue assessment of $\frac{10}{11}$ths on the rental was consistent with customary law, and why the engagements entered into by Government in various matters would not cease to be binding upon the swarthy millions of India. It is, however, a relief to find the following from the pen of the same précis-writer who has approvingly quoted the generous reference to Joseph Surface:—

"But are the landlords in respect to all classes of land, whether *ryoti* or *khamar*, and the occupancy ryots in respect to their own holdings, to be universally refused the advantage of perfect liberty of contract with their lessees? Is the economic benefit of unfettered discretion in dealing with the soil to be banished, so far as the law can expel it from the whole valley of the Ganges from Sarun to Backergunge? If so, how long is this state of tutelage to last? Has the educational value which belongs to the free exercise of authority within a limited field been overlooked? Let the necessities of the time [there is nothing wrong in the *times* as the facts about competition-rates of rent will show—necessities of *cases* of individual misconduct are always subject to judical control] be met by interposition to deliver the cultivators [say rather, individual ones] from injustice and to compel them to render to their superiors their proper dues. But do not eviscerate the scheme of reform by extracting the principle of growth which might be retained as part of it. *This portion of the Bill omits, it may be thought, the germ of social development?*"*

This retrograde movement in regard to contractual relations between people may well be contrasted with the too-forward movement in respect of compensation for improvements. This last is not needed, for the simple reason that agriculture has not yet advanced so far as to take up all the culturable land, much less to require improvements for intensifying the productive powers of the soil.

"Under the influence of external peace" and other causes, says the Board of Revenue, "population has increased and cultivation extended over vast tracts which lay waste at the end of the last century. It should, however, be observed that improvement in the *modes* of culture is not conspicuous. The demand for land has not in most parts yet reached the point at which the enhancement of productive powers becomes the indispensable condition of profitable occupation."†

The fact, if dispassionately considered, will explain most of the phenomena in the agrarian affairs of the country. Mr. Ilbert supposes that the best interests of our society would be conserved because "there is nothing in the Bill to prevent a landlord acquiring an occupancy-ryot from keeping the land in his own hands and cultivating it by his servants or by hired labourers."‡ But a greater mistake could hardly be committed in the present state of Bengali society. If the rich zemindars would take to agriculture and convert their ryots into day-labourers, the European labour-difficulty would make its appearance in India with the most awful consequences. Matters may possibly be moving in that direction. The population difficulty must perhaps arise in course of time: and between the pauper life of day-labourers and cottier life of Irish tenants there would not perhaps be much to choose. But in any case the choice would not lie in favour of the former. Besides, if the life of hired-labourers is all that is intended by our beneficent Government for the poor of this country, that life would be more tolerable under the existing zemindars than under the vast body of (occupancy) tenure-holders now in contemplation. A mistake of the very same kind was committed when in 1793 the members of the British Indian Government advocated the growth of landlords more energetic than their predecessors of the last century. These very landlords have to bitterly rue their fate to-day, and under them, it must be admitted, the tenants have not fared better than under those who had not to think of the interest due to capital invested in the purchase of zemindaries, and whose ruin was compassed by tenants of olden time and by the self-same method of withholding payment of fair rents. Agricultural improvements cannot be fostered by Government, least of all by helping to convert the life of agricultural tenants into that of agricultural day-labourers. But when improvements will become necessary, the richer zemindars would perhaps be found more efficient than the money-lenders of humbler means, who are calculated to acquire under the Bill the rights of occupancy and the status of settled ryots. These considerations probably have not escaped the authors of the measure. But in that case their only justification would be the laudable desire now to redistribute the property of zemindars between the favourities of the day—the settled ryots—just as they leave it to their successors to do the like by those favourities a generation hence.

The grandest panacea, however, for all existing evils with these Indian statesmen is "to take up the question of introducing throughout Bengal the system of village records and field surveys, commencing with Patna Division."§ This was written on the 21st of March 1882. On the 17th of August the Secretary of State, while admitting the advantages of the measure (of course only from an *ex parte* statement of facts), could not after all "avoid "the apprehension that the difficulties may prove greater than the Government of India anticipate."‖

Some enquiries, it seems, have been subsequently instituted. And we find Mr. Finucane reporting on the 10th February, with reference to a small tract of land called No. II.—

"That the number of (rent) rates varies in one village from a maximum of *ninety-five* to a minimum of four, and that the average number for eight villages is thirty-four.

"That the amount of the rates varies from a maximum of Rs. 10 (=1£) to a minimum

* Tupper's note p. 175. † Board's Memo., p. 18.
‡ Abstract, p. 105. | § Correspondence, p. 44. | ‖ Correspondence, p. 56.

of 10 annas (15 pence) in the same village, and for all eight villages from Rs. 15 (£1 10s) to two annas (3d.) per (unit of) 3,600 square yards."§

Another officer reports of the tract to which he was deputed :—

" There was no evidence to prove that the rents of those estates had varied since the permanent settlement. The proprietors of 54 villages on being called on to produce the papers whence present and former rates of the lands in their possession could be ascertained have field petitions" saying "that they had no [such] papers."||

Even Mr. Ilbert has had to confess his "apprehension that in many parts of the country the framing of a table of rates will be impossible." He also adds, "that in many instances the mere framing of a table of rates will not suffice to settle the disputes between landlords and tenants." But, nothing daunted, he has, "to provide a remedy," inserted in the Bill a chapter which is entitled,—" Of the settlement of rents by a Revenue officer."¶ The revenue officer has, however, had to be empowered to "decide questions which more properly appertain to the jurisdiction of the civil courts, and ought not to be finally decided by any other authority."** Therefore, again, to civil courts the litigants are directed to go.

What measures will be hereafter necessary to undo all this mischief the future alone can say.

No. 972 T. R., dated Darjeeling, the 27th September 1883.

From—A. P. MacDonnell, Esq., Offg. Secretary to the Government of Bengal,

To—The Secretary to the Government of India, Legislative Department.

I am desired by the Lieutenant-Governor to address His Excellency the Governor-General in Council on the subject of the Bengal Tenancy Bill, which was forwarded with your letter No. 11C. of the 16th March 1883. The Government of India have already been advised of the publication of translations of the Bill in the *Bengali* (1), *Behar* (2), and *Urya Gazettes* (3), on the dates mentioned in the margin, and I am now to say that, with a view to give as wide publicity as possible to the proposed measure, copies of the Bill, in English, and in the Bengali, Urya, and Hindi vernaculars, were made available to all public bodies and private individuals throughout these provinces. Full publicity has thus been given to the Bill, and the result is apparent in a vast quantity of careful and detailed criticism, which cannot fail to have an effect in moulding the ultimate form of the measure. Copies of the various reports and memorials received by this Government during the last six months in connection with the Bill have been from time to time forwarded to the Government of India; but I am to take this opportunity of submitting in a collected form all the more important correspondence which has passed between this Government and those interested in the subject since Mr. Rivers Thompson assumed his present office in Bengal.

(1) 24th April 1883.
(2) 4th May „
(3) 17th „ „

2. It has been recognised that the Report of the Rent Commission, in itself a most exhaustive State paper, was subjected to a degree of careful criticism, unprecedented in the discussion of public questions even in this country. "No measure of late years," says the representative organ of zemindari interests in Bengal, "has attracted so much public attention as this. It has been discussed throughout the country, and representations have poured in upon Government from all quarters. The discussion which has followed the proposed Rent Bill is in marked contrast to what took place when the Rent Bill of 1859 was passed. The only representation of any note which was then submitted to Government came from the British Indian Association; but even that vigilant body did not then show sufficient activity in the matter. It contented itself with submitting a memorial to the Legislative Council. It did not then take any steps, as it has done on the present occasion, to organize public opinion on the subject. But the times have changed. The Government has now become more alive to public opinion than ever. Sir Ashley Eden has invited expressions of public opinion from all quarters. He asked district officers, both executive and judicial, to express their opinion on the Bill. He invited the public Associations to discuss the Bill. He appealed to the leading men in the districts to consider the Bill. He offered every facility in the way of discussion. He caused the Bill and the Report of the Commission to be translated into Bengali, Urdu, and Hindi, and had the translations extensively circulated. He went further, and deputed Mr. Reynolds to tap the great centres of mofussil opinion. Thus ample opportunity has been given to the public for a thorough discussion of the Bill."

Nature of criticism to which the Bill has been subjected.

3. That is an accurate description of the extent to which the Reports under notice had been subjected to criticism up to the early portion of 1881. Later in that year those criticisms were examined in Mr. Mackenzie's letter No. 849 T. of the 27th July, a valuable addition being made thereby to the literature of the subject. Afterwards the Government of India, in their despatch No. 6 of 21st March 1882, reviewed the entire discussion in its historical and economical aspects with a detail and fulness remarkable, the Lieutenant-Governor may be permitted to say, even in an enquiry which has been distinguished throughout by ability and research. It may be accepted therefore that, even before the publication of the present Bill, the information accumulated on the relations of landlord and tenant in Bengal was almost complete.

§ Letter from M. Finucane, Esq., on special duty, to the Secretary to the Board of Revenue, paragraph 5 (dated 10th February 1883).

|| Baboo Parbati Churn Dey, to the Revenue Board, No. 114, dated 6th February 1883.

¶ Abstract, pp. 116, 117.

** Abstract, p. 118.

4. In a petition dated Calcutta, 1st July 1883, to the House of Commons, the landholders of Bengal and Behar, while acknowledging that the fullest opportunities had been given for discussing the original draft of the Bill, complain that similar opportunities of examining the Bill finally submitted to the Government of India by this Government had been refused. This complaint is, in the Lieutenant-Governor's judgment, unreasonable. The Bill submitted by the Bengal Government for the consideration of the Government of India and the Secretary of State embodied the modifications of the Rent Commission's original draft, which seemed to Sir Ashley Eden to be called for by the ordeal of criticism through which that draft had passed. Those modifications might not have been (as in fact many were not) accepted by the Government of India, and therefore to invite criticism on them before they had been approved by that Government would have been a waste of time. The Bill now before the Council is the Rent Commission's draft moulded into its present shape by the Governments of India and Bengal in the full light of public opinion, and this Bill has now been before the public for six months. Its publication has added to the mass of information, extant on the Rent question, a further voluminous expression of opinion on every point of principle and on most matters of detail. The opinions now expressed, indeed, are in many instances but repetitions of what had been said before; but this was to be expected, for the Bill in its main features is the natural outcome of the preceding discussions: while, even on such a wide subject as that in hand, there are limits to human inventiveness. The repetitions, however, are valuable as showing that little more is left to be said upon the subject. A few reports, indeed, are still expected from local bodies or individual officers; but the Lieutenant-Governor thinks it undesirable to postpone any longer the expression of his own views on the main points of the measure. With questions of detail or verbal emendations of the Bill he does not propose at present to trouble the Government of India, as ample opportunity will no doubt be afforded him, during the progress of the Bill through Select Committee, of making such communications on minor points as circumstances may require.

Groundlessness of complaint of secretiveness in regard to the measure made against the Government

5. If the Lieutenant-Governor thinks it undesirable to consider minute details on this occasion, still less does he wish to follow those advocates of the zemindari party, who question the propriety of the measure as a whole. If there really be any persons who, in the face of the overwhelming accumulation of evidence afforded by the discussions of the past ten years, still question the necessity of legislation on the broad lines of this Bill, then it is quite hopeless to expect that anything the Lieutenant-Governor could say would convince them. Recent experience in these provinces has accentuated the necessity for legislation which has already been recognized most distinctly by the zemindars themselves; and Mr. Rivers Thompson therefore hopes that no time may be lost in bringing to a close a controversy the settlement of which is essential to good administration, peace, and progress in Bengal. With these preliminary remarks, I am now to state the views of this Government on the chief provisions of the Bill; and from the statement I shall make it will be seen that, while the Lieutenant-Governor must express dissent from some points of the measure as drafted, he is able to give it, subject to the acceptance of certain modifications, his earnest support.

Necessity for speedy legislation

6. In the first place I am to offer a few observations on the propriety of legislating for the whole of these provinces in one Bill, as the proposal to do so meets with some opposition. It will be within the knowledge of the Government of India that doubts on the point, suggested at an early stage of this discussion, were formulated by Mr. Reynolds in the note which is printed in Appendix IV, Volume I of the Report submitted by the Bengal Government in 1881; but Sir Ashley Eden, on full consideration of the subject, thought separate Bills unnecessary, believing that "if his proposals for basing the occupancy right on a broad and popular basis throughout the whole of the Lower Provinces met with approval, and if the improvements suggested by him in the law of distraint were accepted, the matters calling for exceptional treatment in connection with Behar would be practically reduced to two, *viz.*, the disposal of claims to *zerant* lands, and the regulation of the procedure for the regulation of rents in kind."

Proposal to legislate separately for Bengal and Behar considered.

To these remarks of his predecessor, as well as to the arguments advanced by Mr. Reynolds and others in favour of separate legislation for Bengal and for Behar, the Lieutenant-Governor has given his careful attention; and while he admits that differences do exist between both portions of these provinces in some respects, he is not prepared to say that they are such as call for divided treatment. It is true that in Bengal the demand for legislation came, in the first instance, from the landlords, who urgently pressed for increased facilities for enhancing and realising rents, while in Behar the cry was from the ryots for protection from illegal enhancement and ejectment. It is also true that in Bengal the extent to which sub-infeudation has gone produces difficulties in adjusting the mutual relations of proprietor, tenure-holder, and ryot, while in Behar those difficulties are less developed. It is further true that in some districts of Behar the system of corn-rents is far more prevalent than in the districts of Bengal Proper. But granting all this, an examination of these points of apparent difference will show that the differences are of degree, rather than of essence; while in Bengal we have well-marked instances of the same evils which depress industry and disturb the public peace in the Patna Division. If ejectment, as a means of extorting enhanced rents, widely prevails in Behar, evidence is not wanting that a similar practice is in vogue even in the most forward district of Bengal. Does a Behar zemindar or thikadar attach the whole crop of the ryot to compel payment of an increased *jumma* or of legally irrecoverable arrears?—

the Bengal zemindar applies corresponding pressure through suits for monthly kists, or through some other legal device, in order that he may (as one recently ventured to tell a sub-divisional officer) "by hook or by crook" raise the rents and break the rates. Where Behar landlords shift their ryots from field to field (as they have admitted they do) to prevent the growth of prescriptive rights, the Bengal zemindar can apply no less potent pressure, if one may judge from the "agreements" which are registered in such widely different districts as the 24-Pergunnahs and Mymensingh. In Bengal and Behar alike the efforts of landlords are directed towards the same end—enhancement of rent, prevention of the growth of tenant-right, and its destruction where it has grown up; and if in Bengal they are not so successful in their efforts as in Behar, that is not because of any dissimilarity of aim. The same evil demands the same broad line of treatment in all portions of these provinces. To prescribe every variation of detail to suit local circumstances is not within the compass of any law; these variations must be worked out in practice by the applications of the broad principles of the law to individual cases by the courts or other authorities entrusted with the administration of the Act.

Necessity for a positive definition of 'tenure' and 'ryot.'

7. *Chapter I.*—The negative character of the definitions of "tenure" and "ryot" has been unfavourably critisised. The difficulties in the way of a positive definition, especially those to which the Rent Commission draw attention in paragraph 20 of their Report, are not ignored, but it is clear that the want of some definition which might afford a presumption as to the nature of the right leads in practice to serious embarrassment from which all landlords suffer. The Board of Revenue even go the length of asserting that any "rule of thumb" procedure which would enable a tenure to be distinguished even presumptively from an occupancy holding would be a great relief to landlords, and a help to the revenue administration of the province.

Objects at which a definition of those terms should aim.

On such a question as a legal definition of this sort, the Lieutenant-Governor has much diffidence in offering any opinion; but it seems to him that there is reason for the dissatisfaction expressed with this portion of the Bill, and that a definition is more likely to avoid difficulties than the absence of any definition at all. One of the greatest difficulties to be met with in dealing with the rent question in Bengal is the question of subletting. It is possible that by accurately defining the class who, as occupancy ryots, will be entitled to sublet, that difficulty may be lessened; and, therefore, the Lieutenant-Governor would suggest that while those who retain a substantial cultivating interest in the holding should be regarded as occupancy ryots, all those owners of occupancy rights who never got possession for the *bonâ fide* purposes of cultivation, or who, having originally been cultivators, have divorced themselves from direct connection with, or responsibility for, the cultivation of the holding, should be classed as tenure-holders. It is to be remembered that the late Supreme and present High Court have declared "any tenure by title deeds or by the custom of the country, transferable by sale," to be an under-tenure (Indian Law Reports, Vol. 8, page 675), while the Lieutenant-Governor understands that the courts look on persons who have not got possession for *bonâ fide* purposes of cultivation in the light of tenure-holders (9, Calcutta Law Reports, page 449). It seems therefore to Mr. Rivers Thompson that a definition on the lines he proposes would not only be in accordance with the prevailing judicial opinions on the subject, but would also establish an intelligible demarcation line between the cultivator and the mere rent-receiver, which would hold good in the great majority of, if not in all, cases. Such a definition would also have the great advantage of classing as tenure-holders mahajans and other non-agricultural purchasers of occupancy rights, whose ryots would then become 'ordinary' ryots, saved by the provisions of the Bill applicable to their class from the worst evils of rack-renting, and capable of acquiring occupancy rights in course of time.

Objections to such a definition.

In making this suggestion, the Lieutenant-Governor is not unmindful of the objection that it would tend to increase indefinitely the chain of middle men between the proprietor and the actual cultivator. The increase, however, would be but nominal; for the non-cultivating occupancy ryot is already in fact a middleman, while middlemen, divorced from all connection with tillage, are rarely in these provinces, owing to the pressure of population on the soil, recruited from the cultivating classes. Besides, even if middlemen are created, the condition of the actual cultivator under them would be better (if the proposals which the Lieutenant-Governor will subsequently make be accepted), than under rack-renting occupancy ryots, who are middlemen in all but the name. Mr. Rivers Thompson is also not forgetful of the probability that such a definition as he proposes would meet with some opposition in portions of deltaic Bengal; for instance, where certain classes claim the *status* and immunities of tenure-holders, while exercising over under-tenants the power and privileges at present enjoyed by occupancy ryots. These classes would oppose a formal definition which would curtail the power they claim to exercise; and it is only right to say that their opposition seemed so formidable to Sir Richard Temple that, notwithstanding the existence of judicial decisions declaring these classes to be tenure-holders, he deemed it imprudent to provoke it by affording any protection, even in settlement proceedings, to the actual cultivators of the soil. On the other hand, the proposed definition would meet with approval, and would redress existing inconveniences in those districts where cultivation expands or contracts with the rise or fall of prices, an elastic rent system being the consequence.

A positive definition of 'tenure' and 'ryot' proposed.

Such being the objects to be provided for, the question is, what form should the definitions take? This question is, no doubt, difficult, the difficulty being in connection with the point whether an occupancy ryot may sublet his holding and still remain a ryot. In by far the greater portion of these provinces it is, in the Lieutenant-Governor's opinion, safe to provide that a ryot who sublets a large portion of, if not his entire holding, thus divorcing himself from actual cultivation, shall be deemed to be, not a ryot, but a tenure-holder. In the less settled portions of the deltaic and frontier districts, however, subletting is the usual procedure for reclaiming land, and is rather a method of *ryotti* cultivation than an evidence of sub-infeudation. In such districts, therefore, subletting of the entire holding should not operate to convert the lessor into a tenure-holder, but should be deemed consistent with the *status* of a ryot. Bearing these considerations in view, the Lieutenant-Governor submits for the consideration of the Council the following definitions which are based on those contained in the Rent Commission's Report:—

(*a*)—A tenure means (1) a rent-paying interest in land subordinate to the interest of a proprietor and superior to that of a ryot; (2) a rent-free interest in land when a rent-paying interest in the same land exists between the proprietary interest and such rent-free interest; (3) a revenue-free or rent-free interest in land when no rent-paying interest exists between such revenue free and rent-free interest and the proprietary interest. A tenure includes an undertenure.

Illustrations.—A patni, dar-patni, or se-patni interest is a tenure. An ijara or dar-ijara is a tenure. An occupancy holding, which the owner does not cultivate as ryot, is a tenure. A valid bramhotur is a tenure. A lakhiraj holding, included in a revenue-paying estate and not entered in the register of Revenue-free lands, is a tenure.

(*b*)—A ryot or tenant means a person who cultivates land, or who occupies land for the purposes of cultivating it, or bringing it under cultivation. A person cultivates land or brings it under cultivation within the meaning of this definition, when cultivation is carried on by himself, or by the members of his family, or by his servants, or by hired labour, or by subletting a part while continuing to carry on cultivation by one or more of the preceding means in a moiety of the land.

Provided that by order duly published in the *Calcutta Gazette*, the Local Government may declare that cultivation as a ryot may be carried on within a tract to be specified in such notification by subletting the whole of the land, and may suspend or withdraw that order, and such declaration shall have the force of law.

Illustration.—Cultivation of the whole or part of an occupancy holding on the terms of a division of produce between the occupancy holder and the actual cultivator, is cultivation under a sub-lease.

(The latter illustration is meant to provide for those cases which, judging from experience, would probably be numerous, in which mahajans having bought up occupancy rights would let a portion of the land on a *nukdi*, and the remainder really on a *baoli* tenure, but ostensibly on a contract fixing portion of the produce as the wages of labour.)

I am to propose below that landlords be allowed a more summary procedure for collecting rents from tenure-holders than from ryots, while non-occupancy ryots renting land from tenure-holders be granted a more beneficial *status* than *kurfas* or under-tenants can enjoy. It is to be hoped that by these means the interests of the landlords on the one hand, and those of the actual cultivators on the other, will jointly operate in the direction of classifying as tenure-holders all owners of occupancy rights who do not actually cultivate the soil; and further that the limitations imposed on the powers of tenure-holders to rack-rent, to which reference will be made later on, will discourage the growth of the class.

CHAPTER II.

Distinction between ryotti and khamar land.

8. The provisions relating to the distinction between *khamar* and *ryotti* lands have been subjected to a good deal of criticism, the outcome of which is to confirm the Lieutenant-Governor's belief in the usefulness of those provisions, especially in Behar. It may be conceded that the chapter is not so much required in Bengal as in Behar, and that there is truth in what some critics of the measure say, that if in Behar landlords strive to absorb *ryotti* lands into *khamar*, in Bengal ryots strive to convert *khamar* into *ryotti*. In either case, however, it would seem that some provisions, such as the Bill contains, are necessary; although the Lieutenant-Governor is not prepared to say that, if enacted, they will be found as necessary, or made as much use of, in Bengal Proper as in Behar. The requirements of particular districts will, however, be sufficiently met by the discretion with which section 7 of the Bill vests the Local Government. Undoubtedly the chapter may be needed from time to time in particular tracts in Bengal, where it would prove an useful adjunct to some other provisions of the Bill; but it would probably be unnecessary to enforce it on any large scale in Bengal Proper, if landlords do not abuse their power of pre-emption by converting *ryotti* into *khamar* land. This point will be dealt with later on.

Proposals to recognize an increase in khamar land examined.

Some critics of the Bill, while admitting the necessity for the chapter, especially as regards Behar, desire to modify it so far as not to absolutely limit for ever the stock of *khamar* land. Some would allow it to be increased by the absorption of *ryotti* land; others by the re-

clamation of waste lands and by alluvial accretions; and a few, referring to local peculiarities of tenure, would class as *khamar* such lands as the *utbundi* lands of Nuddea. On the general principle whether *ryotti* land should be absorbed into *khamar*, the Lieutenant-Governor entertains a decided opinion in the negative. Without wishing to reduce the existing stock of the landlord's *khamar* or *seraat* land (in which it should be distinctly understood that the lands for instance, known as indigo *zeraats*, which are essentially ryotti, are not included), Mr. Rivers Thompson believes that every consideration of law of experience, and of expediency, is against its extension. It has been affirmed that *khamar* was originally the waste unreclaimed area of the village which the zemindar was permitted to cultivate by contract for his own advantage during the term of his revenue engagement with the Government of the day, but which, as cultivators settled on it, became part of the *ryotti* land of the village. However this may be, the fact is indisputable that under the Permanent Settlement Regulation (VIII of 1793, sections 37 to 39) no land was recognized as *khamar* which was not such on the 12th August 1765, the date of the grant of the Dewani, and there is no law recognizing the creation of *khamar* land subsequent to that date. These facts afford a sufficient answer to the charge of an infringement of ancient rights, which is brought against the present proposals to define the limits of *khamar* land; and itmay be added that from the facts established in other countries, of the clear line of distinction between demesne and tenemental lands, analogies* might be drawn in favour of thost provisions of the Bill.

If, however, it be inexpedient to permit the increase of the *khamar* area by the absorptiou of *ryotti* land, can the same be said of an increase through reclamation of waste lands, alluvial accretions, or lands subject to special conditions of cultivation. In the Lieutenant-Governor's opinion, the prohibition should hold good here too. In those ditricts where large waste areas still exist, and where there is no customary right of pasturage or easement involved, the faculty of converting waste into *khamar* might perhaps be conceded without any immediate loss to the community at large; though, looking to the over-growing importance of emigration from the more crowded tracts to those wastes, there would be ultimate loss and difficulty. In those districts, however, where the village wastes are the only pasture grounds, the case assumes a different aspect, for admittedly one of the most crying wants in these provinces is the provision of sufficient pasturage for cattle. While our Forest Department is unsuccessfully struggling with the difficulty of providing fuel and pasturage reserves that manure now used as fuel may be liberated for agricultural uses, and cattle preserved for husbandry, it would surely be unwise to hasten the absorption into the cultivated area of such limited pasturages as still remain by any such incentives as the proposals in question are calculated to afford.

It is stated by some that local custom usually classes *churs* as *khamar*, and that such a custom ought to be recognized; but the Lieutenant-Governor must say that he does not see on what basis of right such a custom, which is opposed to positive law, could be defended. The principle guaranteed by section 4, Regulation XI of 1825, that a ryot or "any description of under-tenant whatever" has a right to an accretion to his holding, would, if properly pleaded, dispose, in the Lieutenant-Governor's opinion, of many such "customs" in a court of justice. It is well known that *churs* and alluvial accretions form large tracts of country, especially in the deltaic districts. Many of these churs are inhabited by an industrious class of resident ryots; and any custom, even if legal, which would deprive them of agrarian rights, would be indefensible on grounds of public policy or justice to individuals, and a fertile source of embarrassment to Government.

Finally, in regard to *utbundi* lands, the Lieutenant-Governor does not see that any exception to the general rule is needed. As far as he is aware, the *utbundi* tenure is only special as regards the system on which the rent is paid, and does not affect the legal attributes of the land. It is not so much that one ryot cultivates one *utbundi* holding one year, and a different ryot another year, as that rent is paid only on the extent of land actually cultivated for the year, and by measurement at harvest time according to the actual outturn of the crop. The Lieutenant-Governor understands that prescriptive rights of occupancy under Act VIII of 1869 are now actually acquired in these *utbundi* lands, and he would not by any provision impede the growth of such rights.

CHAPTER III.

9. The Lieutenant-Governor is disposed to agree with those who object to classing tenants at fixed rates as necessarily tenure-holders. He would prefer to apply to them the definition already given classing them as tenure-holders or ryots as they fall within the definition of either. Mr. Rivers Thompson also agrees with the representative Associations in thinking it undesirable to retain section 28 of the Bill. Tenure-holders are, as a rule, well able to look after their own interests, and they have, in section 32 of the Bill, a means provided of compelling registration should they prefer not to await the landlord's action under section 33. It is unlikely that a tenure-holder desiring to register a transfer would be deterred from applying to the landlord under section 27 by any of the causes which may deter a ryot from tendering payment of rent. The introduction of the revenue officer, therefore, in these proceedings is unnecessary; and as the double procedure would be embarrassing, the section may well be omitted, and the same facilities to compel registration afforded to both the tenure-holder and his landlord. Parties should go to the court where they will get final relief, unless there be a distinct advantage to be gained by a departure from this rule. The omission of section 28 from the Bill would involve modification in section 35. The words from "and determine" to "under section 27" might be omitted, and "Local Government" substituted for "Board of Revenue" in the first line.

Objection to classing ryots holding at fixed rates as necessarily tenure-holders. Registration of tenures.

* Reports from Her Majesty's Consuls, Parts I—V, 1869 70. See also Mr. Justice Field's "Landholding, &c in various countries."

CHAPTER IV.

Incorporation in the Bill of the procedure for sale of patni taluks.

10. The Lieutenant-Governor approves of the principle of including the law for the sale of patni taluks in the Bill, as it is essentially a part of the law of landlord and tenant in these provinces, and as its provisions may be advantageously extended to some other classes of tenures besides those distinctively known as *patnis*. He sees no force in the objections made to this course; for there is no question of altering the substantive provisions of Regulation VIII of 1819, or of modifying it in any points of principle, or except on a few, and those unimportant, points of detail. If, however, the Regulation be now included in the Bill, it is for consideration whether the whole law should not be worked into the body of the Bill, instead of being relegated in part to a schedule. This would bring into one code the whole law upon the point relating to landlords and tenants.

CHAPTER V.

Right of occupancy. Definition of a 'settled ryot.'

11. This chapter brings into prominence one of the chief features of the Bill, and has naturally received much attention. The advocates of the zemindari interest object to any expansion of the provisions of Act X of 1859; but, putting extreme partizans on one side, the Lieutenant-Governor does not see that any reasonable objection is made to conferring on ryots, who have resided twelve years in the village, rights of occupancy in all lands they hold, or may hold, in that village. Considerable opposition, however, is shown to the introduction of the term "estate" into the definition, and various examples are given of the hardships which would be thereby inflicted on zemindars or tenure-holders. The basis of all the hostile criticisms on the chapter is that the "settled" ryot is not the true representative of the *khudkhast* ryot, and that, as the object of this legislation is supposed to be the rehabilitation of the *khudkhast* ryot, we go beyond the requirements of the case by introducing the "estate" into the definition, and excluding the idea of *residence* as essential to the *status* of the ryot in question. That is, in the Lieutenant-Governor's opinion, a correct representation of the main objections to the definition, though in his own view it is untenable, having regard to what passed in 1859. It must be added, however, that, in a petition to the House of Commons, the Behar Landholders' Association go the length of asserting that the *khudkhast* ryot was altogether unknown to Behar at the time of the permanent settlement, which they say only recognised, on the one hand, proprietors of the soil, and, on the other, tenants-at-will with no rights or privileges of any description. This extraordinary assertion of the extreme zemindari view of the permanent settlement has for its sole foundation the facts that the rule regarding the cancellation of *khudkhast* ryots' pottahs contained in the second clause of section 60, Regulation VIII of 1793, did not apply to Behar, and that the Court of Directors in 1819 expressed an opinion that zemindars were entitled to eject *hereditary* ryots on refusal to pay even exorbitant rents.

Erroneous views regarding the *status* of Behar ryots contained in the Behar Landholders Association's petition to Parliament.

It would be tedious to enter here on an examination of the permanent settlement with a view to correct the serious misapprehensions of its nature and effect into which the Behar Landholders' Association have fallen. Such an examination will be found on pages 97 to 108 of the Papers on the Working and Amendment of Act X of 1859, which have recently been republished by the Government of India; and here it will be sufficient to say that the position of Behar zemindars at the time of the permanent settlement, so far from being the independent one now claimed by the Behar Landholders' Association, was such as to justify Mr. Shore in speaking of "the very degraded state of the proprietors in Behar compared with those in Bengal. The former, unnoticed by Government and left at the mercy of the *amils*, have in fact considered themselves proprietors only of tithe of their real estates, and assured of this when dispossessed, they have been less anxious to retain a management, which exposed them to the chance of losing a part of what they received without it." And, again, "the system of management adopted in Behar for so many years having been calculated to destroy all ideas of right in the proprietors of the soil, beyond their admitted claims to a tithe of their proprietary right, they consider all besides this at the discretion of the Government." (Minute of September 18th, 1789). The true reason why section 60, clause 2, Regulation VIII of 1793, did not apply to Behar was that written pottahs had obtained a currency in Bengal which was unknown in Behar, where the *baoli* rent system and verbal agreements had prevailed up to the latter part of the last century; that accordingly provisions for dealing with collusive pottahs, which were of use in Bengal, would have been out of place in Behar, and that the same stringent rules required to protect ryots against the powerful landholders of Bengal were uncalled for in the case of the powerless zemindars of Behar. "In Behar," says Mr. Shore, "the variations in the demands upon the ryots are not so great as in Bengal; the system of dividing the produce (*i.e.*, the *baoli* system) affords a definite rule whenever that prevails; and the regulations need not be so minute as those proposed for Bengal." (See paragraph 145 of the Minute already quoted: also Harrington's Analysis, Vol. III, p. 441). If the Behar Landholders' Association had consulted the official literature on the subject, they would have been saved from the error of thinking that Behar ryots were held to have no rights by the framers of the permanent settlement. The whole of that literature proves beyond doubt that the ancient usages of the people were, at the time of the permanent settlement, less obscure in Behar than in Bengal; that the true position of zemindars as removable revenue collectors was less open to dispute: that the cultivator's right to hold his land as long as he paid the authorised rent was less questioned; and that even the *paikhast* ryot was less known, the village margin of waste land being greater in Behar than in Bengal.

If the Behar Landholders Association's appeal to section 60, Regulation VIII of 1793, be unfortunate, their reference to the Court of Directors' Despatch of 1819 is not less so. So

far from stating that in 1793 zemindars had unlimited powers of ejectment and enhancement over all classes of ryots, as the Association assert, that Despatch is concerned with proving exactly the reverse, as is shown by the following passage from the 13th paragraph opening the discussion of "the Rights of the Peasantry":—"Although the zemindars with whom the permanent settlement was made are, in the regulations respecting that arrangement, declared to be 'actual proprietors of the soil'; although their zemindaris are called landed estates, and all other holders of land denominated their under-tenants; and although, as we shall have occasion more particularly to observe in the course of this Despatch, the use of those terms, which has ever since continued current, has in practice contributed with other causes to perplex the subject of landed tenures, and thereby to impair, and thereby to destroy, the right of individuals, yet it is clear that the rights which were actually conferred on the zemindars, or which were actually recognised to exist in that class by the enactments of the permanent settlement, were not intended to trench upon *the rights which were possessed by the ryots*" (the italics are the Lieutenant-Governor's). The whole tenor of the Despatch goes to show that undoubtedly the peasantry in 1793 had rights which neither the Government of the day did, nor could, alienate from them; and the passage which the Association quote, apart from its context, merely states as an "unavoidable inference" that zemindars "are authorized by the existing law (*i.e.*, by the law as understood in 1819) to oust hereditary ryots." Keeping in view the unforeseen effect on tenant right of the legislation subsequent to 1793, particularly of Regulations V of 1794 and VII of 1799, it will be seen that the Court of Directors in the passage quoted by the Association were in fact not referring to the permanent settlement at all, or to ryots' rights under it. And of this (if further demonstration on the point is to be given) the Behar Landholders' Association might have satisfied themselves by going a little beyond the quotation they make from the conclusion of the 53rd paragraph of the Despatch, to the commencement of the 54th. The 54th paragraph of the Despatch of 15th January 1819 runs thus:—"In the consideration of this subject it is impossible for us not to remark that consequences, the most injurious to the rights and interests of individuals, have arisen from describing those with whom the permanent settlement was concluded as actual proprietors of the land. This mistake, for such it is now admitted to have been, and the habit which has grown out of it in considering the payment of the ryots as rent, instead of revenue, have produced all the evils that might be expected to flow from them. They have introduced much confusion into the whole subject of landed tenures, and have given a specious colour to the pretensions of the zemindars, in acting towards persons of the other classes as if they, the zemindars, really were, in the ordinary sense of the words, the proprietors of the land, and as if the ryots had no permanent interests, but what they derive from them * * * * * * *
It is fortunate, however, and must not be forgotten that in the same Regulation in which the Bengal Government in 1793 conferred rights upon the zemindars, apparently inconsistent with the rights of the cultivators of the soil, it reserved to itself the full power of passing such laws, as from time to time might appear necessary for the protection of the rights acknowledged to be vested in the ryots."

It did not of course require this demonstration to satisfy the Government of India that the views expressed by the Behar Landholders' Association, on the status of zemindar and ryot in Behar in 1793, are incorrect; but the Lieutenant-Governor has thought it right that the expression of such erroneous views, by an influential body of land-owners in a petition to Parliament, should not be allowed to pass uncontradicted.

The definition of a 'settled' ryot as contained in the Bill further justified.

Returning to the objections which have been raised to the definition of a "settled ryot," the Lieutenant-Governor starts with the fullest acceptance of the principle enunciated by the Famine Commission, that it is "desirable for all parties that measures should be framed to secure the consolidation of occupancy rights, the enlargement of the numbers of those who hold under secure tenures, and the widening the limits of that security." This principle finds a fitting recognition in the constitutional acknowledgment made by the Bill that the proprietor's interest in the soil is not an absolute or exclusive one; but that, as Lord Hastings' Government admitted in their letter of the 7th October 1815, to the Court of Directors, the permanent cultivator has an "established hereditary right in the land he cultivates so long as he continues to pay the rent justly demandable from him with punctuality." This position has the Lieutenant-Governor's fullest approval as being in accordance with the ancient custom of the country, and never superseded by any act of active legislation. The customary law of these provinces being such, the question remains whether the village in which the cultivator lives should limit and bound his rights, or whether, having once been admitted by the landlord to permanent cultivation in one part of his estate, he should not be deemed entitled to similar privileges in other portions which lie outside the village in which he may actually reside. To the question thus raised, the Lieutenant-Governor would give an affirmative answer. The interests of the community require as large an extension of fixity of tenure as is consistent with the rights of the zemindars, and the only rights which can be conceded to zemindars upon the point are those of receiving fair rents, and of assuring themselves that the persons they admit to permanent residence and cultivation within their estates are persons of good character and likely to make solvent, industrious tenants. Once assured on these points, the proprietor of an estate can have no reasonable justification for refusing to an approved tenant cultivating rights in one portion of his zemindari which he has granted to him in another. It must be remembered that the proposal under consideration has been brought forward in consequence of the evils caused by the action of the zemindars themselves in shifting their ryots from land to land to prevent the accrual of a right which the earliest Regulations recognised, and Act X of 1859 distinctly affirmed.

On this question the Lieutenant-Governor would say that perhaps too much importance has been attached to the fact that the term *khudkhast* connoted, or is believed to have connoted, the idea of residence in the village in which the ryot's holding lay. The early discus-

sions upon Act X of 1859 show that residence, though generally, was not always a condition of occupancy; and at any rate it should be borne in mind that we are not now seeking to rehabilitate the *khudkhast* ryot in exactly the same status which obtained in 1793. The reasons for this are obvious. The period between 1793 and 1859 was one in which the power of the landlord had grown beyond controllable limits, and exercised an almost paramount influence dangerous to public stability and order. It was in such a state of things that the law of 1859 was passed; and as regards the position of the main body of the cultivating classes, the doubts and difficulties of the situation (which had arisen from the effacement of the ryots' rights and privileges by unchecked zemindari influence and independence) were solved by the declaration of a 12 years' occupancy as evidence of prescriptive title, that term being adopted in the Act absolutely and *without reference to residence.*

Even if Act X of 1859 had not thus introduced a "new departure" in the land law of Bengal, the changes of a century, and the indeterminate limits of villages at the time of the permanent settlement, forbid that we should go back now to the consideration of a state of things which existed nearly a century ago. It is, in fact, impossible to do so, for the circumstances and conditions of the country are different; and all we can hope to do is to place the settled ryot of to-day in a position analogous to that occupied by his prototype. One of the privileges of the *khudkhast* ryot was to hold fresh land in the same village on the same tenure as the old; and as, in those times, there was a large margin of waste in all villages, the resident cultivator had the fresh land at his door. There is now but little margin of waste in any village of the settled districts, and therefore the ryot, if he wants to add to his holding, cannot always succeed in doing so. That he should, however, if successful in his quest (and he can only succeed with the consent of his landlord), hold such additional land in the same estate, by the same title as his original holding, is only a rational development of an old customary law of the country to suit modern wants.

Definition of a settled ryot further considered.

In considering all that has been urged against the definition which the Bill gives of a settled ryot, Mr. Rivers Thompson regrets to find but little evidence of a conciliatory spirit on the part of zemindars. They represent, in all their statements upon the question at issue, that they, of all people, are the most anxious to retain good ryots upon their properties; but when an attempt is made to translate their expressions of good-will towards their tenantry into positive law, in accordance with the necessities of the case as demonstrated by accumulated proof, the landlords assert their right not to be bound by any law. This question of definition of a settled ryot is a case in point. It is impossible to believe that in early times, as population grew and the margin of waste land in a village diminished, a landlord's approved tenants would not have the preference of such fresh lands as existed in neighbouring villages of the estate, or that they would hold such lands on a less secure title than attached to their lands in the parent village. It must also be remembered that, owing to the disintegrating influence of time and of the law of inheritance, the village area of to-day is frequently much smaller than the village area of a century ago: and to restrict the rights of the settled ryot to the smaller area would not be just to him nor advantageous to the public, nor in accordance with the practice which has grown up under Act X of 1859. All experience shows that the settled ryot of a village, who rarely holds more than a few acres of land, and who is therefore too poor to afford two homesteads, or any care-taker but himself and children, can never go far from his home for fresh land. This can be asserted with positive certainty of all those ryots who pay less than Rs. 20 annual rent, and they number 8,925,000 out of the 9,752,000 ryots, who, according to the Famine Commissioners, cultivate the soil of Bengal. It may be asserted, if not as positively, still with much probability, of 682,000 ryots who pay rents from Rs. 20 to Rs. 50. The residuum of ryots who may thus hold land in two villages is small; and it is not to the public benefit to discourage this substantial class of ryot; while even if a ryot of that class went 20 miles away from his village for fresh land, as some zemindars fear, he will still be well known to his landlord, who, after all, may refuse him the land. The Lieutenant-Governor must then support the definition of a settled ryot given by the Bill.

Objections to throwing on resident ryots onus of proving the 'settled' status.

While, however, the Lieutenant-Governor thus agrees with one part of the definition of a settled ryot, he desires to represent an objection to section 45 as it stands, in that it throws on the ryot the burden of proving 12 years' occupation. This provision will in most cases cause delay and inconvenience, and in some cases must result in injustice. It is here a misfortune that Bengal is so absolutely destitute of a record of rights. If we had such a record the position would be without difficulties. but in its absence there is much reason to fear continuous litigation to establish or disprove claims to a right of occupancy. When under the provisions of this Bill a record of rights is established, disputes will be impossible. But in the long interval before that can be accomplished, we must seek by some addition to the section to meet the difficulty, and the only way which presents itself to the Lieutenant-Governor's mind is the adoption of the principle that the fact of residence or actual occupation, which can be readily ascertained, should afford a rebutable presumption that the ryot is entitled to be classed as a settled ryot. If the presumption be unfounded, the zemindar can readily rebut it, for all the materials of proofs are in his office or *sherista*. No one can doubt that in the vast majority of cases the presumption will not be rebutable, and that the zemindars will not question it; and thus an enquiry into exceptional cases will alone be needed to secure to the country at large the peace and contentment which must attend on the well-defined *status* of the bulk of the agricultural population. On the other hand, an enquiry into the *status* of all resident cultivators will last a generation, and will lead to unrest, if not litigation, which should be avoided.

Necessity for barring freedom of contract.

Finally, the Lieutenant-Governor has no doubt whatever as to the necessity of that provision which disables the ryot from contracting himself out of the law. On this point there is a general agreement of opinion that, in view of the power of the zemindar and the ignorance and weak-

ness of the ryot, such contract should be disallowed. It must not be forgotten that the provisions on this subject contained in the Bill are in harmony with the principles of the Permanent Settlement Regulation (VIII, 1793), which, in sections 57 and 58, subjected to the Collector's supervision and approval not only the *forms* of leases, but also the *rates* of rent recoverable under them.

Objection to acquisition of occupancy right by grant.

12. With regard to section 48, the Government of India will perceive from the local reports that some officers oppose the reténtion of the section in the Bill, because, for instance, it might be made the means of depreciating the value of an estate sold for arrears of revenue. To this view by itself, the Lieutenant-Governor does not attach much importance, because the establishment of a substantial peasant proprietary should enhance, and not depreciate, the value of an estate. There are risks, however, connected with the concession of such a power, inasmuch as it might be used as a means of bargaining by zemindars with parties whom they wished to favour on receipt of valuable consideration, and of defeating the accrual of the right of occupancy of the rightful cultivator who may have been in possession for 10 or 11 years. Mr. Rivers Thompson agrees with the Hon'ble Mr. Reynolds in thinking that the occupancy right, being inherent in the *status* of the ryot, is not the landlord's to grant; and, further, that no necessity has been made out for introducing into the Bill a principle which is foreign to the law of Bengal.

Acquisition of occupancy right in khamar land.

13. The objections to section 49 are numerous, and the Lieutenant-Governor is disposed on the whole to admit their validity, the more so as he is in favour of preventing the absorption of *ryotti* into *khamar* land In the course of time, when *khamar* lands have been surveyed and registered, there will be no difficulty in maintaining the distinction between the two classes of land; and, in the Lieutenant-Governor's view, it would be advantageous to encourage the retention in the possession of zemindars of such demesne lands as they now hold. Under the existing law as interpreted by the courts, the Lieutenant-Governor understands that, if not barred by the landlord, rights of occupancy may be acquired in *khamar*; and he would not interfere with this state of things. With this view Mr. Rivers Thompson would suggest the addition of the words "or from year to year" after the words "fixed period" in the sixth line.

Incidents of occupancy rights generally.

14. Coming now to section 50, I am to say that, while no serious objections have been made to clauses *a*, *b*, *c*, *d*, and *g*, there is great and radical divergence of opinion in regard to clauses *e* and *f*. One party predicts the worst evils from the recognition of free sale and the liberty to sublet; the other says that freedom of sale is necessary to the ryot's prosperity, while freedom to sublet cannot be prevented. No attempt is made to reconcile conflicting interests; and even the British Indian Association, the leading exponent of zemindari views, forget the admission deliberately made in their letter of 20th November 1878, that with proper safeguards they had "no objection to the proposal that the transferability of the occupancy tenure, restricted to the cultivating class, should be recognized by law."

Transferability of occupancy right by sale.

There can be no doubt that the questions of free sale and subletting are intricate and difficult, and that the welfare of the ryots in these provinces is greatly dependent on a true solution of them. The key, however, to such solution is, in the Lieutenant-Governor's opinion, given by the Famine Commission when they say: "Though, on the whole, we regard the general concession of the power of sale of these rights to be expedient, and ultimately almost avoidable, the immediate course to be followed by the Government must, no doubt, be to a great extent governed by local custom. Where the custom has grown up, and the tenants are in the habit of selling or mortgaging their rights in land, it should certainly be recognized by the law; but where it has not, it may be questioned whether the law should move in advance of the feelings and wishes of the people." The question, then, which the Lieutenant-Governor has to answer is this: Has the custom of free sale of occupancy rights attained such a growth and stability throughout these provinces that it may now be safely recognized by law?

Having given the matter his most careful attention, the Lieutenant-Governor believes that the weight of argument and fact is in favour of legislation in the direction indicated by the Bill; and he accordingly would recognize the transferability of the ryot's occupancy right throughout these provinces. It may be accepted that freedom of transfer was not an incident of the *khudkhast* ryot's holding; and the Lieutenant-Governor is not unmindful of the fact that in Jhansi, in the Deccan, to some extent in the Sonthal Pergunnahs, and possibly in other parts of India, free sale has had evil results on a thriftless peasantry. If he had to deal with the question as one of mere theory, Mr. Rivers Thompson would probably not remain uninfluenced by its historical aspect, and by the dangers of vesting a population with transferable rights of property before habits of thrift among them had been fully confirmed. But the Lieutenant-Governor has here to deal with a question, not of theory, but of actual practice. It is here not a matter of "introducing a source of temporary prosperity," and encouraging an "increase of thriftlessness on the one hand, and of greed on the other," as was the case in the Deccan, but of confirming and recognizing a growing custom, to which the needs of the country have spontaneously given birth, and which has so far produced no evil results.

Statistics of sales of occupancy right.

It is true, indeed, that the Behar Landholders' Association, in the petition to Parliament which has been already noticed, assert that "in Behar there is no such custom (as sale of occupancy rights), nor is it even pretended that there is such a custom." That assertion, however, is certainly incorrect. It may, indeed, be said that if one point had been during these discussions more strongly insisted upon than another by Behar officers, it was this—that the transferability of occupancy rights was a growing custom in Behar, of which every man in the province, who

know anything of agrarian matters, was well aware. On page 370, Vol. II of the Rent Commission's Report, statistics are given showing that 410 occupancy rights, *exclusive* of 445 *guzastu* tenures, were sold in Behar courts, *in execution of decrees*, during the single year 1878-79. That fact alone, which should have been within the knowledge of the Association, sufficiently refutes the assertion made in the petition to Parliament; but in order still further to demonstrate its inaccuracy, as well as to furnish the basis for future argument in the course of this letter, the Lieutenant-Governer will quote the following statistics of private sales of occupancy rights from the Appendix to the published Report on the Registration Department in Bengal for 1881-82, which is the latest authoritative information available on the subject :—

Statement showing the number and value of Ryotti holdings transferred by registered deeds of sale in each Registration District of the Lower Provinces of the Bengal Presidency for the year 1881-82.

Districts.	Ryotti holdings at fixed rates.									Ryotti holdings with right of occupancy.								
		Purchasers.									Purchasers.							
			Zemindars.									Zemindars.						
	Number of transactions.	Mahajans, traders, or money-lenders.	Landlord of the holding transferred.	Zemindar or landlord of holding other than that transferred.	Ryots.	Others, including unspecified.	Annual rent payable to landlord.	Purchase-money.	Number of years' purchase.	Number of transactions.	Mahajans, traders, or money-lenders.	Landlord of the holding transferred	Zemindar or landlord of holding other than that transferred.	Ryots.	Others, including unspecified.	Annual rent payable to landlord.	Purchase-money.	Number of years' purchase.
1	1a	2	3	4	5	6	7	8	9	1a	2	3	4	5	6	7	8	9
Bengal.							Rs. A. P.	Rs.								Rs. A. P	Rs.	
Burdwan	1,107	182	35	67	350	439	10,188 5 0	1,06,333	10·4	2,301	329	22	43	1,432	542	17,250 1 0	1,66,422	9·6
Bankoora	1,348	417	17	53	605	287	10,755 9 4	1,27,316	11·8	867	240	7	25	453	162	6,384 13 6	53,999	8·4
Beerbheom	390	28	5	14	260	80	2,400 0 0	30,703	12·7	1,607	111	18	54	1,340	154	13,581 0 0	95,056	6 9
Midnapore	1,207	550	13	36	407	202	8,658 10 1	94,800	10 9	4,514	1,692	72	51	1,961	608	22,937 6 10	2,00,323	11·7
Hooghly	445	85	12	13	175	165	4,070 3 0	31,017	7·6	1,280	308	17	52	475	514	19,420 0 4	1,23,010	6·3
Howrah	850	238	10	49	142	411	10,610 0 0	3,03,313	28·5	390	68	3	12	146	105	5,217 0 0	28,256	5 4
24-Pergunnahs	1,657	290	29	100	804	1,004	37,151 10 10	2,44,938	6 5	707	93	28	40	121	321	11,866 10 9	2,24,613	15
Nuddea	894	236	19	63	335	243	14,700 7 8	81,460	5·7	553	170	10	17	198	152	7,672 0 6	40,204	5·2
Jessore	1,823	102	28	56	1,233	450	25,248 0 0	1,27,415	5	1,319	121	19	39	808	376	15,645 0 0	69,259	4 4
Moorshedabad	753	92	35	51	368	233	5,055 6 8	51,236	10 1	907	119	23	31	482	256	6,241 13 1	51,225	8·3
Dinagepore	268	11	1	2	227	17	2,129 6 0	28,105	13·3	1,202	57	4	14	978	140	10,550 6 0	1,25,410	11 8
Rajshahye	69	16	2	7	22	24	979 7 1	11,064	11 3	147	32	3	4	50	49	2,115 8 0	10,579	5
Rungpore	330	17	06	9	199	11	3,721 13 7	34,179	9 1	2,285	77	66	123	2,027	54	25,433 9 9	1,75,825	6·8
Bogra	9	2	..	2	5	...	223 0 0	3,067	13 7	310	17	...	84	193	22	2,599 0 0	17,526	6·7
Pubna	207	50	1	27	79	54	1,771 0 0	18,259	10 3	304	47	7	47	214	60	2,132 0 0	21,311	9·9
Darjeeling	....		...	...	.	...	...	...	..	......			...	..	.	..		
Julpigoree	5		...	2	3	...	167 0 0	135	·7	4			1	2	1	22 7 0	448	20·3
Dacca	130	23	2	20	48	38	640 6 10	22,472	35 1	1,212	79	27	61	971	166	4,498 4 7	70,429	15 9
Furreedpore	197	8	8	35	125	55	1,614 0 0	12,028	7 4	900	30	11	90	706	242	4,924 0 0	41,063	8 3
Backergunge	1,9 4	101	11	190	1,009	098	39,523 4 10	1,30,159	3·5	121	11	10	35	58	41	1,658 0 9	8,361	5
Mymensingh	157	20	8	42	75	37	792 4 10	18,834	23 7	649	55	25	77	721	136	4,008 11 9	56,588	14·1
Tipperah	149	27	7	20	138	31	1,515 2 0	11,612	7 6	3,046	82	7	46	2,392	716	14,329 15 0	1,31,817	9·1
Chittagong	614	40	16	43	112	4·7	2,995 1 1	34,908	11 7	108	5	...	8	18	90	804 12 0	9,372	10 8
Noakholly	948	73	24	485	164	505	9,710 0 0	63,082	6·4	460	34	31	153	316	65	5,425 0 0	22,931	4 2
Behar.																		
Patna	89	3	8	42	36	2	1,369 4 3	16,835	12·2	82	1	11	19	41	12	795 4 7	14,204	17·9
Gya	19	4	6	2	7	2	176 1 6	2,697	15·2	79	6	13	8	42	10	100 2 0	5,787	53
Shahabad	639	41	60	80	509	36	7,061 6 2	3,08,388	41 6	10	5	...	3	3	..	257 15 6	2,479	9 6
Mozufferpore	23	1	25	2	6	1	175 12 3	3,741	21·3	491	81	32	137	217	25	3,916 8 8	69,635	17·7
Durbhunga	97	4	3	28	49	15	823 12 9	8,706	10·5	99	16	21	21	33	6	678 8 3	7,085	10·4
Sarun	162	12	2	17	119	17	980 7 0	16,020	16 9	59	4		11	48	14	499 5 6	8,698	17·4
Chumparun	42	17	..	4	21		199 2 1	3,602	18·1	61	13	2	2	39	5	138 2 9	5,128	37·1
Monghyr	242	49	31	41	107	26	3,783 10 10	37,681	9 9	197	46	4	47	92	20	2,275 9 2	20,591	9
Bhagulpore	133	25	16	3	57	32	1,525 9 0	10,527	6·9	197	30	7	5	127	22	1,965 1 7	15,313	7·7
Purneah	3	2	...	1			185 2 0	394	2·1	880	138	4	16	733	55	7,628 14 4	69,327	9
Maldah	66	34	...	2	7	23	1,695 7 4	8,877	5 2	1,288	72	1	3	1,204	8	2,359 3 4	85,104	36
Sonthal Pergunnahs	371	103	12	6	254		2,732 0 0	24,168	8 8	2,982	986	16	35	1,837	131	21,616 0 0	1,50,359	7·2
Orissa.																		
Cuttack	97	18	6	14	19	39	456 3 7	9,029	19·8	7	1	1	1	1	3	9 14 1	233	23·3
Pooree	232	27	...	61	97	56	768 15 10	14,801	10·2	467	108	...	49	248	100	1,440 6 1	37,922	26·3
Balasore	[illegible]	17	...	4	19	15	229 9 8	2,733	11 9	26	5	1	3	16	4	47 7 0	747	15·9
Chota Nagpore.																		
Hazaribagh	7	5	...	...	3	...	1,300 11 6	3,924	3	11	9	...	..	5	1	350 10 9	2,489	7·1
Lohardugga	9	3	2	...	5	1	158 4 0	1,800	11·3	21	10	2	2	7	1	54 12 0	3,718	67·9
Singhbhoom	......	...	...	...	...	...	....	......		3	...	...	1	...	2	14 10 0	144	10·3
Manbhoom	94	14	..	2	66	17	508 0 0	11,657	22·9	216	9	7	2	164	41	1,535 2 0	13,089	8·5
GRAND TOTAL	17,833	2,987	550	1,710	8,389	5,740	2,17,739 10 7	20,82,000	9 5	32,633	5,351	558	1,472	21,303	5,529	3,53,269 12 5	23,30,168	9 2

These statistics prove that not only in every district of Behar, but in every district of these provinces (except Darjeeling, where altogether exceptional conditions prevail) occupancy rights are now more or less freely sold as a matter of private agreement without objection on the landlord's part, and we know from independent evidence that many of the districts in which the custom seems most firmly established are those in which ryots are best off. It is true that about 16 per cent. of the purchasers of occupancy rights are mahajans; and this is a fact which has created misgivings as to the ultimate effect of formally recognizing the transferable character of occupancy rights. That is a danger, however, for which it is believed some provision has been made in the earlier portions of this letter, and with which I am to deal at greater length further on. Here I am to observe that it is now quite too late for landlords to object to a custom which already seems, without any opposition on their part, to have taken root in the agrarian economy of the Province.

Although, however, landlords may be out of court in their objections to the recognition of the freedom of sale of occupancy rights, this question remains—Is it desirable to give to the custom generally the formal sanction of the law, and if not generally, then to what extent? The Lieutenant-Governor has no doubt whatever that the law may recognize free sale throughout Bengal, and if he had doubts on the question as it affects Behar, those doubts would have been removed by the unanimity of impartial local opinion in favour of the proposal, and by the evidence afforded not only by the Registration statistics referred to above, but by the following figured statement of the extent to which occupancy rights in Behar were sold during the last three years in execution of decrees in the various Civil Courts :—

Sales of occupancy holdings in the districts of the Patna Division, in execution of decrees, during the years 1881, 1882, and 1883.

District.	1880.		1881.		1882.	
	Number of holdings.	Selling price.	Number of holdings.	Selling price.	Number of holdings.	Selling price.
		Rs.		Rs.		Rs.
Patna	72	9,627	71	7,667	97	14,456
Gya	92	8,076	32	1,209	57	4,875
Shahabad	696*	11,988	924*	23,933	1,174*	10,722
Sarun	247	3,610	291	3,150	460	13,565
Chumparun	132	2,416	145	2,310	141	2,559
Durbhunga } Mozufferpore }	843	13,463	1,628	15,286	1,693	22,406
Total	2,082	49,180	3,091	53,555	3,622	68,583

* Including *Guzastas*.

It may be added that in the Monghyr and Bhaugulpore districts, which, though not portion of the Patna Division, are usually considered portion of Behar, 91, 184, and 102 occupancy holdings were sold in each of the above years respectively.

It will thus be manifest that occupancy rights are now saleable in every district of Behar both as a matter of private agreement, and compulsorily in satisfaction of debts; but even had this not been so, it would have been difficult to justify, on one of the main principles of the Bill, any distinctive practice in two parts of the same Province. On a review of the whole question, then, the Lieutenant-Governor cannot but conclude that the balance of argument is in favour of extending to Behar the recognition of the right, which the circumstances of Bengal Proper not only justify, but demand. As observed by the British Indian Association in 1878, the recognition of the right of transfer would create a direct interest in the improvement of the soil, would stimulate cultivation, would tend to establish a substantial peasant proprietary, would give a valid security for the realization of the landlord's rent, and, by increasing the marketable value of the land, would lower the rate of interest when the ryot has to borrow. These are all advantages which cannot be lightly foregone; and Mr. Rivers Thompson therefore does not contest the wisdom of this portion of the Bill, the more so as its operation would be made the subject of watchful supervision.

Registration of sales of occupancy rights in zemindar's sherista.

While, however, the Lieutenant-Governor thinks that the right of free sale of occupancy rights may now be conceded as beneficial to all parties, and, indeed, not to be repressed, he is of the opinion that the wishes of zemindars may be so far consulted as that the notices of sale prescribed by section 51 should be presented, and successions under sections 54 and 55 of the Bill registered in their offices, and a ready means of information thereby afforded them of electing or not to exercise their right of pre-emption without the intervention of the Collector in the first instance. Section 46 of the Rent Commission's Bill provided for such registration, and Section 47 provided for the levy by the zemindar of a reasonable fee. Both these provisions commend themselves to the Lieutenant-Governor, and he would suggest that they be incorporated in the Bill before the Council. He believes it is only fair to allow zemindars to levy such a fee as will cover the costs of maintaining a registering establishment, while in matters of this kind it is of infinite advantage to encourage, as far as possible, arrangements out of court. They avoid the intervention of the ministerial officers in negotiations, thus reducing expenditure; preclude an irritating cause of harassing delays; and tend to promote more friendly relations between landlords and their tenants. It is not forgotten that doubts are expressed in paragraph 26 of the Statement of Objects and Reasons as to the possibility of bringing home to the ryot class generally the details of such a system; but there are reasons for believing that the class is conversant with this system already, and that its enforcement will be in accordance with custom. To provide for cases in which the ryot might not wish to approach the zemindar, or in which he might wish to secure proof of service of the notice, provision might be made for effecting service through the Sub-Registrar, either by the post or otherwise. The Lieutenant-Governor would prefer that such service should be effected through the Registration Department rather than through the Collector or civil courts, because that Department affords cheaper facilities to the people; and, as in the majority of cases it may be

expected there will be no dispute and no wish on the landlord's side to exercise his right of pre-emption, it seems as well that the office which will register the completed transaction should also deal with its initial stages. There is, as has been already suggested, a strong, and the Lieutenant-Governor must say reasonable, objection to unnecessary interference on the part of revenue or judicial officers in private transactions; but this objection does not hold in the case of the Registration Department, which, in all negotiations of the sort, is altogether passive. Of course the Collector will be kept informed by the Registrar of all that passes in his various rural or urban offices in connection with these provisions of the law.

Objections to allowing zemindar a *veto* on sale of occupancy right.

But while advocating registration of sales in the zemindar's *sherista*, the Lieutenant-Governor does not desire to give the zemindar a *veto* upon the transaction. It has been suggested by the Commissioner of Dacca, concurring in the opinion of the Collector of Mymensing, that "the landlord ought not to be bound to register any one as his ryot who is not a *boná fide* cultivator;" and this proposal is in accordance with the recommendations made by the British Indian Association in their letter of 20th November 1878, to which allusion has already been made. The Lieutenant-Governor would be very glad indeed if he could see his way to adopting that suggestion, but it seems to him impracticable. The object, of course, is to prevent occupancy rights passing into the hands of mahajans; but the village mahajan is very often to some extent a *boná fide* cultivator of the soil, whom, on the testimony of the British Indian Association itself, it is not always desirable to exclude; while it may be fairly presumed that most landlords would waive their power of *veto* if it were made worth their while to do so. Hence a system of fines on transfers would grow up, which would have the two-fold effect of reconciling landlords to dealings with all sorts of mahajans who could best pay them, and of depreciating the value of the occupancy title to the ryot, to whose shoulders the purchasing mahajan would in time transfer the full weight of the fine. For these reasons, then, the Lieutenant-Governor must dissent from the view that a veto on sales should be allowed to proprietors, finding no justification for it in actual experience, believing that in the pre-emption sections of the Bill the zemindars have a safeguard against the evils they fear from the exercise of the right of free sale, and being convinced that a concession on this point to the wishes of the zemindars would entirely neutralize the principle of free sale.

Necessity for registration of tenures in Bengal.

Although the Lieutenant-Governor is thus desirous of affording zemindars all reasonable facilities of keeping themselves acquainted with changes in their estates without undue official interference, he is not satisfied that the registration provisions of the Bill are all that is called for by the circumstances of these provinces. If those provisions prove effectual for the purposes of the landlords they will go no way towards supplying the Executive with what it ought to possess—adequate information regarding the division and sub-infeudation of property, and the transfers it undergoes. In Act VII (B.C.) of 1876 we have such a source of information in regard to the interests of proprietors, managers, and mortgagees, and it remains to complete the chain by the addition of links which will supply similar knowledge regarding all sorts of tenures. In a later portion of this letter the Lieutenant-Governor will propose that the patni sale procedure, or some reasonable modification of it, be applied to the recovery of arrears of rent due by tenure-holders; but to render that proposal workable it is essential that tenures of all sorts should be registered. Thus, not only for the purposes of this Bill, but for wider administrative reasons, Mr. Rivers Thompson thinks that the time has come when the registration, which has been effected of proprietors' titles, should be brought lower down. This will be best done by following, with due modifications, the procedure of Act VII (B.C.) of 1876, which was worked so successfully in regard to proprietary titles; and therefore, when sufficient progress has been made with this Bill in Committee to indicate the direction in which legislation for the registration of tenures should proceed, the Lieutenant-Governor will be prepared to introduce into the Bengal Legislative Council a Bill for the purpose. For the registration of occupancy holdings, Mr. Rivers Thompson looks forward to the creation of a competent village agency, the result of a revision of the Putwari Regulations, and of a survey and record of rights which will relieve zemindars of the duty of registration, and transfer it to responsible public officers.

Before passing on from this subject of registration and pre-emption, the Lieutenant-Governor desires to draw attention to the ambiguity which arises from the employment of the term "landlord" in those sections of the Bill. It is not, of course, the intention to give to the holder of a temporary interest, such as an ijaradar, the power of pre-emption: that privilege is reserved, as the Lieutenant-Governor understands, to the proprietor or permanent tenure-holder. But the definition of landlord in section 3 (*q*) of the Bill, and the employment of the term in sections 51, 54 and 55, is not calculated to promote that intention. Wherever the word "landlord" is used in these pre-emption clauses, the Lieutenant-Governor would suggest the substitution of "proprietor or permanent tenure-holder."

Subletting by occupancy ryots.

15. Having thus expressed his opinion in favour of the unrestricted freedom of sale of occupancy rights in Bengal and Behar, the Lieutenant-Governor proceeds to consider the question of subletting, and in regard to it he at once admits that subletting by occupancy ryots is calculated to cause difficulty and inconvenience. Mr. Rivers Thompson has, however, sought in vain through these papers for any criticisms on this question which are not merely destructive, or for any practical suggestions by which subletting may be prevented or the difficulties which it occasions obviated. From the discussions which have passed, however, one fact, which is, besides, in accordance

had some idea of the limit beyond which their landlords' demands cannot pass. The Bill gives to the landlords an effective procedure for enhancement; if it also give the ryot some assurance of the ultimate limit beyond which, under that procedure, enhancement may not pass, it will probably do good. As Sir Richard Temple said, "the liability to uncertain demands must harass the ryot, must damp his zeal for improving his land, and must make him chary of laying out capital upon it." While thus giving his adhesion to the principle of a maximum limit, Mr. Rivers Thompson, however, desires very emphatically to say that if he believed the safeguards in the Bill were insufficient to keep the provision what it is intended to be—a maximum never to be passed, and but very rarely to be reached—he would prefer to abandon the provision in the Bill.

Propriety of one-fifth limit.

As regards the propriety of the exact limit of one-fifth, Mr. Rivers Thompson admits that the question is one on which actual precision of knowledge or judgment is not possible. I am, however, to say that, after carefully considering all the information of a general and special character which has been accumulated on the point, the Lieutenant-Governor's opinion is that, for the Province as a whole, one-fifth of the gross produce allows a margin for future enhancements; while it represents as much of the crop as the ryot can part with and thrive. References to the share of the produce to which in former times the State might in theory be entitled to take as an extreme measure from the cultivators are very greatly out of place in dealing with existing facts. When population was scanty, the area of culturable land practically unlimited, and the produce large from a soil not overworked, a village or estate could well afford to give to the rent-receiver a large share of that produce. But where there is no margin of culturable land at all, and where population presses so densely on the soil that it is a marvel how life can be supported, and where agriculture has, in this struggle for existence, degenerated into a mere "spoliation of the soil," the aspect of the case is entirely changed, and references to theoretical rules of crop-distribution at some early period of time become unmeaning. This is the case throughout large portions of Bengal and nearly all Behar at the present day, and if one-third was a rack-rent 100 years ago in those localities, then one-fifth is a rack-rent there to-day. And to this conclusion Mr. Rivers Thompson has been led, not merely by such considerations as those now adverted to, supported as they are by statistical information as to the growth of population which cannot be questioned, but also by the general opinion of competent authorities that the costs of cultivation have largely increased; that, owing to the absence of all improvements in the system of agriculture, the average harvest yield is stationary where it is not growing less; and that the struggle for life among the agricultural community is, the deceptive influences of a few years of unusally good harvests notwithstanding, daily becoming more severe. It may be added in this connection that Mr. Rivers Thompson has given a practical proof of his conviction upon this point in his recent orders reducing the rental which had been assessed on the Khoordah Estate.

Objections to separate limits for occupancy and non-occupancy ryots

If the one-fifth, or 20 per cent. limit, be justifiable as regards occupancy ryots, the question remains—Is five-sixteenths or 31¼ per cent. of the produce fair as regards the non-occupancy ryot? On this point I am to suggest, for the consideration of the Council, whether the provisions of section 119 of the Bill, as far as they refer to what is there called the "ordinary" ryot, do not introduce an unconstitutional and dangerous principle into the law of Bengal. In the statement made by the Hon'ble Mr. Reynolds in his speech in Council, to the effect that it is not, and never has been, the law of Bengal that an occupancy ryot should hold at privileged rates, the Lieutenant Governor concurs; and it therefore becomes a matter for consideration whether, if the one-fifth limit be fair for ryots with occupancy rights, five-sixteenths is not unfair for ryots without them. The origin of the provision as it stands is probably due to Sir Richard Temple's effort to fix occupancy rates with reference to competition rates, by giving the occupancy ryot a beneficial deduction on such rates. But the enquiries which were made in connection with that proposal showed that competition rates hardly existed, and that custom, not competition, ruled the rents of occupancy and non-occupancy ryot alike, unless where considerations of caste intervene. Recent enquiries point to the same conclusion, and it is therefore, in the Lieutenant-Governor's opinion, a matter of doubtful expediency that a novel principle should now be introduced into the law of these Provinces, which, besides, would be calculated to lead to general enhancements of rent, which it is the avowed object of the Government to avoid. It must not be forgotten that if we call into existence two classes of occupancy ryots, one holding at higher rates than the other (and this would be the effect of sections 79, 95, and 119 of the Bill combined), the tendency will be towards an equalization of rates at the higher level. As at present advised, Mr. Rivers Thompson thinks that this is a danger which we should not run the risk of incurring, and that if a rack-rent limit is to be preserved in the Bill at all, it should be the same for both occupancy and non-occupancy ryots. He has no objection to five-sixteenths of the produce in the case of under-tenants (khurfas) who can never acquire occupancy rights; but he thinks that there is great danger to the cultivating classes in the provision of a separate limit for occupancy and non-occupancy ryots. Separate limits are tantamount to a premium on the discouragement of fixity of tenure.

I am, therefore, to say that the Lieutenant-Governor is not prepared to support those provisions of the Bill which recognize a difference between the maximum limit on the occupancy and non-occupancy rents. The longer Mr. Rivers Thompson considers this point, the more satisfied is he that these provisions are likely to cause serious injury to the best interests of the peasanty of these Provinces; while the retention of them in the Bill impedes the reasonable settlement of the question before the Council. If the maximum or rack-rent limit on

"An interval to be then allowed during which the landlord shall endeavour to adjust the rents of the individual ryots amicably with the help of the Table of Rates or the Table of prices framed as above;

"If he succeeds with few exceptions he may take the exceptional cases into court and the Revenue officers will hear no more of the matter;

"If his attempt on the whole is a failure, let the landlord apply for a field-by-field survey and assessment of rent by the Revenue officers;

"The cost in all cases to be distributed between the landlord and tenants, or thrown entirely on one of the two parties, at the discretion of the Revenue officers."

Such a procedure should, however, be applicable only when the Local Government thinks it undesirable to direct a settlement of rents or record of rights, and it should be liable at any time to be replaced by action under chapter XI or chapter XII.

Proposal to restrict thikadars' right to enhance.

20. Proceeding now to offer some remarks on Part C, Chapter VI of the Bill, I am in the first place to call attention to the objections which the Commissioner of Patna urges against the exclusion from the Bill of restrictions on the powers of thikadars to enhance rents. The Lieutenant-Governor agrees with the Commissioner in thinking that the abuse of the thikadari system has been the most efficient cause of rack-renting in Behar, and he thinks the repression of that abuse is essential to the prosperity of the Province. In Mr. Rivers Thompson's opinion, however, adequate guarantees against any improper exercise of farmers' powers will be found in the provisions for the survey and record of rights, and the Lieutenant-Governor prefers therefore to trust to that radical remedy rather than have recourse to any such expedient as the imposition of disabilities on a particular class.

Grounds for enhancing settled ryots' rent.

Section 74 reproduces with emendations the enhancement provisions of the existing rent-law, and enables the landlord to enhance on three grounds—(1) that the ryot's rent is exceptionally low; (2) that the productive powers of his holding have increased otherwise than at the ryot's *sole* expense or agency; (3) that prices have risen for reasons other than any brought about by the ryot's *sole* agency. To the first ground no objection is offered; but it would, in Mr. Rivers Thompson's opinion, be well that the second and the third grounds should be so worded as to make it clear that improvements in produce and prices, due to *combined* action among ryots, will no more justify increase of rent than improvements due to the action of a single ryot. The latter is a very rare cause of improvement, while the former—the construction or improvement of a village channel, an embankment, or a road may furnish an illustration—is not uncommon in parts of the country.

In regard to section 75, the Lieutenant-Governor observes that the rule of proportion is no longer made the measure of enhancement in all cases. This is a very great concession to zemindars, and if it operates in inducing them to spend money on improvements, the results may justify the concession.

With reference to clause (*d*) of this section, Mr. Rivers Thompson thinks it convenient to consider here the prudence of introducing into the Bill any limit on enhancements, and if a limit be desirable, the propriety of fixing on one-fifth for occupancy and five-sixteenths for non-occupancy ryots.

Propriety of imposing *maxima* limits on rents, and recognizing separate limits for occupancy and non-occupancy ryots, examined. General considerations.

In the first place, then, it must be said, or rather repeated, that the idea of regulating rents by a fixed proportion of the produce is not of recent growth in this country. It is of immemorial antiquity. Much obscurity exists as to what the State share of the produce was, but it seems sufficiently probable that the share, or rather its money commutation (*rebba*), taken by the Mogul Government was one-fourth, and this fourth share is pointed to as the prototype of the existing proposals on the subject. In the earlier stages of this discussion the zemindars of East Bengal, despairing of obtaining enhance, ments under the law, proposed that one-fifth of the produce should be allowed as rent; and the British Indian Association, improving on this proposal, suggested one-fourth. But that one-fourth was a high proportion even in the opinion of that Association is manifest from the *quasi*-official admission made by their representative organ that "if a higher rate or share (than one-fourth) be fixed for the landlord, it will trench on the very means of subsistence of the ryot." And again, "one-fourth would be too high for many parts of the eastern districts." It is beyond question, however, that the circumstances of districts in different parts of the province admit of considerable variation in this particular.

From the preceding it will be apparent that the idea of regulating the rack-rent at the present time by assigning a *maximum* portion of the produce to the landlord has been approved by the zemindars; but Mr. Rivers Thompson is free to confess that he does not look on the proposals, hedged round even as they are in the Bill, with unmixed satisfaction. As one officer puts it, "no rational rent scheme can be based on a fractional share of the gross produce;" and even if the *net* produce were taken instead of the gross, it would still be very difficult to hit on a *maximum* limit which would not be unequal in its incidence over a Province so diversified as Bengal. Another source of disquiet on this subject is the fear that the existence in the Bill of *maxima* limits may unduly stimulate that tendency to a rise in rents, which exists in every progressive community, and that efforts will be made by landlords to convert the *maximum* limit of the Bill into the ordinary measure of rents in practice. "Once," says the Behar Landholders' Association, "let Government fix a maximum rate, and no zemindar will rest until he has run up his rents to the prescribed limit."

All this said however, it must be admitted that there are large portions of these Provinces in which a maximum limit on rent cannot fail to be of advantage. Those portions are so heavily rented that it would be a source of peace and contentment to the cultivators. If they

rights, to insist on a rent which would render the position valueless. It is to be remembered that a non-occupancy ryot, on acquiring occupancy rights, is, under section 79, not competent to sue for an abatement of his rent.

Penalty on refusal to let ryotti land.

Finally it would be necessary to adopt some stronger precaution than the wording of the section presents against recusance on the part of zemindars to let out *ryotti* land of which they may become possessed; and from this point of view it might be unobjectionably enacted by way of penalty that if such land were not let to tenants under the Bill within a year from its coming into the zemindar's possession, any ryot should be authorized to demand that it be let to him. When let under these circumstances, the mere possession should invest the tenant with an occupancy right. As it stands, the section is incomplete.

Terms of holding to remain unaltered till changed in due course.

17. *Chapter VI.*—The Indigo Planter's Association strongly object to section 58 as drafted. They say that under the section as it stands it would be open to a ryot to repudiate every condition under which he held his lands at a low money rate of rent, while continuing to sit at the low rate alone. An instance from actual practice is given of an agreement made with a ryot, by which in consideration of his devoting a certain moderate quantity of land to growing indigo, the rent of his holding was greatly reduced; and it is contended that as the section stands it would be competent to the ryot to repudiate the agreement while holding at the reduced rent. Similar objections have been made from other quarters, and the Lieutenant-Governor thinks that they are reasonable. He therefore would suggest an amendment to the effect that not only the money rent, but the conditions of the holding, should remain unaltered till varied in due course.

Official supervision of enhancement of rent by private agreement.

18. Section 59, clause (2) has met with much opposition as being in the nature of "officious legislation;" but in the Lieutenant-Governor's opinion the section is based on a right principle, and is likely to prove advantageous in practice. According to the old customary law of Bengal, it was the function of the ruling power to determine what rent the ryot was to pay; and when sanctioning the Permanent Settlement, the Court of Directors expressly reserved "the right which belongs to us as sovereigns of interposing our authority in making from time to time all such regulations as may be necessary to prevent the ryots from being improperly disturbed in their possessions, or loaded with unwarrantable exactions." * The Lieutenant-Governor does not deny that the Settlement Regulation empowered zemindars to make agreements with their ryots, but it cannot be denied that all such agreements were both as to form and substance subjected by the same Regulation to official control. This control, partially relaxed by legislation, has been, in the course of time, completely ignored, until in parts of the country the ryot's capacity to pay has become the limit of the landlord's exaction. The provision under notice seeks only to re-establish a limit so that the ryots may not be "loaded with unwarrantable exactions," and it is therefore in harmony with the letter and spirit of the Permanent Settlement. Another objection to this provision is that the limit being less than that up to which enhancement might be had in suit, the tendency will be to drive people into court rather than abide by the section. It is obvious, however, that the limit affords ample scope for fair contracts in the great majority of conceivable cases. An enhancement of six annas in the rupee of rent is rarely possible now in any of the settled districts, except in the case of alluvial lands or revision of temporary settlements concluded long ago. Zemindars are only interested in the former, and for them further provisions will be suggested in paragraph 21 below.

* Despatch from Court of Directors, dated 19th September 1792

Tables of rates.

19. The subject of the preparation of tables of rates is one to which the Government of India, on first considering this measure, attached great importance. The Lieutenant-Governor regrets, however, that he does not see much prospect of any practical results of great value coming from this part of the Bill. The general opinion is that the proposals, though good in theory, are unworkable, and that no such uniformity in rates exists anywhere in Bengal as would be needed for the basis of such a table. This view borrows considerable support from the special investigations which were made on this subject last year; and from the papers appended to Mr. Dampier's Minute of 25th June 1883, copy of which has been already submitted to the Government of India. Still Mr. Finucane's enquiries in Jessore, the success which has attended broad classifications of soil in Khoordah, and certain other information of a similar character from various portions of the country, point to the conclusion that if the provisions of Chapter VIB cannot be of general application, they may be found useful in special tracts. The Lieutenent-Governor would, then, retain those provisions with some modifications of detail, and these modifications might take with advantage the direction indicated by Mr. Dampier in his Minute above referred to, copy of which has already been submitted to the Government of India. The modifications to which the Lieutenant-Governor gives a provisional adherence are these—

"The Lieutenant-Governor, whenever such a course may seem necessary owing to existing rent disputes, to have authority to order the Revenue officers to enter upon any tract for the purpose of holding such enquiries;

"The Revenue officers to proceed to ascertain whether the circumstances of the tract are such that the preparation of a general Table of Rates is possible; and, if so, to prepare such a Table, or more than one Table if necessary;

"If the preparation of a general Table of Rates be not practicable, the Revenue officers to draw up Tables of prices of different kinds of staple produce, to be authoritatively declared as the average of prices which ruled during different specified periods, and which rule at the time being: these Tables when approved by the Local Government to be binding on the Civil Courts for the purposes of the Act;

with the Lieutenant-Governor's previous ideas, comes out in strong relief, namely, that subletting cannot be prevented either in Bengal or in Behar. We may declare it illegal and refuse its recognition in our courts, but we only thereby increase the evils of a system which, if it did not subserve some useful purpose, would not possess the vitality which it exhibits.

Subletting by occupancy ryots is undoubtedly an established custom—which has its uses, and which cannot be stopped. The question then arises—What are its abuses, and how can they be removed? The abuses of the system are summed up in paragraph 41 of the Statement of Objects and Reasons: "The power of transferring and subletting which the Bill recognizes may, in course of time, lead to a state of things in which the great bulk of the actual cultivators would be, not occupancy ryots, but under-ryots with but little protection from the law." If these fears are ever to be realized, it will not, in the Lieutenant-Governor's opinion, be from the recognition of the custom of subletting, which is nothing new, but from the accumulation of occupancy rights in the hands of rack-renting non-agriculturists through the operation of free sale. The prevention of evil from subletting therefore depends on the probability that mahajans and non-agriculturists will not invest their money in buying occupancy rights, or, if they do, on our success in limiting their power of rack-renting under-tenants.

Prevention of rack-renting by mahajans who purchase occupancy rights.

Now, from the statistics exhibited in paragraph 14 above, there is reason to anticipate that mahajans will invest their money in the purchase of occupancy rights; and the question how to prevent the evils contemplated as possible under such circumstances in the Statement of Objects and Reasons, demands consideration. In the Lieutenant-Governor's opinion an effective way to prevent these evils is by converting all purchasers of occupancy rights, who are not *bonâ-fide* cultivators, into tenure-holders, under whom the actual cultivator will have the protection afforded by the *status* of a ryot; and this was one of the reasons which induced Mr. Rivers Thompson to propose the definitions of "tenure" and "ryot" given in paragraph 6 above. The other check upon the purchase of occupancy-rights by mahajans follows from the proposals which I am to submit under the next chapter, regarding the rack-rent limits to be imposed on ryots' rents, and the checks on exorbitant enhancements.

Objection to the provisions of the Bill attaching the occupancy right to a holding bought in by the landlord.

16. The last section in this chapter which seems to call for notice is section 56. This section has met with much opposition from zemindars, and has also been condemned by other competent critics of the Bill. After carefully considering the question, the Lieutenant-Governor must say that the section as drafted seems to him to be too drastic. Had the occupancy right been made adherent to the soil only of such holdings as the landlord had acquired otherwise than by purchase, the section would not be so objectionable as many people now think it; but even then, it would, in Mr. Rivers Thompson's opinion, be based on an unconstitutional principle. The constitutional principle is that *ryotti* land cannot, under any circumstances, be converted into *khamar*, and that when *ryotti* land comes into the landlord's possession, he should be under an obligation to let it out at the current rates of rent. The Lieutenant-Governor desires to preserve this principle in its integrity and to enforce it; and he therefore must express his dissent from the opinion (which is, however, more suggested than definitely stated in paragraph 42 of the Statement of Objects and Reasons), that a landlord may, for an indefinite period, keep such *ryotti* lands in his own hands and cultivate them through his servants or by means of hired labour. He holds to the view that a landlord should be bound to let out such land to ryots for cultivation. It might be that even as the Bill stands the zemindar would in course of time be able to recoup himself for the expenditure incurred in the exercise of his right of pre-emption by imposing a fine upon the in-coming tenant; and the matter would thus right itself. Still the Lieutenant-Governor agrees in thinking that the attachment of the right of occupancy to the soil, as in section 56 of the Bill, is founded on a wrong principle. The occupancy right is the attribute of the settled ryot, and it should not in this case be made adherent to the soil. Neither is it really necessary for the purpose in hand that it should be so, for, if the *ryotti* land acquired by the zemindar be let to a settled ryot of the village or estate, that ryot will hold it on an occupancy title at a fair rent. If it be not let to a settled ryot, but to a non-occupancy ryot, but few years should elapse before an occupancy title will accrue to him, if he be well-behaved and industrious. The Lieutenant-Governor would, therefore, modify section 56, and while insisting on the landlords letting out to ryots all *ryotti* lands of which they may become possessed by purchase or lapse of any sort, he would allow the other provisions of the Bill free play, believing that they will operate in the direction contemplated by section 56. This suggestion, however, pre-supposes, as an essential condition, that the proposal I am to make in paragraph 20 below, regarding the equalization of the *maxima* rents demandable from occupancy and non-occupancy ryots, be adopted. If a difference in the rack-rent limits for occupancy and non-occupancy rents be recognized, and the practically wide field for enhancing the latter, now allowed by section 119, be preserved in the Bill, then the Lieutenant-Governor will feel constrained to support a modification of section 56, only on the basis of compensation for disturbance on the principle stated in paragraph 24 below. When the law recognizes no difference between the limits up to which occupancy and non-occupancy rates can be enhanced, zemindars can have no great motive in opposing the accrual of occupancy rights; but when such a difference exists, as section 119 of this Bill contemplates, or the absence of any rack-rent limit would import, then there is a most powerful incentive supplied to zemindars to defeat the growth of fixity of tenure. Looking to the past history of this question, no one can doubt that zemindars would act upon that incentive. It would be always in the power of a zemindar to eject the ryot in, say, the 11th year of his tenancy; or, if he admitted him to occupancy

occupancy and non-occupancy rates alike be fixed at the same proportion of the produce, then, in the Lieutenant-Governor's opinion, it would be possible to dispense altogether with compensation for disturbance, which is only useful as a check upon the abuse of the landlord's power to eject. If a landlord can only obtain from a non-occupancy tenant under the law a rent not greatly exceeding what he can get from the settled ryot, he probably will not care to eject the former, and thus checks upon his power of ejectment will be less needed. If, however, the motive for ejectment supplied by the Bill as it stands be not removed, and the same limit be not imposed on the enhancement of the rents of occupancy and non-occupancy ryots alike, then some provision must be made for compensation for disturbance as a precaution against an abuse of the right to eject. To this point I am to return further on.

Check on rack-renting deducible from equalisation of maxima limits on ryot's rents.

I am here also to draw attention to the second check on rack-renting by mahajans to which allusion was made in paragraph 15 above. As long as it is in the power of a tenure-holder to exact up to 31¼ per cent. of the produce, so long will a wide field for rack-renting be provided, and the growth of occupancy rights at fair rents suppressed. But if the rack-rent limit be reduced to a reasonable limit within which a fair rent may be fixed, then remunerative cultivation by non-occupancy ryots will be possible, and the growth of occupancy rights among that class not discouraged. The discouragement will be to those who buy occupancy rights, not for the purposes of cultivation, but for subletting. They will be deterred from such investments by the fact that they cannot recover from their tenants much, if anything, more than they themselves will have to pay their landlords. In any case their tenants will be allowed a margin to live on and a fixed *status*. All this would be impossible if separate limits be preserved in the Bill. The occupancy right would then be valueless, for it would carry with it no right to enjoy any margin of profit.

Objection to subjecting accreting dearah lands to checks on enhancements.

21. Passing on to other portions of the Bill, the Lieutenant-Governor would suggest that, from the provisions of sections 76 and 78, the case of *dearah* or alluvial lands, and new reclamations, be excepted. These lands are quite exceptional in character, and need special treatment. They may be worthless this year, and most productive the next. According to custom in various parts of the country, alluvial lands are rented at merely nominal rates on formation (though they are then usually unproductive sand) in order that the ryot may establish some claim to hold them when the soil has fully formed. The full formation may be brought about by a rich deposit in a single season. It would be very hard, then, on a landlord, if he were precluded from doing more than doubling a nominal rent for such land within ten years. In the interests of landlords generally, therefore, and having full regard to what is due to ryots, the Lieutenant-Governor would suggest that partially formed alluvial accretions and new reclamations be excepted from the effect of these sections. For accretions or reclamations which are fully formed and ordinarily productive, there is no need to provide exceptional treatment.

22. To Part E of this chapter the Lieutenant-Governor has no objection, fully agreeing as he does in the policy of facilitating the conversion of corn rent into money rents. Exception has been taken to these provisions as one-sided, and it is claimed that the faculty of suing for commutation should be vested in the landlord, as well as in the tenant. Impressed with the economical disadvantages of the general prevalence throughout a district of the *baoli* system, the Lieutenant-Governor would be glad to see a system of money rents take its place, and he would make no objection to affording to both parties—to the landlord, as well as to the tenant—the facilities which the Bill now allows to the ryot alone.

CHAPTER VII.

Occupancy rights in *bastu* lands.

23. The principle which underlies this chapter seems to the Lieutenant-Governor to be that the right of a settled ryot in the homestead portion of his holding is separate from, and independent of, his right in the arable lands which he rents. Wherever the facts are as supposed, wherever the *bastu* holding is distinct from the arable holding, no objection can be taken to the section. But there are, it is understood, portions of the country where this custom does not prevail, and where the *bastu* even bears no rent, being given as a matter of course with the arable land, and therefore not separable from it. In these parts the principle of the section might, if enforced, lead to difficulties. The Lieutenant-Governor would therefore follow local custom. Where *bastu* lands are separate from the *jotes*, he would apply the section. To the cases where *bastu* lands are not separable from the *jotes*, he would not make the ryot's interest in *bastu* longer or more short-lived than in *ryoti* land. The general principles of the Bill would, of course, be applicable to both classes of land without distinction.

CHAPTER VIII.

Privileges of non-occupancy ryots.

24. As might be expected, this chapter has met with extreme opposition from zamindars, while the revenue and judicial officers who have been consulted on it seem to be divided into hostile camps. Those whose service has been mostly in Bengal Proper are against its proposals as being an innovation of an unnecessary character, while the Behar officers would accept them, provided freedom of contract between the landlord and the non-occupancy ryot be not barred. As the chapter stands, the non-occupancy ryot can only be ejected (1) for arrears of rent,

(2) for violation of the conditions expressed or implied of the lease, (3) for refusal to pay enhanced rents; and if ejected on any of these grounds, he is declared entitled to compensation for disturbance, as well as for improvements. The Behar executive officers, as the Lieutenant-Governor understands their proposals, would not limit in any way the landlord's power to eject, but in return for this freedom would give the tenant, if ejected, compensation for disturbance. They say nothing of compensation for improvements, though it appears from the earlier papers that the Behar Committee, under Mr. Halliday's presidency, were on the whole in favour of the proposition.

Objection taken to the use of the term 'ordinary' ryot.

In commenting on this chapter the Lieutenant-Governor must, in the first place, take exception to the term "ordinary," as applied to the non-occupancy ryot. All the information before this Government goes to prove that the occupancy status in these provinces is (if facts were duly recorded) the rule, while the non-occupancy status is the exception. If the term "ordinary" ryot is to be maintained, it would be more in accordance with facts to apply it to the occupancy ryot than to preserve the meaning it now has in the Bill. It would, however, be better to substitute for "ordinary" the term "non-occupancy," or "non-settled."

Compensation for improvement.

Coming now to the criticisms on the chapter, the Lieutenant-Governor conceives, in regard to compensation for improvements, that, notwithstanding all that has been said to the contrary, no reasonable dissent can be maintained from the proposition that it is desirable to give security for the invested capital of the tenant, no matter what that tenant's *status* may be. The history of the rent-question all the world over teaches this lesson, that want of such security has been a hindrance and a bar to good husbandry, and therefore politically inexpedient. It seems to Mr. Rivers Thompson that if an ordinary tenant improves his holding by sinking capital in it, he is as much entitled to compensation as if he had lent his money to the landlord on a promissory note payable on the determination of his tenancy. It is no valid objection to say, with the British Indian Association, that in this country ordinary tenants never do improve their holdings, and that the compensatory provisions of the law are therefore unnecessary. The fact may be as the Association asserts, and it is possible that for a long time no practical results will follow the adoption of the provision in question. At the same time experience proves that agricultural improvement is a plant which flourishes only in the soil of security, and it is useless to argue that because it has not flourished while insecurity prevailed, therefore it will not take root when security becomes the rule. The Lieutenant-Governor has in a previous communication informed the Government of India of the extreme importance he attaches to stimulating agricultural improvement. No means in his judgment could be more legitimate than that afforded by this provision of the Bill, which, besides, has already found a place on the Indian Statute Book in section 44 of the North-Western Provinces Rent Act (XVIII of 1873). It is unreasonable to expect a ryot to improve his holding if you do not secure to him some fruits of his capital and industry.

Compensation for disturbance.

But it is asserted if compensation for improvements to the non-occupancy ryot be in accordance with good policy and natural justice, the same cannot be maintained of compensation for disturbance. On this important question the Lieutenant-Governor must, in the first place, refer to what has been already said in paragraph 20 above on the unwisdom of legally establishing different limits on rent rates payable by settled and unsettled ryots. His belief is that the limits for both should be the same; and if his belief be accepted by the Council, he thinks that it is unnecessary to impose a check on the abuse of the landlord's power to enhance non-occupancy rents by any such provision as this of compensation for disturbance. But if on this point the Council disagree with him, and decide on preserving a limit for non-occupancy rates in excess of settled ryots' rates, then Mr. Rivers Thompson thinks that the incentive which would be thereby furnished to landlords to rack-rent and defeat the growth of tenant right should certainly be subjected to a positive check. As to what the character of the check should be, the Lieutenant-Governor's judgment is in the nature of a compromise between divergent views. He does not, on the one hand, accept as just and fair to the landlord the provisions of the Bill which entitle all non-occupancy ryots, if ejected, to compensation for disturbance; nor, on the other hand, can he approve the position that a landlord is to be absolutely free to eject with impunity a ryot, say, in the 11th year of his tenancy, who is industrious and law-abiding, and willing to conform to his landlord's reasonable demands.

Argument of identity in status of the non-occupancy of to-day and the paikhast of the times of the Permanent Settlement examined.

The uncompromising opponents of the provision in question appeal to the customary law of the country at the time of the Permanent Settlement, and to the *status* of the *pai kast* ryot at that time, in proof of their contention that the non-occupancy ryot of to-day should have no privileges beyond those which his contract with the landlord may secure to him. On this I am to say that it seems, as from the beginning it always has seemed, to the Lieutenant-Governor, that too much stress is laid throughout these discussions on arguments of an antiquarian character, and too little stress on what is politically expedient in the circumstances of the present time. Mr. Rivers Thompson believes it to be true (though it may not be universally admitted) that the *paikhast* ryot of the last century was only a "tenant-at-will," but the fact of competition then being among zemindars for ryots, and not among ryots for lands, rendered the *paikhast* ryot's condition better in many respects than the condition of a modern "tenant-at-will." In fact, if *quoad* the "tenant-at-will" the modern landlord be master of the situation, the *paikhast* ryot was usually its master

quoad the zemindar of 1793. It therefore seems to the Lieutenant-Governor that appeals to the status of the *paikhast* ryot of a century ago are calculated to throw but little light on what treatment should be accorded to the non-settled ryot of to-day. There are differences on essential points, not the least important, being that, while the paikhast ryot of the Regulations held at low rates, the non-settled or non-occupancy ryot of to-day enjoys no such privilege, but usually pays as much as occupancy ryots do.

From one point of view, however, the zemindar of a century ago may be, without any risk of dispute, said to have had the power of ejecting the *paikhast* ryot, because he had only to ask occupancy rates to assure the ryot's throwing up his holding. So far there is no doubt about the *paikhast's* holding being more precarious than the permanent cultivator's. As Mr. Colebrooke says, "the inconvenience of remote cultivation makes it necessary that he (the *paikhast*) should be at liberty to relinquish at any time the land which he uses; and consequently his own continuance being precarious, he cannot have a title of occupancy which shall preclude the landlord from transferring the farm to a resident husbandman desirous of undertaking it." If, however, the *paikhast* agreed to pay up to the pergunnah rate, which was all that could be demanded from the resident husbandman, it is very doubtful if the zemindar had the power to eject him; for in the discussions which preceded the enactment of Regulation I of 1793, the Governor-General authoritatively wrote: "Whoever cultivates the land, the zemindar can receive no more than the established rent, which in most places is fully equal to what the cultivators can afford to pay. To permit him to dispossess one cultivator for the sole purpose of giving the land to another would be vesting him with the power to commit a wanton act of oppression." (Appendix to Fifth Report.) The truth, however, is that in these days the thoughts of zemindars were directed to installing ryots, not to ejecting them. Ejectment in its present acceptation is a modern growth, and in every advancing society it is being placed under restrictions.

Notwithstanding all this, however, it canont be denied that there has grown up a custom which our courts have recognized, under which zemindars exercise the right to eject non-occupancy ryots for other reasons than non-payment of rent; and that custom, though it now calls, in the general interest, for some modification, cannot, in the Lieutenant-Governor's opinion, be abrogated. If there be little force in the argument that the provisions of the chapter are unnecessary because the ryots to be legislated for are few, there is, in Mr. Rivers Thompson's opinion, much force in the contention that the proposals as they stand are objectionable because they deprive the landlord of discretion as to who shall become a settled ryot in his estate, and because they virtually fine him for exercising that statutory power with which other provisions of the Bill invest him.

Lieutenant-Governor's proposals in regard to compensation for disturbance.

It seems to the Lieutenant-Governor that the circumstances of the case call for a compromise between the claims of the zemindars to eject an unsettled ryot at discretion, and the provisions of the Bill which give the ryot compensation no matter for what reason ejected. That compromise might, Mr. Rivers Thompson thinks, fairly take this form (always supposing that his earnest suggestion to equalize the limits of occupancy and non-occupancy rates be not accepted by the Council). As a landlord cannot eject a non-occupancy ryot except in execution of decree, let the Court in ejectment suits have jurisdiction to fix a fair rent, at which it shall be optional with the landlord to let the ryot sit or not. If the landlord consents to the ryot's sitting at that rent, and the ryot agree, no difficulty arises. If the landlord abides by the Court's orders, but the ryot demurs, let the ryot be ejected without compensation. If the landlord refuses to let the willing ryot sit at the rent declared fair by the Court, being within the maximum limit, then make the landlord pay the ryot compensation for disturbance. The landlord will thus retain the ultimate right of ejecting the ryot, and this is all he needs in order to get rid of a ryot for other reason than refusal to pay an enhanced rent.

CHAPTER IX.

Form of receipts for rent.

25. Sections 96 to 99 inclusive call for no remarks. In regard to section 100, it is pointed out that the form of receipt will not apply to some of the eastern deltaic districts, where the area of the holding varies from year to year with the price of produce or other causes, and where it is impossible therefore to define that area in any except the receipt which forms the acquittance for the year's demand. The adjustment of the terms of the receipt to such exceptional circumstances is a matter for arrangement, and the Lieutenant-Governor would retain for the Local Government a power to fix the form of the receipt, as circumstances may dictate, while preserving the substance.

Several critics of the Bill, among others the British Indian Association, draw attention to the provisions of section 101, and declare that they are innovations, the zamindar being "on no earthly ground bound to give" the statement in question. They would therefore omit section 101; or, if it be retained, they would make the ryot pay for the statement of account which it prescribes. The Lieutenant-Governor would, however, point out that, so far from being an unreasonable innovation, the provisions in question were, for 80 years after the Permanent Settlement, the law of the land. "Receipts for all sums received, and a receipt in full on the discharge of every oligation," were prescribed by section 63, Regulation VIII of 1793; and it was only when that section was repealed by Act XVI of

1874 that the provisions ceased to have binding force, though doubtless zamindars had ignored them. The Lieutenant-Governer considers the provisions salutary, and to the revival of them he gives his support. They will introduce no change into the existing practice in a large portion of these provinces where acquittances in full (*farkhattis* in the vernacular) are always given at the end of the year when accounts are cleared up.

Deposits of rent in court.

26. Coming now to the section regarding deposits of rent, I am to state that considerable opposition has been exhibited both by zamindars and Government officers to the provision of section 103 (*a*), which makes the ryot's *belief* that his rent will not be accepted on tender by the landlord a sufficient reason for depositing it in court. The opposition on this point is perhaps to some extent a matter of sentiment, but it is also, in the Lieutenant-Governor's opinion, not without reason, for the withdrawal of deposits from civil courts is attended with delay and some expense, while the freedom which the section would confer on the ryot tends unnecessarily to alienate him from the zamindar. Mr. Rivers Thompson is aware of what has been written on the subject from the opposite point of view—among others by the Hon'ble Mr. Reynolds in his memorandum of 18th May 1881— ; and he observes that in the Statement of Objects and Reasons it is re-asserted that the present declaration of previous tender has become a mere form. This is, probably, in a measure, true; but it certainly is not universally true; and the Lieutenant-Governor is therefore disposed to defer to the opinions of those experienced officers who deprecate the adoption of the section as it stands. He would accordingly be glad if means could be adopted which would discourage deposit without previous tender, while still preserving to the ryot the faculty provided by the section. This means might, Mr. Rivers Thompson thinks, be found in an adjustment of stamp duties to the requirements of the case. Deposits after tender might, as at present, be made on a stamp of the value of eight annas, but deposit *without* tender under the provisions of section 103 (*a*) might be made chargeable with a higher stamp duty. It will be remembered that under the practice current before Act X of 1859, deposits of rent in court were chargeable with stamp duty, as in suits for arrears. The suggestion thus made is no doubt open to obvious objections; but so is the section as it stands in the Bill, and the question is therefore a choice of evils. As no very widespread, though undoubtedly some, hardships have arisen from the existing law, in which tender before deposit is essential, it seems to the Lieutenant-Governor that any extension in the ryot's favour of existing privileges should not be made unnecessarily at the landlord's expense, and should carry with them deterrent incidents to prevent abuse.

Finally there is no reason apparent to the Lieutenant-Governor why the existing jurisdiction of the civil courts in regard to deposits should not be retained. The discretion conferred by sections 104 and 106 on the officer empowered to receive deposits can be exercised as effectually by a rent-suit moonsif as by a revenue officer; and as the civil courts will continue to exercise jurisdiction in rent suits under the Bill, there is a distinct inconvenience in establishing a dual jurisdiction in connection with the receipt and ackowledgment of rent arrears.

Rents in kind; objection to filing danabundi papers in court in all cases.

27. On part F of chapter IX the Lieutenant-Governor will only remark that it should be made clear, under section 117, that under the system called *agore-batai* the landlord has a right to watch the crop up to the division, and that the ryot cannot remove the crop till division has been made. Under section 118, also, Mr. Rivers Thompson does not, with the majority of Behar offices, see what good is to come from filing the *danabundi* papers in Collectors' officers in all cases. When the system of village agency is organized in accordance with the plan indicated in my No. 309T—R, dated 1st June 1883, the patwari and canoongoe will be the proper custodians of such papers. But until that agency is established the Lieutenant-Governor thinks that it would suffice if in disputed cases alone the *danabundi* papers should be deposited in the collectorates. To deposit them in undisputed cases would be to crowd the record-rooms with a mass of useless papers.

Application of the Bill to proprietary estates under khas management. British India Association's objection to Bill as not applicable to Government estates examined.

28. With reference to section 121, the question arises whether that section, taken with section 20, covers the case of an estate managed by the revenue authorities on account of the recusancy of the proprietors. Fair rents are, as section 121 stands, to be fixed "on the application of the landlord or of the tenant." When the State receives the rents, allowing the proprietor malikhana will it be deemed the landlord for the purposes of the section? The answer should, in Mr. Rivers Thompson's opinion, be in the affirmative, and made clear in the Bill.

In connection with this subject, the Lieutenant-Governor will notice a remark made by the British Indian Association, "that nothing would create greater confidence in the minds of the people in the justness of an Act defining the rights and obligations of landlords and tenants, than the fact that it applies equally to Government in its capacity of landlord as to private landlords" Concurring in the justice of that remark, Mr. Rivers Thompson desires to emphasize the fact, that the rights and privileges which the Bill proposes to recognize in regard to ryots generally, will, practically, be as largely enjoyed by the ryots in Government estates, as by those in estates which are permanently settled. Fixity of tenure, fair rents, and free sale, will, the Lieutenant-Governor trusts and believes, within a short period of time prevail throughout all Government estates where these advantages do not now exist. If we turn from ryots to landlords, the Lieutenant-Governor would say that the only privilege which Government retains, over and above those conferred by the Bill on zamindars, is the privilege

of the certificate procedure; and the reason why Government may fairly reserve this privilege is obvious. The certificate procedure in the hands of public officers should be safe from abuse, for there is no direct incentive to abuse it, and its exercise is subject to watchful official supervision. That is one, and in itself a sufficient reason, why a procedure for collecting rents may be given to the Government which cannot be safely entrusted to private individuals. But there is, besides, the paramount reason that the rents collected by Government are really revenue, and the procedure for enforcing payment of State dues must, in the general public interests, be more summary than the procedure for enforcing private dues. If this were not so, the ultimate result would be the employment of larger establishments, greater expenditure, and increased taxation. Thus a summary procedure for collecting the public revenue, while necessary if the government of the country is to be efficiently administered, and while not open to the objections to which a summary procedure for collecting private debts is exposed, is in the long run the easiest and cheapest for the people. Nor is this principle inapplicable in case of estates of disqualified proprietors managed by Government, for the rents of such estates include the revenue.

CHAPTER X.

Improvements on ryot's holdings. Measurement of lakhiraj lands within an estate.

29. The provisions of part A of this chapter have the Lieutenant-Governor's general approval; but he thinks that sections 127 and 128 might more explicitly declare that where the improvement to be effected does not lie within the holdings to be benefited (as in the case of an embankment), the ryots should still have the option of effecting it. Where an improvement affects more than one holding, the landlord should serve notices on all the ryots, and ryots collectively might serve notices on their landlord. Perhaps, as under the General Clauses Act, the singular includes the plural, the use of the word ryot may be taken to mean all ryots affected; but it might prevent mistakes if the point were made quite clear.

In regard to Part B of this Chapter, dealing with the landlord's right to measure land within the limits of his estate, the Lieutenant-Governor has some doubt whether the section, as drafted, expresses the intention of the draftsman as stated in paragraph 92 of the Statement of Objects and Reasons. As the section of the Bill stands, it is questionable whether a land lord can measure a *rent-free* holding forming part of his revenue-paying estate. Under the existing law the landlord is precluded from measuring such a holding, because he is not in receipt of rent from it; this it is proposed in the Statement of Objects and Reasons to alter, but the alteration does not appear in the Bill. The Lieutenant-Governor must confess that he does not view the proposed change in the law without some misgivings; but if the law is to be altered, he would provide against the abuse of the power of measurement, and against the possible creation of disunion between the rent-free holder and his tenants, by insisting on the landlord contenting himself, except for good cause shown, with a survey of the external boundary of the tenure. This will give the area, which is all the landlord can want to know in the great majority of cases. Under any circumstances the zemindar, if so advised, could sue in the civil courts to establish his rights if he is under the belief that the lakhirajdar holds more lands than he is entitled to hold under his grant.

Inadequate provision made in the Bill for measurement of ryots' holdings.

30. Sections 134 to 137 are given as reproducing sections 176 and 177 of the Bengal Bill; but the Lieutenant-Governor does not find that section 178 of the latter Bill, which itself reproduces section 38 of Act VIII of 1869, finds any place in the Bill now under discussion. This seems to Mr. Rivers Thompson a serious omission; for many in-coming landlords, especially auction-purchasers, will find it very difficult to overcome combinations to withhold rents among their ryots, if deprived of the procedure provided by section 38 of Act VIII of 1869. The justification for the exclusion of that procedure from this Bill is the introduction of the provision for settlement of rents and record of rights. These provisions, however, are at present only applicable to disputes on a large scale; they can only be put in motion by the Local Government, and are therefore inapplicable to such cases as section 38 of Act VIII of 1869 was intended to meet. Accordingly, the Lieutenant-Governor trusts it will be found possible either to amplify this part of Chapter X so as to include the provisions of the existing law regarding the measurement of land when it cannot be ascertained who are the persons liable to pay rent, or so to extend the provisions regarding record of rights as to enable the Government to apply the procedure to suit the wants of individuals.

Merger.

31. In regard to the doctrine of merger, the Lieutenant-Governor has nothing to say except that, as the doctrine is novel, it may be made clear that if a landlord buys an occupancy right under chapter V of the Bill, the occupancy right is extinguished, and the land becomes part of the ryoti land of the estate. The provisions regarding merger probably imply this, but it would be well by an explanation to make the matter quite plain.

Suspension and remission of revenue or rent on failure of crops.

32. Here I am to take the opportunity of stating that the Government of India has recently asked this Government whether it would not be desirable to introduce into the Tenancy Bill a section similar to section 23 of the North-Western Provinces Rent Act (XVIII of 1873). The question had already attracted the attention of the Lieutenant-Governor, and he is now prepared to say

that, while he has no objection to the introduction of such a provision into the Tenancy Bill he considers that it will not be as productive of good results in Bengal as in Upper India. In the first place it must not be forgotten that by far the greater part of these Provinces is permanently settled, the revenue bearing to the rental a proportion of one to five, if not less; and in the next place that there is usually a long chain of subinfeudation between the zemindar and the ryot. No zemindar, with a small revenue charge and a large rental, will consent to remit rent *in proportion* to a remission of revenue, while if he only remits a sum equal to the remission made him, the effect on the ryots would be small, even if it ever reached them through the long line of tenure-holders which often intervenes between them and the proprietor. These, however, are objections of practice, not of principle, and the provision might be useful in temporarily-settled estates. From this point of view the Lieutenant-Governor makes no objection to the introduction of a section similar to section 23, Act XVIII of 1873. If such a provision be introduced, it would become desirable to charge interest on the suspended demand; and therefore advantage should be taken of this opportunity to repeal section 2, Act XII of 1841, which prohibits Government from charging interest on revenue arrears.

CHAPTERS XI AND XII.

Settlement of rents and records of rights.

33. The provisions regarding settlement of rents and records of rights are, in the Lieutenant-Governor's opinion, among the most important of the Bill, and he observes with great satisfaction that they meet with but few, and these unimportant, objections at the hands of the representative Associations in these Provinces, while most officers approve of them. Reserving minute criticisms for later communications, Mr. Rivers Thompson will only say, in regard to Chapter XI, that while on the one hand, in section 157 the period allowed for objection appears to be too short; on the other hand, the facilities for appeal and for contesting the Settlement Officer's proceedings afforded by sections 160 to 162 are too wide and numerous. The matter is one which calls for finality; and the Lieutenant-Governor sees very serious disadvantages in the proposals to invest the civil courts practically with the faculty of revising on all points the work of the settlement officers. On questions of law there is no objection to an appeal being allowed to the civil courts; but on questions of fact such as are involved in clauses (*b*) and (*c*), proviso (2) of section 160, it seems to the Lieutenant-Governor that the civil court is a less competent judge than the Settlement Officer. If, after the *jummabundi* has been published, and has, under section 159, acquired validity, a material error of fact is discovered, there would be no objection to a correction being made, as is now done under section 25, Regulation III of 1872 (Sonthal Pergunnahs Settlement Law); but in this case the authority to direct the correction should be the Local Government, or some executive authority vested with powers of the Local Government, and not the civil court. It would, in the Lieutenant-Governor's opinion, seriously diminish the beneficial operation of these provisions if the *jummabundi* were open to revision by the civil courts on any question of fact; the zemindar, who has the longest purse, would be sure to prevail over the ryot in the long run, no matter how weak the former's case; and therefore Mr. Rivers Thompson very strongly recommends that sections 160 to 162 be revised with reference to these considerations.

34. Sections 164 of the Bill as drafted makes the previous sanction of the Governor-General in Council necessary whenever the Local Government *proprio motu* desires to make a record of rights. This, in Mr. Rivers Thompson's opinion, is an unnecessary restriction on the discretion of the Local Government, and one which can lead to no possible good, while by delaying action it may cause a good deal of harm. Commenting on section 151, the British Indian Association say: "The circumstances which would justify the removal of a tract of country from the jurisdiction of the ordinary courts, and placing it, for the purposes of settlement of rent, under the jurisdiction of revenue officers, must be of an exceptional character. The first ground, therefore, on which this section would allow such removal is very objectionable. Let the Local Government have the power of ordering such a transfer when an agrarian disturbance is threatened, or when settlement in a khas mehal is to be effected; but it would be dangerous to give a number of landholders or a number of tenants the right of applying for it." Without admitting the reality of the danger referred to (for the right of sanctioning or refusing the application will still rest with Government), Mr. Rivers Thompson agrees with the Association in thinking that in such matters the Local Government is the best judge of when and how action should be taken; and if this be true regarding the questions raised by Chapter XI it is obvious that it is not less true of the operations under Chapter XII. The Lieutenant-Governor, would, therefore, recommend the omission of the words "in any case with the previous sanction of the Governor-General in Council" from section 164.

Finally, provisions similar to those of sections 157 to 160 should (with the modifications suggested above) be introduced into chapter XII. Full opportunity for discussing disputed facts should certainly be afforded before the record of rights becomes final and binding. It is presumed that, in making the record, the revenue officer would have full power to make all surveys and enquiries that might be necessary to prepare a complete record of all rights in the tract in which he was operating. As this is not expressed in the section, it might be well to obviate the possibility of doubt upon the point by a definite provision.

Effect of the Bill on existing rents.

35. An objection is taken by the Committee of the Behar Landholders' Association to this portion of the Bill, on the ground that no assurance is given that the settlement procedure will not be utilised to reduce existing rents; and the Lieutenant-Governor believes that the idea is very prevalent among zemindars that the effect of the Bill as a whole will be to effect an immediate and serious reduction in their rents. As far as the Lieutenant-Governor understands the matter, this is not the intention of the Legislature. When the Bill becomes law, indeed, it will not be possible for any landlord to recover by legal proceedings rents above the *maxima* or rack-rent limits fixed by the Bill; and in whatever tracts of country settlement proceedings under chapters XI and XII may be instituted, the *jummabundis* resulting from such proceedings will shew no rents above these limits. Subject, however, to this restriction, existing rents would not be interfered with under the Bill; they would be recorded as payable for the existing holding.

CHAPTER XIII.

Distraint of crops. Objection to modification of existing law in case of non-occupancy and *khurfa* ryots.

36. The provisions regarding distraint have met with as much opposition from the zemindari interest as perhaps any other part of the Bill; and for his own part the Lieutenant-Governor thinks that there is some ground for this opposition. He does not, indeed, think that in the case of settled ryots—and they, according to all information, will form the great bulk of the rent-paying class—landlords would have any serious difficulty in collecting their rents, even if distraint were altogether abolished in regard to occupancy holdings. Occupancy rights are now valuable, and will grow in value. They afford adequate security for the landlord's rent; and if in regard to them facilities for distraint be abolished, the landlords will not ultimately be the sufferers. Mr. Rivers Thompson would be glad to think that settled ryots themselves will suffer nothing from the danger they are likely, in the beginning at all events, to run of losing their all through unpunctuality in paying their rents.

But if landlords' rents are adequately secured by the transferability of the occupancy right, there is no such security in the case of non-occupancy and *khurfa* ryots. It is in regard to those that the restriction of the landlord's power to distrain will be most felt. That the power to distrain, as it now exists, has been abused is beyond question; that it is still abused, especially in Behar, is equally indisputable, though the abuse is probably not so flagrant nor so extensive as it once was; but, granting all this, the Lieutenant-Governor has reason to believe that the abuses are quite within the ability of the executive to check and to suppress, and he therefore hesitates to deprive landlords (for the provisions of the Bill virtually mean deprivation) of the only effective means they have of collecting rents from the "non-occupancy" or *khurfa* ryots. Mr. Rivers Thompson would be quite prepared to agree to any proposals which have for their object the more effectual enforcement of the existing law of distraint, and he thinks this may be attained by making violations of the existing law of distraint punishable, as in the case of criminal trespass, under the provisions of the Penal Code, and by enacting that persons benefiting by such offences should be similarly liable to punishment. Thus armed, the district officers should be able to deal adequately and fully with the abuses of distraint, and he would, therefore, submit that the present law of distraint might with such substitution of penalties for civil damages be left unaltered in regard to all non-occupancy ryots. If this view were accepted, the Lieutenant-Governor would recommend the abolition of distraint altogether in regard to occupancy holdings. Indeed, with the stamp duty chargeable under section 167 (2) of the Bill, it is not apparent what great advantages landlords would derive from the distraint sections of the Bill which are not secured to them already by the procedure for attachment before judgment nder the Civil Procedure Code.

CHAPTER XIV.

Procedure for recovery of arrears of rent in Court. Proposal to extend patni sale procedure to registered tenures.

37. It is very generally admitted, and properly so in the Lieutenant-Governor's opinion, that the abbreviated procedure for the recovery of rent contained in this chapter is an improvement on all previous proposals on the subject. Partizans of the zemindari party, indeed, assert that, while their rights have been invaded in one direction, nothing has been done to facilitate the recovery of their just rents; but further than bringing to the notice of Government a proposal made in 1876 by Maharaja Sir Jotindra Mohun Tagore to extend the patni procedure to all tenures and tenancies, they have done nothing to suggest a better procedure. The Lieutenant-Governor has given his careful attention to the Maharaja's proposal; and while he is unable to adopt them in their entirety, he is willing, as at present advised, to extend a reasonable modification of the patni sale procedure to tenures of all sorts, which, either through the motion of the owner or the landlord, may be registered in the manner indicated in paragraph 14 above. In this Mr. Rivers Thompson goes somewhat further in the direction desired by the zemindars than section 147 of Sir Ashley Eden's Bill, which limited the summary sale procedure to patnis, to tenures at the creation of which the right to sell was reserved, and to permanent tenures with a rental of Rs. 50 per annum. It remains to be seen whether zemindars, by causing all 'tenures' to be registered, will, in consideration of the more summary procedure for recovering arrears, convert into middlemen those who are now nominally occupancy ryots. If they do, their action will further the Lieutenant-Governor's views regarding the preservation from rack-rents of the actual cultivators of the soil.

But while the Lieutenant-Governor is thus disposed to apply a summary proceduce for recovery of rent to all tenures, he is very strongly of the opinion that no such procedure could be safely applied to *ryoti* holdings in the possession of actual cultivators. Apart from the reasons which the Rent Commission give* for refusing to invest inferior landlords with summary powers, Mr. Rivers Thompson believes that it would be a mere mockery of justice to give occupancy ryots, sold out of their holdings under a summary procedure, the right to sue for redress. His holding is the occupancy ryots' all, and, deprived of this, he becomes a pauper, unable to sue. He becomes an incumbrance on the community which, under the circumstances of the country, cannot provide him with industrial employment, and a source of embarrassment, especially in times of scarcity, to the Government. Nor does the Lieutenant-Governor think that sufficient security against wrong-doing would be afforded by any such arrangements as those contemplated by section 148 of Sir Ashley Eden's Bill. There are many zemindaris in these Provinces in which regular and systematic accounts are now kept; but Mr. Rivers Thompson would hesitate very long indeed, before he would, on that account, vest the proprietors with exceptional privileges in regard to the recovery of rent, When an organized village agency of record and account is established throughout these Provinces or portions of them, things may be different, and then summary facilities for recovering rent from occupancy holdings may properly be granted, which cannot now be allowed without public danger. But for the present, the Lieutenant-Governor thinks that as much as can reasonably be done to facilitate the recovery of arrears from ryots has been done by the Bill. Indeed, many experienced officers doubt whether the Bill could, with safety, push simplification further than it has done; and some are disposed to take exception to that portion of section 198 which vests selected munsifs with final jurisdiction in suits when the arrears claimed do not exceed Rs. 50. The Lieutenant-Governor notices that the Rent Commission proposed to confer such summary jurisdiction in munsifs only up to a maximum claim of Rs. 10. It is to be observed that in the great majority of suits for arrears of rent the sum claimed does not exceed Rs. 50; so that in point of fact the practical effect of the section will be to prevent appeals altogether, except in a question of title or rate. The change, therefore, which the Bill proposes to introduce into the present law is a very radical change, and a very great concession to zemindars, which many competent Judges do not contemplate without some doubt as to its expediency. The Lieutenant-Governor, however, thinks that, on the whole, the section may stand, especially as it will be in the discretion of the Government to appoint carefully selected officers for the trial of rent-suits. According to the ancient law of the country, fixity of tenure was conditional on punctual payment of the nt ; and when there is no dispute as to title or rate, the decision of a competent and experienced udge, on an examination of the facts, may be safely allowed to prevail up to the limit ated. If any further concession is to be made, and hardly any seem necessary, it should, in Mr. Rivers Thompson's opinion, take the form of a prohibition of an appeal in suits for arrears of rent from Rs. 50 to Rs. 100 (the limit of the Judge's summary jurisdiction), unless the amount of arrears decreed by the Court of First Instance were previously deposited in Court. It is a common, and a not unreal, complaint with zemindars that their difficulties commence when the decree for arrears has been attained; and to obviate this complaint as far as may be, it might be desirable to limit the right of appeal except under such securities for the final payment of the demand as have been proposed above.

* "Experience shows that superior landlords rarely abuse the (patni) procedure, while they do abuse it, they are persons of substance, against whom a decree for damages can be effectually enforced. There are grave doubts whether the result would be equally satisfactory if the same power were entrusted to petty landlords."

Conclusion. Lieutenant-Governor's general opinion on the Bill.

38. In the preceding remarks the Lieutenant-Governor has only touched on the main points of the Bill, postponing matters of detail till the Select Committee meet. He hopes for opportunities from time to time, during the Committee's sessions, to make to it such communications on those points of detail as the progress of the measure may suggest. In bringing his remarks on the present occasion to a close, Mr. Rivers Thompson would again say that, although on some points he has not been able to approve the Bill as drafted, and has felt himself constrained to make suggestions at variance with some of its provisions, he is still bound to repeat that, if modified on those points, the Bill, in his opinion, will be a constitutional and successful effort to remedy abuses which unquestionably exist very widely, and whose continued existence is incompatible with the peace and prosperity of these Provinces.

No. 1021T.-R., dated 1st October, 1883.

From—C. W. Bolton, Esq., Under Secretary to the Government of Bengal,

To—The Secretary to the Government of India, Legislative Department,

In continuation of Mr. MacDonnell's letter No. 973T.-R., dated the 27th September, 1883, I am directed to submit, for the consideration of His Excellency the Governor General in Council, the accompanying copies of the report * received from the Commissioner of the Rajshahye and Cooch Behar Division on the Bengal Tenancy Bill, 1883.

* Eighty printed copies of letter No. 610 R. C. T., dated the 22nd September, 1883, with enclosures.

No. 610R.C.T., dated Darjeeling, 22nd September, 1883.

From—Lord H. Ulick Browne, Commr. of the Rajshahye and Cooch Behar Divn.,

To—The Secretary to the Board of Revenue, Land Revenue Department.

With reference to the Board's circular letter No. 351A., dated 29th March, 1883, I have the honour to report on the Bengal Tenancy Bill.

2. The district officers of Rajshahye and Julpigoree have offered no opinions on the Bill. They seem to have felt hampered by the knowledge that they had already reported on previous Bills, many of the provisions of which are reproduced in the present Bill, and that Government have resolved to pass into law many of those provisions. Mr. Vowell indeed asked me if I could tell him what provisions were still open to consideration and discussion—a question which I was unable to answer. The Deputy Commissioner of Julpigoree also pleaded want of time; but he forwarded a very full report by Baboo Tarruck Nath Mullick, an experienced Deputy Magistrate and Deputy Collector, now in charge as manager of a large Wards' estate. Mr. Vowell has also consulted non-officials in his district, and sent their opinions. Mr. Livesay entirely approves the Bill, and has no remarks to make on it. Mr. Newbery approves of it generally, writing as follows, and adding a few other remarks, which appear in enclosure No. 1 of this letter—

"I have myself gone through the Bill carefully, and, impartially considered, I must say that the Bill is a positive improvement, and it is impossible to make it better under the present state of things, which I admit. As the zemindars urge, the Bill introduces no new measures to remove the extreme difficulty at present felt in realizing the rents, though that was one of the two great necessities which led to the re-casting of the existing law on the subject. At the same time I feel bound to say with the Rent Law Commission that the facilities for realising rents in Bengal should be sought for, not so much in any positive and new provision of the law, as in the root of the disputes which prevent their punctual and ready payment. Chapter XIV appears to me to have fully taken up the sources of these disputes. Section 47 is, no doubt, in the zemindar's point of view, a very serious alteration, but the difficulties clearly pointed out in paragraphs 28 to 33 of the Objects and Reasons of the Bill cannot be removed without it. It is by far the more desirable to accede to certain concessions in order to gain something than to reserve a right which practically secures no good, but, on the contrary, is a source of endless trouble, uncertainty, and actual loss. The clause (*f*) at section 50 is only what is practically done and never objected to, except in certain cases which are fully provided by sections 51, 53, and 54, checked by section 56."

Mr. Glazier and Mr. Tate have given opinions of their own and of others which will appear in enclosure No. 1. Mr. Wace has reported very fully on the Bill. I give some extracts from his report in enclosure No. 1 of this letter.

3. *I enclose separately a paper marked as enclosure No. 2 of this letter, and desire to specially call the attention of the Board and Government to it.* It consists of extracts from Mr. Wace's report, containing remarks of great importance, showing as they do that the provisions of the Bill will have the effect of putting an end to the present custom of making settlements of the Terai jotes, which constitute a Government estate. for 10 years. As no contracts will under the Bill prevent the tenant from enjoying all the rights accruing from a right of occupancy, there will be an end of re-settlements, and future rents will be decided by the provisions of the Bill, if passed, for fixing an enhancement of rent.

The foregoing remarks, and what is said in enclosure No. 2 on that point, apply equally to the very similar settlements for 10 years of the Western Dooars of Julpigoree.

4. Before turning from special cases arising in connection with the position of Government as zemindar, I request the Board's attention to the matter of lands granted under the Tea and Arable Leases Rules. It seems doubtful whether under the provisions of the Bill there will be any use in some of our rules for the grant of these two classes of leases, as I understand that there being no freedom of contract, if a grantee has occupied for the requisite number of years, and has held land for 12 years, he will have all the rights of a settled ryot. Of course no such rights can be acquired during the currency of the preliminary lease. Some rather difficult cases will, however, arise, as it sometimes happens that the full percentage of cultivation required by the rules is not effected during the currency of the preliminary lease, and then the grantee is allowed to hold on as a year-to-year tenant, supposing grantees to so hold on without completing the 15 and 50 per cent of cultivation till they had occupied for 12 years, they would under the Bill become settled ryots, and the rules in regard to the grant of a renewed lease and the terms thereof would no longer apply.

5. I do not doubt that, as regards such estates as the Terai jotes and the jotes of the Western Dooars, Government intend to place themselves in the position of all other zemindars, and to deprive themselves of the rights of which other zemindars are deprived. At the same time it will be contrary to public policy in the matter of encouraging cultivators if jotedars of the Western Dooars are allowed to acquire rights and hold for ever any area of waste lands of which they may have been in possession for 12 years. Hitherto Government has exercised its beneficial right to improve its property and encourage cultivation by depriving the jotedar of waste lands in excess of the area which the jotedar is likely to be able to cultivate as proved by the area found uncultivated at the expiration of each 10 years' settlement, such excess lands being made available for others, both willing and able, to do that. Such judicious measures will be no longer possible under the Bill.

I am not aware whether Government and the Board contemplate that lands granted under the Tea and Arable Lease Rules shall be gradually removed from the operation of these rules, and the terms of the leases by the effluxion of time as a consequence of the present Bill. I have now drawn the attention of the Board to the subject, and it rests for them to bring it

to the notice of Government, in case there should be any desire to treat lands granted under the rules referred to in an exceptional manner.

6. It is scarcely necessary to say that the zemindars of the permanent settlement are (probably without any single exception) much opposed to the most important provisions of the Bill, which proposes to deprive them of so much and confer so much on their ryots.

What Mr. Newbery says in the following passage, as being the view of the zemindars of Rungpore, may be taken as representing the views of all the zemindars in the division, except Government, who are doubtless ready to make sacrifices in regard to public property in order to benefit all the ryots in the country:—

"All the principal resident zemindars of this district, who has given their opinions on the Bill, are unanimously against it as being unnecessary and full of measures which are not only subersive of their rights which the Government has bound itself at the permanent settlement never to disturb, but are also calculated to generate greater ill feeling between the ryots and the zemindars. Further, that courts having been made to come between them in almost every point of difference, the result would be, they say, that the ryots will be found practically to lose more than to gain by the Bill. They strongly object also to the new rights proposed to be created by section 47, and clause *f*, sections 50 and 56. They further urge that the Bill proposes no better means of recovering the arrears."

Lastly, the public prints have for some months past contained reports of special meetings held by zemindars to express their strong disapproval of the most important portions of the Bill.

7. The zemindars, as a body, also complain that the Bill contains no provisions for enabling them to recover their rents easily and quickly, and specially rents demanded by them at the same rates, &c., as have been paid in for former years, notwithstanding that in 1877 their claim to such an improvement of the Rent Law was admitted by Government.

8. I now proceed to give my own opinion on the Bill.

9. The most important provisions in the Bill are those which confer valuable rights and privileges on the ryots, generally at the expense of the zemindar, whose full proprietary rights will be curtailed, whose income will be restricted, and whose estates will, I think, fall in market value accordingly. It seems to me that the right to ask what price you like for your own property, whether it be land or a horse, or anythig else, is a valuable proprietary right which will be abolished by the Bill, and that to give an ordinary ryot a right to occupy land as long as he pays his rent, and unless he misuses the land or violates a special condition, and to limit the rent he is to pay, is to really make him proprietor in a lesser degree. The present Prime Minister of England, and I believe all the leading statesmen at home, have stated in Parliament that provisions of a somewhat similar nature in the two Irish land laws introduced by Mr. Gladstone confer a proprietary interest in land on the tenants. In short, the Bill proposes to effect a violent revolution in the ownership of landed property, and to change the landed system over a large and important tract of country, affecting one way or other the interests of above 55 millions of people. The magnitude and importance of the measure can hardly be overrated.

10. I think that such important changes, affecting detrimentally the rights and interests of a large and important class in a vast country, should only be made on very strong grounds, such as, for instance, the grounds advanced by Mr. Gladstone when introducing a somewhat similar measure for Ireland in 1870, and again, more recently, when he supported his proposals by urging that as good general laws and administration and assistance in the reclamation of waste lands had failed to dispel serious ill-feeling among the mass of the population of Ireland towards England and the Government of the United Kingdom, it was necessary to take an extreme step in a direction specially acceptable to that population in the hope that it would put an end to what was always a serious political danger. The result of such a measure as this in that case might well make thinking men pause before introducing it into another country, even if the circumstances under which the Irish measure was applied existed here. In Ireland the people were finally convinced that the action of Government originated in fear and weakness, and those who had previously paid the rent and lived quietly were persuaded that, if they resorted to greater and greater outrages, the English Government would give them more and more. As a consequence, concession made at the expense of the landlord was followed by further outrages till Government saw that vigorous repression and the suspension of constitutional liberties must take the place of concession. Thus, the result of a similar measure in Ireland was almost disastrous, but it was tried to meet circumstances which seemed to the Government to require special treatment.

11. What are the circumstances under which it is proposed to introduce the present measure? They are about as different to those found in Ireland as it is possible to conceive. No special and strong grounds, political or other, exist in the present case, nor have any been asserted in support of this Bill. Even the Rent Law Commission, the majority of whom proposed a measure similar to this one in its main features, made no such assertion, but, on the contrary, seem from a passage in the report to have been unanimous in holding what is a nearly universal opinion, viz., that the ryots of Bengal Proper are stronger than the zemindars. This will scarcely be disputed by those who have had opportunities of forming an opinion on the point, and it is pretty well known that in Eastern Bengal the ryots are very much the stronger, and that if protection or assistance is required there it is required by the zemindar.

That the ryots of Bengal have been the stronger, and have not been in need of protection or assistance, is further established by the history of the legislation and the attempt at it

which preceded the first of what may fairly be called the revolutionary Bills, viz., that proposed by a majority of the Rent Law Commission. In 1876, the then Lieutenant-Governor effected the passing of the Agrarian Disputes Acts of that year on a consideration of the disputes in Pubna arising from quarrels between shareholder zemindars. Most Government officers were, I believe, of opinion that nothing but the provision to be found in the present Bill for the appointment of a joint rent collector or manager was needed to meet such cases, but my object in mentioning the Act is to observe that, on that occasion, the Lieutenant-Governor never proposed such changes as are to be found in this Bill.

In 1877, again, so far from any measure to assist the ryots being thought necessary or advisable, another Lieutenant-Governor thought special legislation necessary to assist the zemindars all over the Lieutenant-Governorship of Bengal, *i.e.*, to enable them to recover their rents in cases where there was no dispute, and where the amount claimed was the same as had been paid at the same rate in previous years, combinations among some ryots and a general disinclination to meet their undisputed liabilities among the rest having called for such legislation in aid of the weaker party,—the zemindars. The Government of India concurred with the Lieutenant-Governor, and leave was given to introduce the Bill, though unfortunately for the zemindars that was never done. Matters have in no way changed since then. There has been no general feeling of discontent among the ryots of the country as a body. I am sure that all Government officers will agree in this, and in thinking that the ryots of Bengal are, as a body, in a contented prosperous condition, nor will it be denied that there has been no general request on the part of the ryots for such legislation as is now proposed. As a body, they know nothing of the intentions of Government, and have never asked for what is now to be given to them at a great cost to the zemindars.

12. It is clear then that the present measure is proposed, not because it is necessary, but because, in the opinion of Government, the land system of the Bill is preferable to the existing one. It seems to me that the passing of such a Bill would not be justified by the circumstances under which it is proposed, and that if there were no other objections it would not be right to pass it.

13. But there are other and, in my opinion, serious objections to the Bill. There is first the one, argued so universally and so strongly by the zemindars, that it is an infringement of the rights guaranteed to them by the Permanent Settlement.

The representations of the zemindars on this point seem to me to be most reasonable and entitled to the fullest consideration. I have always thought that the quotations from the writings of Mr. Francis, Sir John Shore, Lord Cornwallis, &c., as to whether zemindars had proprietary rights or not before the Permanent Settlement, which quotations have been so often brought forward by both sides when discussing the question of the infringement of the Permanent Settlement by the passing of Act X of 1859, and such Bills as this one, are not really much to the point, as the case of the zemindars rests on a much stronger ground, viz., the declaration in the Permanent Settlement Regulation that they are proprietors of their estates. That the Bill takes away some of the most important proprietary rights is not, I believe, denied by any but a very few supporters of the Bill. The Hon'ble Mr. Ilbert, in a debate in the Legislative Council, gave, it is true, a new interpretation to the word "proprietor," bu I do not think that has been adopted by other members of the Government; and being opt posed to the ordinary use of the word "proprietor" in the English language, to the use of i- as construed by our Government here and our Regulations and Acts for ninety years, it it unlikely to be adopted, especially as (*see* paragraph 9 of this letter) the leading statesmen as home hold that such measures as are proposed in the Bill deprive landlords of proprietary rightt and confer them on tenants.

The zemindars do not stand alone in thinking that Act X of 1859 and such Bills as this are breaches of the conditions of the permanent settlement. The English Barrister-Judges of the High Court, and especially the Chief Justices—men accustomed to interpret laws—have, I believe, almost without exception, held the same view. and it is on record that Sir Barnes Peacock, the Chief Justice of the year when Act X of 1859 was passed, and the present Chief Justice, are entirely in accord on that question.

I do not deny that on grave grounds of public necessity, such as apprehensions of general disturbances, it may be necessary to depart from even such engagements as the Permanent Settlement, but no one says they exist in the present case. Nor do I forget that the Permanent Settlement allows Government to interfere for the welfare and protection of the ryot. But if it had been intended that such interference could amount to the destruction of the proprietary rights then conferred, such rights would never have been conferred; and then I request reference to paragraph 11 of this letter, as it can scarcely be alleged that interference is necessary in the very slightest degree for the protection of the ryots, who are in Bengal Proper stronger than the zemindars, and in part of it very much stronger.

14. Next, we have for ninety years treated the zemindars as real proprietors, making them discharge the duties of proprietors as regards matters connected with police, crime, furnishing supplies to troops on the march, and, above all, the collection of public demands. Is it fair or just to now deprive them of several of the most important rights of a proprietor?

15. In what I have said in this letter as to the ryots being stronger than the zamindars, as to the former not requiring assistance against the latter, and as to the latter (as admitted by the Governments of Bengal and India in 1877) requiring assistance against the former, I have had principally in view the ryots of Bengal Proper. I know that in Behar the zamin-

dars are, generally speaking, the stronger, but if any measures nearly approaching those in the Bill had been necessary in that province, some measure or other would assuredly have been proposed by Sir Richard Temple or Sir Ashley Eden in 1876 and 1877 to assist the ryots of Behar, who have not asked for this Bill any more than have the ryots of Bengal It seems to me, too, from what has been written by officers of experience in that province, that there are at any rate no grounds for proposing such drastic measures in Behar, and, considering the way in which it affects the zamindars, I think Government are bound to first try very much more moderate measures even than are now contemplated there as elsewhere.

16. Another objection is that it is a serious thing to create among the nobility and gentry of a population of 55 millions a feeling that Government have injured such an important class, and that without nearly sufficient cause, and without any demand for it on the part of the classes for whose sake the injury is done.

17. Another objection is the possibly disturbing effect the Bill might have on the ryots throughout the country. Though happily they are of a very different mould to the Irish, still when the ryots of Bengal and Behar see that without any general representation on their part —without, so far as they know, any reason at all for the action of Government—the zamindars are deprived of rights, while others are at the same time conferred on the ryots, I think it very possible that the idea may occur to the latter that, as they have got so much without asking for it, Government must be actuated by a great desire to please them and to injure the zamindars, who are sacrificed for their sake, and that by agitation further concessions may be obtained. Such an agitation might before long grow and gain strength till it became a source of much trouble to Government.

18. For these reasons I am opposed to the most important provisions of the Bill, and think none of them should be applied to Bengal Proper. In Behar I would introduce but one of them, viz., the provision enabling a ryot to gain a right of occupancy in land in a village, even though he may not have occupied exactly the same land for 12 years. This might be enacted on a consideration of the ryots of Behar really needing protection against the zamindars, because the latter have been in the habit of changing the lands to prevent the former acquiring a right of occupancy, and because the general condition of the Behar ryots is such as to call for a special measure. But, while doing this, provisions for facilitating the recovery of rent should at the same time be enacted.

19. The following are the principal provisions of the Bill to which I have referred and objected in the foregoing paragraphs.

The general effect of chapter III, which will prevent any zamindar from utilising in the future any of his land as khamar land when once a register of such land has been prepared. He cannot so use land that may hereafter be deserted by a ryot, and to which no one but the zamindar will then have *any* claim, and he cannot even so use *waste* land which is his own property, *and to which no one else has probably even at any time advanced a claim or an interest.* I think such restrictions unjust. The provisions of sections 21 to 24 in regard to the profits of tenures and the enhancement of the rents of the same. In chapter V the provisions of section 49, allowing a ryot to acquire a right of occupancy in khamar land; of 50, taking away the right of contract in some matters, not allowing ejectment for non-payment of rent when due, allowing sub-letting without the zamindar's consent, making occupancy tenures transferable and heritable by the ryot; and of section 56, depriving the zamindar of the power of holding a right of occupancy, even when he has bought it, if he lets the land out again. In chapter VI the provisions of sections 59 and 61, not allowing the registration of a contract involving the payment of enhanced rent above a certain limit, even when a ryot is ready to pay a higher rent of 75 (*d*), 76, 77, 78 limiting the enhanced rent and prohibiting a further enhancement within 10 years. Though it may be clearly proved (as in cases within my knowledge) that the productive and market-value of land has increased fourfold, and from causes entirely unconnected with any action on the part of the ryot, the zamindar may not get a corresponding share or increase of rent; and if the increased value goes on increasing, he may not get any increase of rent at all for another 10 years. The provision of section 81 limiting the rent payable in kind of 85 and 86. In chapter VIII the sections depriving a zamindar of the power to eject an ordinary ryot, except on special grounds, and giving such a ryot ten times the amount of the increase of rent demanded in case of ejectment from land which he has no right to occupy, and the rent fixed on which he is unwilling to pay. In chapter IX, section 119, limiting the rent of an ordinary ryot. In chapter X the provisions of section 133 not allowing a zamindar to measure ryots' lands again for 10 years, even though in the first year a ryot may have occupied and included in his holding any quantity of additional land.

20. Apart from the great question of principle involved in the revolutionary portions of the Bill, it seems to me to have been framed with most unnecessary unfairness to zamindars. There is, so to speak, no reciprocity, and provisions in favour of the zamindar, which suggest themselves as a natural corollary to corresponding provisions for the benefit of the ryots, are not be found. For instance, though an occupancy ryot is to be allowed to sell or bequeath his holding, the zamindar is not allowed to sell it summarily for non-payment of rent, but must go into court and get a decree first. The boon to the ryot is a great one, and a great pecuniary loss to the zamindar. He would probably, however, consent to it if at the same time he were allowed to have all such tenures registered and made saleable like patni tenures. In the case of an occupancy holding paying rent to the zamindar while the ryot and most of their people

may hold a right of occupancy, there is one person in the world, and only one, who is prohibited from holding such a right as long as he likes, and that is the *proprietor* of the land, who is not allowed this even if he purchases the occupancy right from a ryot, if the zamindar subsequently allows another ryot to occupy it for 12 years.

21. The following provisions of the Bill will be decidedly beneficial, and I approve of them. Section 27 about registration of transfers of permanent tenures; chapter IV about patni tenures; section 83 about the Collector preparing lists of market prices; sections 97 to 99 about instalments of rent; sections 100 and 101 prescribing forms of rent receipts; section 138 about the Collector deciding the standards of local measurement; sections 142, &c., about the appointment of managers or rent-receivers in cases of disputes between shareholding zamindars; and most of the provisions of chapter XIV in regard to procedure in suits.

22. Referring to section 109, I think combinations not to pay rents, even when the rents asked are at the admitted rate, &c., of previous years, should be checked by making it compulsory on the court to award 25 per cent. damages in addition to 12 per cent. interest.

I do not think the plan of a table of rates will work, except in a few places, and I understand it has failed, in so far as the enquiries made by special officers during last cold season enabled Government and the Board to form an opinion about it. When a special officer was appointed in the Government estates in Bogra, and I saw a copy of the instructions he had received, I told Mr. Dampier I was sure it would not work in my division, as the rents paid in this and that estate for this and that class of land are not fixed on any principle which would afford a basis to work on, and so it turned out.

Section 151 (2) (a).—I would not allow this unless both parties assent to it; and the same as regards the similar case under section 164 (2) (a).

I think the provisions not to alter rents within 10 years, regardless of any improvement in the land, irrespective of the ryots' action, very objectionable, and the same as regards section 133 about the zamindar's right to measure land which may have been increased considerably by the ryots' encroachment.

23. In conclusion, I hope that, after all that was said and done in 1877, and the unchanged circumstances since then, a provision will be made in the Bill for the recovery of undisputed rents at the rates paid in former years. It seems to me very unjust to omit such a provision in favour of the zamindar from a Bill which proposes to deprive him of so much, and to do so much in favour of the ryots. In 1877 the zamindar asked for a bread; his claim to it was admitted by the Governments of Bengal and India; and in 1883 he is refused a crumb and given a very large stone. I believe my recollection is correct when I say that some Government officers who have warmly advocated the revolutionary Bills (Messrs. Reynolds and Mackenzie, for instance) warmly advocated in 1877 and 1878, or 1879 (Mr. Mackenzie in the Bengal Legislative Council) such relief as I now recommend to the zemindars, and it is not easy to understand how it can on any principle of justice be now refused. Though the Bill that was approved of in 1877 would be very beneficial, the measure I recommend is that the registration of occupancy tenures be made compulsory, and the tenures made saleable like putnee tenures. This is a simple and easy remedy, and would, I think, be very acceptable to the zemindars.

ENCLOSURE No. 1. KHAMAR LANDS.

CHAPTER II.

Pubna.—The pleaders object to the limitation of the zemindar's khamar lands.

Bogra.—It is the opinion of zemindar Abdoos Soobhan Chowdree that waste lands and lands under water should be classed with *khamar* lands.

Julpigoree.—Baboo Taruck Nath Mullick (an experienced Deputy Magistrate and Manager of a large estate under the Court of Wards) does not consider the provisions of this Chapter objectionable, though its preparation in the first instance might lead to litigation.

Darjeeling.—Mr. Wace approves of the principle which underlies the provision of Chapter II, by which the proprietors would be prevented from increasing the stock of khamar lands, but he thinks that it would work hardly against petty proprietors and lakhrajdars, and he would be glad to have it so altered as to protect them.

Section 22.—Baboo Taruck Nath Mullick thinks that the provision of this section would prove prejudicial to the interests of the zemindar. He knows of many cases in which the tenure-holders by gradual encroachment on khamar or other untenanted lands became possessed of more than three or four times the quantity of land originally comprised in their tenures. In such cases it would be very unfair if the landlord were not allowed to assess the whole quantity of land found on measurement in the possession of the tenure-holders, and thus increase their rents to three or four times the amounts they used to pay.

Pubna.—The pleaders of Pubna also disapprove the provision that enhanced rent should not be more than double the previous rent.

Registration of transfers of occupancy rights.

Dinagepore.—The Sub-Judge of Dinagepore suggests that transfer of occupancy rights should be registered under the same provision as laid down in sub-division D, Chapter III, for the registration of permanent tenures. The Collector does not approve of this suggestion, as he apprehends that such a provision would give the zemindars an opportunity to extort money (salamee) from the ryots.

Bogra.—Abdoos Soobhan Chowdree, zemindar, is of opinion that provision should be made for the registration of transfers of jotes, otherwise when a dispute will arise in regard to the tenancy of a jote, the landlord will have to wait for rent till the matter is decided by the court.

Darjeeling.—Mr. Wace holds that the system of registration should not be extended to occupancy ryots. He does not also approve of the alternative procedure in sections 27 and 28. If the application is to be made to the revenue officer, let him have the power enforcing his order, or section 28 might be omitted altogether. In that case the transferee would apply direct to the landlord, and on his refusal, go direct to the civil court.

Contracts between Landlords and Tenants—Sections 45, 47, 59 (2), 82, 85, and 98.

Bogra.—The zemindars are of opinion that it is unfair that all existing contracts between landlords and tenants should become null and void after the Bill is passed.

Rungpore.—Mr. Newbery says—

"I do not clearly understand the real purport of section 82. If it means that when the rent in kind is commuted to a money rent by an occupancy ryot, his rent is a fixed money rent, and must be paid every year, whether the land is cultivated or not, in the same way as the ryot mentioned in section 50 do, then I consider the meaning of this section ought to be made clearer by adding a few lines to the end of it to bring these cases clearly under the operation of section 59. clause 2. The clauses 2—b and 3 read with the immediately preceding section 81 seems not to distinctly say that the money rent in such cases cannot be fixed independent of any contract more than one-fifth of the gross annual produce. If, however, these ryots are not considered when his rent is so commuted to be exactly on the footing of the ryots mentioned in section 50, I do not see the reason of such consideration, because both of them are occupant ryots with fixed rents."

Julpigorie.—Baboo Taruck Nath Mullick is also of the same opinion. He thinks it would be unfair not to allow the landlord to enter into contract with the tenant, and to increase rent by private arrangements to any amount without limit. The Bill makes void all engagements which militates against the ryots' interests, but not those which are prejudicial to the landlords, although in both cases the contract might have been made in good faith.

Darjeeling.—Section 82. Mr. Wace would not give the court a discretion. He says:—"The two rules would undoubtedly give widely differing results, and the result would be inequality of treatment that would cause trouble. I prefer the second of the two methods as involving the small departure from existing relations between the parties."

Transferability of Occupancy Rights—Chapter V, Sections 43 to 57.

Dinagepore.—The zemindars do not at all approve of these sections, on the grounds (1) that they would bring in the mahajans as middlemen; (2) that they would give facility to hostile zemindars to settle on their neighbours' lands; and (3) that ryots might combine to force the landlord to exercise the right of pre-emption, or let his lands go into the hands of strangers. They think that the ryots should deem it a large concession even if the transfer were limited to inheritance and bequest.

Mr. Tute's own opinion is that if the right of occupancy is to be recognized at all, it must be made tangible marketable commodity. He approves of the provisions of this chapter. As a protection to the zemindar against the machinations of his enemies, and the combination of the ryots, and to prevent any breach of the peace, he proposes an alteration of clause 2 of section 51, such as would give the zemindar an opportunity to prove to the Collector that the sale was intended as a means to annoy him, and the Collector in such a case should have the power to stop the sale.

Rajshahye.—Baboo Hara Gobind Sen, Professor, Rajshahye College, thinks that the restrictions on the transferability of occupancy rights in sections 51 to 54 would lessen the value of the right, and prevent the ryots from improving the land. The Collector agrees in this opinion, and thinks that such transfers should be quite free, subject only to registration in the landlord's *sherista*.

Bogra.—The zemindars are of opinion that the consequence of the provision of section 51 would be that money-lenders and rich zemindars would manage to have the rights of all occupancy ryots transferred to them, and the money-lenders would be the *de facto* proprietors of the soil.

The Collector himself is in favour of the Bill, and has no suggestions to make.

Julpigorie.—Baboo Taruck Nath Mullick thinks that the provisions in Chapter V would unfairly create rights to the prejudice of the landlords, and would virtually reduce them to mere annuitants. The exercise of occupancy rights would give rise to constant litigation.

Darjeeling.—Mr. Wace says:—

"Reading sections 51, 52, 53, and 55 with section 56, a landlord may well exclaim "*timeo Danaos et dona ferentes.*" Having regard to the provisions of Chapter II, by which the increase of khamar land is limited, I do not think section 56 either fair or expedient. If an occupancy right falls in any of the ways mentioned in sections 51-55, I really cannot see why a landlord should not have the power to re-let it without creating "*ipso facto*" another such right. It is surely sufficient that he should be barred under section 45 from stipulating against an accrual of that right. If, however, the legislature will not accept this view, it might at least insert the words "being a settled ryot in respect of other land in the village" after the word "person" in section 56. There would be some reason in this, but why should an outsider suddenly step into occupancy right simply because another man with whom he has no concern had those rights. These petty interferences with the powers of landlords seem to me to discredit our section with the zemindar class, and to challenge their opposition without in any way helping the class in whose interests we are professedly legislating.

Preparation of Table of Rates—Chapter VI, Sections 62 to 72.

Julpigoree.—Baboo T. N. Mullick. The power of Government to direct the preparation of Table of Rates of Rent should be limited to cases in which the landlord or the ryots apply for it.

Darjeeling.—The provisions of section 72 are not very fair; for why should the people of a local area dealt with under division B pay heavier for the decision of their cases than those dealt with under division C? Government should bear all expenses incurred in the preparation of tables.

Section 73.—Darjeeling.—Mr. Wace says:—

"In the second proviso of section 73, I would omit the words 'or on some equitable ground' unless a corresponding proviso is inserted in favour of the landlord. It is conceivable that a ryot, performing certain duties, may by contract or custom be entitled to hold at a rate lower than the rate of the table, but the words I have proposed to omit seem to me too general, and likely to raise questions at any time, which may make the Table of Rates utterly useless. Baboo Taruck Nath Mullick thinks section 73 is not open to objection."

Bastoo land—Sections 85 to 87.

Pubna.—The pleaders approve of the provisions.

Bogra.—Abdoos Soobhan Chowdree is of opinion that the acquisition of occupancy right in homestead lands is a new encroachment on the interests of the landlord.

Julpigoree.—Baboo Taruck Nath Mullick. These sections protect the ryots' interests, but not those of the landlord. It would be unfair to the latter if he were to maintain a person who was at one time a settled ryot in possession of his bastu lands, after he has ceased to be such a ryot.

Enhancement of Rent—Chapter VI, sections 95 (2), 61 (2), and 75 (d); Chapter VIII, section 91, and Chapter IX, section 119.

Pubna.—Mr. Glazier objects to the maximum rates fixed in the Bill, *viz.*, one-fifth of the value of gross produce for occupancy and five-sixteenths for ordinary ryots. In the Serajgunge Sub-division hardly any one

pays more than one-eighth, and the majority probably one-twelfth. He proposes a lower rate, *viz.*, one-fourth to one-fifth for non-occupancy, and one-sixth to one-twelfth for occupancy ryots, according to the discretion of the authority deciding the case. He thinks suits for enhancement of rent should be tried by the revenue courts.

Rajshahye.—Baboo Loke Nath Chuckerbutty, a teacher, points out this anomaly in the provisions of the Bill. Suppose the rent of an ordinary ryot is enhanced to the maximum rate provided in the Bill, namely, five-sixteenths of the value of the produce. He continues to hold the land for upwards of 12 years, and acquires a right of occupancy, would he continue paying the five-sixteenths rate? The Baboo considers the five-sixteenths rate too high.

Bogra.—Abdoos Soobhan Chowdree, zemindar, thinks that an occupancy ryot would gain too much advantage by being allowed to sub-let at so much profit, himself paying one-fifth and realizing five-sixteenths of the value of gross produce from the sub-tenants.

Rungpore.—Some propose that the maximum rate of rent for occupancy ryots should be increased from one-fifth to one-fourth of the value of produce, but the Collector, Mr. Newbery, does not agree with them. As regards the other class of ryots, he is of opinion that their maximum rate should not also be more than five-sixteenths or 30 per cent. of the value of produce.

Julpigoree.—Baboo Taruck Nath Mullick thinks that the restrictions under which the rent of an ordinary ryot is enhanceable and the limit, are unfair to the landlord.

Darjeeling.—Mr. Wace thinks the one-fourth limit originally proposed was fairer than the one-fifth mentioned in sections 59 and 75. Section 76 would prevent the higher limit working oppressively.

Ordinary Ryots—Chapter VIII, sections 88 to 95.

Dinagepore.—Mr. Tute strongly objects to the principle which underlies the provision of section 93, which he thinks has been borrowed from the Irish Land Bill. It would simply be the deliberate creation of a right which has hitherto never existed, and which would deprive the landlord of a part of his property.

Rajshahye.—According to Baboo Loke Nath Chuckerbutty, ten times the yearly increase provided in section 93 (*b*) as compensation is exorbitant.

Pubna.—The Collector quite approves of the provision about compensation for ejectment, as he thinks a reasonable amount of protection should be afforded to every class of ryot. It is not clear whether an under-tenant can under the Bill acquire rights of occupancy, but it is desirable that he should.

Bogra.—Abdoos Soobhan Chowdree thinks that sub-tenants should be permitted to acquire occupancy rights which he might enjoy as long as the superior tenant retained the same.

Julpigoree—Baboo Taruck Nath Mullick thinks sections 88 to 95 would injuriously affect the interests of the landlord.

Darjeeling.—Mr. Wace says :—

CHAPTER VIII.

Seems to me unduly hard on the landlord in two respects. Section 93 (*b*) provides for compensation for disturbance amounting to ten times the yearly increase of rent demanded. I think this should be the maximum, and that it should be at the discretion of the court to award less, the guide being the number of years that the ordinary ryot has held the land. I do not see why a man, who has held land for two years only, should get the same compensation as a man who has held it for eight. Then in section 95 it seems to me hard that because a decree becomes void under section 94, the landlord should be barred from all enhancements for ten years. That he should be barred for that time, if he gets his claim, is fair enough, but circumstances might prevent him from paying the compensation awarded under section 93 within the very short time fixed, and a failure to do so should not, I think, tie his hands for longer than five years at the outside."

CHAPTER IX.

Chapter IXc, section 100 (4) and section 102 (1).—The double penalty seems to me unnecessarily severe. If the payment, for which an informal receipt is given, did not clear the ryot to the date thereof, the landlord forfeits by reason of the informality all balances really due in excess thereof. This is surely quite sufficient without a fine. If the payment really cleared all dues to date, the informality does not matter to the ryot, because he can at the end of the year get a statement of account, and recover a penalty under 102 (2) for refusal thereof. Anyhow might not the loss of real dues entailed by section 100 (4) be deducted from the penalty under section 102 (1), if it is considered necessary to maintain both provisions. It should be remembered that a landlord has often careless and occasionally disaffected servants. Imagine the trouble a gomashta, who was to be turned out at the end of the year, might bring on his master under these sections without any fault of the latter. Surely some provision should be added to provide for such cases. The power to recover damages in the Civil Court from such a servant would be a poor remedy."

CHAPTER IXD.

I hope Government is prepared either to increase the establishments of all revenue officers and treasuries, as a result of the extension of the power to deposit or to create new offices for the purposes of dealing with the applications which will be made. There can be little doubt that the rush on the public offices, whatever they may be, will be great; and I would advise that, as some sort of check, section 107 be expunged. A tenant is not likely to pay anything, unless he knows it to be due to somebody; why then should he get it back at the end of three years. If it were allowed to lapse to Government after that period, the receipts might go towards covering part of the expenditure, to which Government will undoubtedly be committed by these provisions in the tenants' favour.

CHAPTER IXE.

Section 109.—I would add at end of the proviso "on such damages." I do not see why a landlord should not be allowed from a really recusant tenant both interest on his dues and damages.

Julpigoree.—Baboo Taruck Nath Mullick says section 102 (1) is a re-enactment of the existing law on the subject, and sub-sections 2 and 3, though new, are not open to any grave objection, sections 103 to 107 are generally fair, and require no modifications.

Rungpore.—Mr. Newbery would distinctly insert the fee "khurrutcha" in section 123, instead of including it in the words "other like appellations."

Improvements on ryots' holdings, and compensation therefor—Chapter X, sections 126 to 132.

Bogra.—Abdoos Sobhan Chowdree considers the provision of section 129 objectionable, inasmuch as it makes the landlord liable to pay compensation even if the tenant is ousted for wilful non-payment of rent.

Julpigoree.—Baboo Taruck Nath Mullick does not see anything objectionable in these sections.

Darjeeling.—Mr. Wace says :—

"CHAPTER XA.

"The provisions seem to me judicious and fair, but, with reference to section 126, sub-section (2) is not, I suppose, meant to be exhaustive? It includes what is mentioned, but does not, I presume, exclude such improvements as the planting of fruit trees, bamboos, &c."

CHAPTER XB.

I do not see that the power to measure rent-free land, which paragraph 92 of the statements says it is intended to give, accrues on the section as worded. The "which" therein might as well apply to the "lands" as to the "estate" or "tenure."

The Procedure for the recovery of rent—Chapter XIII.

Dinagepore.—There should be some summary procedure to enable the zemindars to realize rents from the ryots. It is also desirable, in view of the very long time which a civil court takes to dispose of a rent suit, to revert to the old procedure under which revenue officers could decide simple rent-suits, and they are more competent for it than moonsiffs.

Bogra.—Radha Raman Moonshee, zemindar, thinks that there should be some easier means for the landlord to realize the rent from the tenants.

Julpigoree.—Baboo Taruck Nath Mullick is of opinion that the provisions of Chapter XIII are decided improvement on the existing law on the subject, and they would prevent an unscrupulous landlord from harassing his ryots.

Pubna.—The pleaders object to the restrictions on distraint, paragraph 3 (6).

Darjeeling.—The provision of Chapter XIII is a judicious compromise between contending parties, but it would be better if applications for distraint were made to revenue officers whose proceedings are prompter than those of the civil courts.

ENCLOSURE No. 2.

There is one point in which the bearing of this Act on the Hill Tract, should it be extended to Darjeeling under the Scheduled Districts Act, has to be considered. You are aware that a portion of most tea estates is cultivated with native crops by the labourers of the estate, no rent is charged for the little plots these men hold: the plots really represent part of the wages of labour. There is, however, no doubt that on the older tea gardens there are many men who have cultivated land for 12 years or more thereon. I presume that in the land allotted to labourers under these circumstances, no rights of occupancy could accrue, and that the holding of the labourer would not be considered the holding of a raiyat under section 45 (1). I state the case, because there is no definition of a "raiyat" in the Act, though I presume that payment of rent is necessary to constitute such a relation, and because the land I have described scarcely falls within the definition of "khamar land" as given in section 5, and section 6 declares that all land, not khamar, shall be deemed "raiyati." The tenure described might perhaps be brought within the scope of section 4 (9) as a service-tenure, and thus be unaffected by the Act; but I would draw your attention to the definition of the word "tenure" in section 3 (3), and would suggest the addition of the word "tenancy" in section 4 (9). Tenancy meaning the holding of a "tenant" [section 3 (8)].

6. Considering now the Act with reference to that tract which it will chiefly affect, viz., the Terai, I have to make the following observations:—Chapter I. It seems to me that, as it stands, it will work a revolution there in one respect: our jotedars will, on the wording of section 3, become "proprietors"; each of the Terai jotes is entered in the registers maintained under Act VII of 1876 (B.C.) I may state briefly the history of this proceeding. Mr. Edgar, in this office No. 324, dated 24th November 1876, with reference to the introduction of that Act, remarked—"It appears clear that the Terai jotes are revenue-paying estates." You stated the case to the Board in your No. 788, dated 28th February 1877, giving it as your opinion that "all these tenures in Government tracts of land held khas should be treated as tenures." The Board accepted this view in their No. 703A, dated 16th March 1877, and declared that "the Terai jotes should not be registered under any circumstances as estates." Mr. Edgar then recommended that, though recognised as "tenures," they should be dealt with under clause *c*, paragraph 2, section 3, of Act VII of 1876 (B.C.) *vide* paragraph 6 of this office No. 185, dated 16th June 1877). You supported this suggestion, and the Board in their No. 287A, dated 7th July 1877, ruled that the 808 jotes of the Terai should be "dealt with under clause *c*, paragraph 2, section 3, each jote being treated as a separate Government estate, and entered in Register A." As the definitions, therefore, now stand in section 3 of the Draft Act, our jotedars are "proprietors," for, according to the definition of their rights in the Terai pottah, they seem to me to "own" their jotes.

7. Now so far as their relations with Government are concerned, the Act will make no difference. Section 4 saves "enactments regulating procedure for realization of rents in estates belonging to Government." It is in the position of their sub-tenants that the alteration of their status involved in the definition alluded to would make the difference. Their sub-tenants are known by the names of "ticcadars" or "mallandars" and "adhyadars." The ticcadar tenure of the Terai must not be confounded with that of Behar and the rest of Bengal. The ticcadar is really an "under-raiyat," the "kurfa" of the greater part of Bengal. The "adhyadar" gets a share of the crop, generally half of it, in consideration of his labour throughout the year. He is practically a farm labourer, the jotedar supplying seed, cattle, and implements.

8. If our jotedars are raiyats, their ticcadars cannot be recognized, either at once or hereafter, as occupancy or settled raiyats, for they will fall within the definition of "under-raiyat," and there is no such established custom as would give them as such a right of occupancy under section 4(*a*), and the illustration attached thereto. On the other hand, if the Act stands as it is, our jotedars become "proprietors," and the majority of their ticcadars will become occupancy or settled raiyats.

9. If it should not be the intention of Government to give our jotedars the position of "proprietors," then an alteration of section 3 is necessary, so as to make "estate" applicable only to lands registered under clauses *a* and *b* of paragraph 2 of section 3 of the Land Registration Act. The question should, to my mind, be decided with reference chiefly to the interest of the under-tenants. Although it has been the fashion in the past to deny that the sub-tenants of Terai jotedars have any occupancy rights, I believe that even under the Acts now in force such rights have been acquired, were this class only in a position to assert them. But anyhow it would be entirely in accordance with the spirit of the new Act to recognize the majority of these men as settled ryots. Let us then by all means call our jotedars proprietors, if this is the only way of making their subordinates "raiyats." If, however, it can be held on the Act as worded, or as it may be altered, that the jotedar is a "tenure-holder," and that his ticcadar may be a raiyat under him, I think it would be more consistent with the history of the registration of jotes, as stated above, and with actual facts, to call the jotedars "tenure-holders," and to make the alteration in the definition of "estate," which I have suggested.

10. It will perhaps facilitate the settlement of this question, if I give the following particulars as to the position of our jotedars. The settlement papers show them to be 782 in number, and the total assessed area being 123,670 acres. The average size of a jote may be taken as 158 acres. About 163 of the jotes are held by absentees, and these are generally sublet to ticcadars, who again sublet what they cannot cultivate themselves to dur-ticcadars. Few of the resident jotedars are in a position to cultivate the whole of their jotes, and what they cannot manage either by their own or a dhyadar's labours, they sublet to ticcadars.

11. If the jotedar can be held to be a "tenure-holder," perhaps the simplest way out of the difficulty I have exposed would be to add at the end of section 3 (4) the following words :—"The registration of a 'tenure' under clause (c) of paragraph 2 of section 3 of the Land Registration Act VII of 1876 (B.C) shall not thereby constitute it an estate within the meaning of paragraph (1). Possibly this difficulty may have arisen in other districts with reference to large holdings similar to our Terai jotes. I can, however, only suggest an amendment which will suit the circumstances of this district.

12. Anyhow, it seems to me doubtful whether the bearing of the definitions now given, or the position of kurfa raiyats in Government estates, has been fully considered. There must surely be lands in Julpigorie, Noakholly, and Chittagong, if not elsewhere, held by men of substance, who are above the position of what I presume the Act means by a "raiyat," and whose sub-tenants, even if they have not already acquired occupancy rights, should at least now be given the benefit of sections 44 and 45 of the Draft Act. I cannot but think it a mistake that a positive definition of the word "raiyat" has not been attempted.

CHAPTER II.

13. What I have said above as to the Act, as now worded, making the Terai jotedars "proprietors," must be borne in mind also with reference to the definition of "khamar" land. If they do get this status, no occupancy rights are likely to accrue after the passing of this Act in lands to which jotedars now apply their own seed, cattle, and implements, even though the labour by which these are worked be not theirs, but that of adhyadars. This seems to me an additional reason for wording the Act, so as to make them tenure-holders only. I must declare myself in favour of the general principle involved in this chapter, viz., the disability of the proprietor to increase, after the passing of this Act, the existing stock of "khamar" land so far as large proprietors are concerned.

14. The provision, however, would in my opinion work hardly against petty proprietors and lakhrajdars, and I should be glad to see it altered so as to protect them. It must be considered with section 56, and I beg that what I urge against that section may be read with the following remarks. I sympathise with the desire to prevent the unwarranted extension of zerat lands in Behar beyond what is necessary for the purposes of the "malik," and often entirely in the interests of an indigo planter holding a temporary lease of the village, but I do think it hard that in consequence of the scandals of past years in one division of this province, the hands of poor men in the other divisions should be tied, and their means of subsistence curtailed. The provisions of the law are strong enough to protect a settled and an ordinary ryot from arbitrary ejectment, but if an owner of a small property does in any legal way got possession of "ryoti" land, it would be a grievous hardship to prevent him from doing as he liked with it. He might be able to make more of it by cultivating it himself than by letting it, especially if the letting could only be on the terms of section 56. No one with any knowledge of mofussil life will deny that among the class of proprietors, as defined in section 3, there are numerous persons whose circumstances are harder than many of the raiyat class in whose interests these sweeping proposals are made, and to sacrifice them on account of the grasping propensities of wealthy maliks and planters in Behar would be a gross injustice.

CHAPTER V.

16. The bearing of the definition of the word "estate" in section 3 on the Terai jotes must be again borne in mind here. If the definition is left as it is, and the "jote" is an "estate," which is to be taken as the area within which the continuous holding of section 45 must take place—the village or the estate? The 782 jotes are comprised within 13 mouzahs, and the average size of a jote is, as I have said, only 158 acres. If the area is taken as the "mouzah," A having held a portion of jote 604 in mouzah Talas continuously for 12 years, may, if he gets a footing as a ryot in jote 605 in the same mouzah next year, set himself up as a settled ryot in jote 605 also The difficulty remains the same even if the Act is altered, so as to make a jote a tenure, and not an estate. Then the area would clearly be the mouzah, and it seems to me rather hard that, in the case above quoted, A should merely, by reason of his position in jote 604 belonging to B, jump suddenly into the status of a settled ryot. As regards land acquired in jote 605 belonging to C, you may say it is C's own look-out if he lets A into jote 605, so it is; but it seems to me a great mistake to put obstacles in the way of C letting his land to a man like A, who, from his status in jote 604, would probably be an infinitely better tenant and a better subject of Government than the squatter whom C would be compelled to get hold of if he could not let the land to A.

17. This, of course, is one corollary of the words "notwithstanding any contract to the contrary." But for these words C would be able to say to A, "I will let you the land in jote 605, on condition that your status as a settled ryot in jote 604 does not extend to my jote." I entirely sympathise with the object with which these clauses are inserted, as stated in paragraph 33 of the "statement," but, as it stands, it seems to me to go too far. The difficulty might perhaps be surmounted by a proviso to section 45, declaring that the contract alluded to in sub-section shall be a contract between the raiyat and the owner of the village or estate within which the status of a settled raiyat has been acquired, sub-section (b) of section 43 would prevent this proviso working unfavourably against raiyats of an estate which has been partitioned. There must be in every district parallel cases to that now put. For instance, why should Z, who may in respect of the mal land in a mouzah be fairly considered a settled raiyat, assume the same position against X, a lakhirajdar, if the latter thought fit to let to him part of his lakhiraj holding. The principle for which I contend is the same as that involved in the proviso of section 57.

GOVERNMENT OF INDIA.

DEPARTMENT OF FINANCE AND COMMERCE.

Comparative Statement of the Nett Indian Sea and Land Customs Revenue (excluding Salt Revenue) for the first six months of the official year 1883-84, and of the twelve preceding years.

(IN THOUSANDS OF RUPEES.)

YEAR.	FOR THE SIX MONTHS, APRIL TO SEPTEMBER. Bengal.				Bombay.				Sindh.				Madras.				British Burma.				Total British India					YEAR.
	On Imports of Liquors	On other Imports	On Exports	Total Revenue	On Imports of Liquors	On other Imports	On Exports	Total Revenue.	On Imports of Liquors	On other Imports	On Exports	Total Revenue	On Imports of Liquors	On other Imports	On Exports	Total Revenue	On Imports of Liquors	On other Imports	On Exports	Total Revenue.	On Imports of Liquors	On other Imports	Total Import Revenue	Export Revenue.	Total Revenue.	
1871-72	5,38	36,51	10,61	52,53	3,81	18,83	1,84	24,48	66	50	68	1,84	1,76	6,22	7,32	15,30	78	2,00	9,51	12,29	12,39	64,09	76,48	29,96	1,06,44	1871-72.
1872-73	6,59	36,64	11,24	51,57	2,70	19,48	1,54	23,72	53	40	1,09	2,11	1,94	5,85	5,64	13,43	1,06	2,25	18,00	21,85	13,36	64,71	78,07	37,61	1,15,68	1872-73.
1873-74	5,16	32,43	8,39	45,98	2,91	17,90	1,53	22,34	58	33	58	1,49	1,84	6,68	7,21	15,73	1,62	2,39	14,08	18,00	12,11	59,64	71,75	31,79	1,03,54	1873-74.
1874-75	5,65	38,28	6,22	50,15	3,20	19,74	1,61	24,55	59	30	66	1,55	1,74	6,95	6,74	15,43	2,02	3,18	9,77	14,98	13,51	68,45	81,96	25,00	1,06,96	1874-75.
1875-76	6,14	38,71	7,63	52,48	3,34	20,11	3,40	26,85	62	42	87	1,91	2,10	7,21	6,92	16,23	1,80	2,51	17,51	21,62	14,00	68,76	82,76	36,33	1,19,09	1875-76.
1876-77	6,31	30,89	6,07	43,27	3,92	17,55	52	21,99	70	32	11	1,13	2,82	6,55	4,34	13,71	2,23	2,53	12,40	17,16	15,98	57,84	73,82	23,44	97,26	1876-77.
1877-78	7,05	39,19	7,27	53,51	4,37	21,09	49	25,95	1,08	36	18	1,62	2,50	3,85	85	7,26	2,42	2,72	9,30	14,44	17,48	67,21	84,69	18,09	1,02,78	1877-78.
1878-79	6,55	31,32	6,59	44,46	4,05	18,70	1,07	23,82	91	25	10	1,26	2,97	4,74	2,05	9,76	3,63	3,34	12,94	19,91	18,11	58,35	76,46	22,75	99,21	1878-79.
1879-80	5,92	31,25	4,30	41,47	4,39	15,84	86	21,09	1,49	38	10	1,97	2,61	4,11	2,72	9,77	3,25	3,05	16,89	23,29	17,79	54,93	72,72	24,87	97,59	1879-80.
1880-81	6,57	29,00	5,15	40,72	4,15	22,93	77	27,85	2,11	54	10	2,75	2,30	5,28	4,72	12,19	2,34	3,80	18,30	24,44	17,56	61,55	79,11	28,84	1,07,95	1880-81.
1881-82	6,72	[illegible]	[illegible]	[illegible]	5,03	20,69	72	26,44	1,89	58	14	2,61	2,42	5,02	3,11	10,55	3,33	3,76	[illegible]	28,76	19,39	58,26	77,64	83,06	1,10,70	1881-82.
1882-83	7,01	[illegible]	7,35	14,36	6,48	[illegible]	[illegible]	[illegible]	1,71	3	25	1,99	[illegible]	1	2,10	[illegible]	[illegible]	3	26,41	30,43	20,46	—98*	19,48	36,73	56,21	1882-83.
1883-84	6,95	6	8,99	16,00	5,27	20	52	5,99	1,75	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	5,41	3,81	8	19,32	23,21	20,40	42	20,82	31,74	52,56	1883-84.

* The amount refunded is greater than the duty collected.

DEPARTMENT OF FINANCE AND COMMERCE,
STATISTICAL BRANCH;
Calcutta, 19th October 1883.

D. BARBOUR,
Secretary to the Government of India.





The Gazette of India

EXTRAORDINARY.

Published by Authority.

CALCUTTA, SATURDAY, OCTOBER 27, 1883.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Calcutta, the 27th October 1883.

In continuation of the notification published in the *Gazette of India* of the 13th October 1883, regarding the arrival of His Excellency the Viceroy in Calcutta, it is hereby notified that a Guard of Honor of the Calcutta Volunteer Rifle Corps with Band will be drawn up in front of the Grand Staircase of Government House, Calcutta, in addition to the Guard of Honor of British Infantry, also a Guard of Honor of the East Indian Railway Volunteers will be drawn up on the platform of the Howrah Railway Station.

By Command,

WILLIAM BERESFORD, *Captain,*

Military Secretary to the Viceroy.

Printed & published for the GOVT. OF INDIA *at the* OFFI[illegible] *Street, Calcutta.*





The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 27, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 27th October 1883.

From the 24th of November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 17th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurrumtollah Street, Calcutta.

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts is R5 per annum, payable in advance. When sent by post, R2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

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Subscription for *Gazette* and Supplement per annum	15	0	0
Postage	5	8	0
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For a single copy of the Supplement	0	4	0

Postage on single copies varies according to weight.

E. J. DEAN,

Publisher, Gazette of India.

SURVEY OF INDIA—REVENUE BRANCH.

NOTIFICATION.

Naini Tal, the 5th October 1883.

No. 9 *R.-F.*—Mr. G. S. Willes, Assistant Surveyor, 3rd Grade, has passed an examination in Hindustani by the 1st or Lower Standard, as laid down in G. O., Military Department, No. 734, dated 9th September 1864.

J. SCONCE, *Lieut.-Col.,*

Deputy Surveyor General,
in charge Revenue Surveys.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 3rd October 1883.

No. 29.—The services of the undermentioned passed medical pupils of the military establishment are placed temporarily at the disposal of the Agent, Governor General, Rajputana, for civil employment:—

No. 496, Chunda Singh.
„ 500, Futteh Mohamed.
„ 520, Gocul Chund.
„ 521, Geyan Chund.

J. M. CUNINGHAM, M.D.,

Surgeon-Genl. with the Govt. of India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 17th October 1883.

No. 2782.—Surgeon-Major R. Caldecott, in medical charge of the 2nd Central India Horse,

and of the Goona Political Agency, is granted sixty days' privilege leave from the forenoon of the 20th September 1883.

By Order,

A. M. MUIR, *Captain,*
2nd Asst. Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 17th October 1883.

No. 3920 *G.*—Lieutenant-Colonel G. L. K. Hewett, Commandant, Erinpura Irregular Force, returned to duty on the 11th October 1883 from the privilege leave granted him in this Office Notification No. 2149 G., dated 26th June 1883.

The 20th October 1883.

No. 3967 *G.*—The following Passed Medical Pupils, transferred by the Surgeon-General with the Government of India for temporary service in Rajputana, are placed, with effect from the date of their being struck off military duty, on the Reserve List of the Civil Hospital Assistant Establishment. During the time of their employment in Rajputana they will receive pay as 3rd Class Hospital Assistants temporarily lent by the Military Department:—

Passed Medical Pupil No. 496, Chunda Singh, Q.E.

Passed Medical Pupil No. 500, Futteh Mahomed, Q.E.

Passed Medical Pupil No. 520, Gocul Chund, Q.E.

Passed Medical Pupil No. 521, Geyan Chund, Q.E.

No. 3969 *G.*—Jemadar Kulla, of the Merwara Battalion, to be Native Adjutant of the Force, with effect from the 24th September 1883, *vice* Jemadar Ram Lall, promoted.

By Order,

E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER, AJMER-MERWARA.

NOTIFICATION.

Mount Abu, the 16th October 1883.

No. 880.—Consequent on the death of Munshi Guneshi Lal, Tehsildar, 1st Class, Todgurh, the following transfers will have effect from 27th September 1883:—

Munshi Punna Lal, Tehsildar, 2nd Class, Ajmer, to be transferred to Beawur as Tehsildar, 1st Class.

Munshi Jagat Narain, Officiating Tehsildar, Beawur, to be transferred to Todgurh as Officiating Tehsildar, 2nd Class.

Mir Akber Ali, Superintendent, Commissioner's Vernacular Office, to officiate as Tehsildar, 3rd Class, Ajmer, with the following powers:—

(*a*) Powers of a Magistrate of the 2nd Class, as defined in Section 32, Clause B, of the Criminal Procedure Code.

(*b*) Powers of a Munsiff in civil suits not exceeding R100 in value.

By Order,

E. A. FRASER,
1st Asst. to the Chief Commr.

RESIDENT IN MYSORE.

NOTIFICATION.

Camp Hunsur, the 18th October 1883.

No. 18.—Surgeon P. H. Benson, M.B., Officiating Civil Surgeon, Mysore, and Chemical Examiner to the Government of Mysore, is appointed Chemical Examiner for the Civil and Military Station of Bangalore, except in regard to cases likely to be committed to the Madras High Court.

By Order,

H. WYLIE, *Major,*
Assistant to the Resident.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 17th October 1883.

No. 51.—Captain B. Scott, R.E., Assistant Engineer, 1st Grade, is, on return from furlough, posted to the Hurnai Road Works.

The 20th October 1883.

No. 52.—With reference to Public Works Department Notification No. 237, dated 18th October 1883, Mr. W. Michell, Assistant Engineer, 1st Grade, is posted to the Rajputana-Malwa Railway.

H. F. HANCOCK, *Col., R.E.,*
Offg. Director General of Railways.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1883.	R	R	R	R	R	R
Oct. 15	Holidays.					
" 16						
" 17						
" 18	.	...	...	4,90,506	54,89,424	40,91,967
" 19	...	...	1,769	4,97,700	54,97,589	40,95,777
" 20	.	...	...	4,97,700	54,97,589	40,93,777

J. F. TENNANT, *Major-Genl., R.E.,*
Mint Master.

CALCUTTA MINT,
The 22nd October 1883.

COMPTROLLER GENERAL'S OFFICE.

TELEGRAPHIC STATEMENT OF RECEIPTS AND OUTGOINGS FROM TREASURIES DURING SEPTEMBER 1883.

Thousands of Rupees.

	Civil Revenue.	Civil Debt and Remittance Heads.	Forest, Telegraph, and Marine.	Post Office.	Guaranteed Railways.	Military Department.	P. W. Department.	Opening Balance.	TOTAL.
Receipts.	R	R	R	R	R	R	R	R	R
India General	9,22	2,07,12	18	3,17	5,98	45	36,22	2,88,79	5,51,13
Central Provinces	4,24	6,21	91	1,68	...	7	70	73,82	87,63
British Burmah	19,01	7,65	1,96	2,23	...	13	95	54,85	86,78
Assam	5,37	6,88	22	1,40	...	3	10	31,29	45,29
Bengal	1,70,89	62,54	1,82	7,50	...	10	4,40	1,02,00	3,49,25
N.-W. Provinces and Oudh	22,52	54,11	54	2,65	3,37	41	1,43	2,60,50	3,45,53
Punjab	12,16	62,37	79	2,67	5,73	52	4,91	1,08,79	1,97,94
Madras	31,10	49,93	1,07	3,80	8,84	44	57	1,48,38	2,44,13
Bombay	47,43	1,17,52	2,04	4,92	23,06	55	4,25	2,27,00	4,26,77
Remittance Adjustment	...	+12,63	...	...	...	...	...	—5,13	+7,50
TOTAL RECEIPTS	3,21,94	5,86,96	9,53	30,02	46,98	2,70	53,53	12,90,29	23,41,95
Outgoings.									
India General	25,31	1,90,23	1,40	46	2,73	16,10	17,46	2,97,44	5,51,13
Central Provinces	4,52	6,59	36	12	...	2,54	1,57	71.93	87,63
British Burmah	6,89	7,24	1,55	5	...	2,19	5,17	63.69	86,78
Assam	4.74	10,40	27	41	...	79	89	27,79	45,29
Bengal	49,04	1,42,98	1,00	7,00	...	1,51	13,63	1,34,09	3,49,25
N.-W. Provinces and Oudh	39,99	79,14	98	7,44	5,63	15,81	9,44	1,87.10	3,45,53
Punjab	12,29	44,29	84	2,92	3.18	20,62	15,67	98.13	1,97,94
Madras	28,36	65,43	1,48	4,01	4,50	14.14	7,57	1,18,64	2,44,13
Bombay	24,97	88,71	3,02	4,13	14,80	13,76	14,56	2,62,82	4,26,77
Remittance Adjustment	...	.	...	...	...	...	...	+7,50	+7,50
TOTAL OUTGOINGS	1,96,11	6,35,01	10,90	26,54	30,84	87,46	85,96	12,69,13	23,41,95

SUMMARY OF ACCOUNTS FOR THE SIX MONTHS ENDING SEPTEMBER 1883.

Lakhs of Rupees

	RECEIPTS.					OUTGOINGS.				
	Accounts till July.	TELEGRAPHIC.		Total. 6 months	Budget Estimate. 6 months.	Accounts till July.	TELEGRAPHIC.		Total. 6 months.	Budget Estimate. 6 months.
		August	Sept.				August.	Sept.		
Civil Revenue	17,98	2,81*	3,24*	24,03	23,69	...	...	...	...	...
Civil Expenditure	...	...	...	...	...	8,43	2.27	1,97	12,67	13,15
Military Department	24	4	3	31	43	3,86	89	88	5,63	5,93
Public Works Department	3,11	59	54	4,24	...	4,40	88	86	6,14	2,55
Forest, Telegraph, and Marine Dept. (net)	...	...	...	...	...	6	...	2	8	8
Post Office Department (net)	17	5	3	25	12	..	...	...	...	...
Guaranteed and Subsidized Railways	1,82	27	16	2,25	1,38	.	...	...	...	...
Imperial Loan	1	1,18	55	2,01	2,54	...	...	...	...	...
Council Bills, including Exchange	...	..	...	...	...	8,45	1,59	1,05	11,09	9,43
Mint and Coinage Accounts	...	...	...	...	...	—27	9	—14	—32	...
Civil Debt and Remittance (net)	29	—13	—12	4	21	...	...	..	...	...
Total	23,62	5,11	4,43	33,16	28,37	24,93	5,72	4,64	35,29	31,14
Opening Balance	14,82	13,51	12,90	14,82	13,84	..	..	...	...	...
Closing Balance	...	...	...	...	...	13,51	12,90	12,69	12,69	11,07
GRAND TOTAL	38,44	18,62	17,33	47,98	42,21	38,44	18,62	17,33	47,98	42,21

* Includes Forest in Madras and Bombay.

J. WESTLAND,
Comptroller General.

The 9th October 1883.

No. 1675.—*Account of Revenue and Expenditure of the Government of India for the first two*

N. B.—Amounts are converted into

	REVENUE.	Estimates, 1883-84.	April to May 1882.	April to May 1883.	COMPARISON OF TWO YEARS.	
					Increase.	Decrease.
		£	£	£	£	£
I	Land Revenue*	22,338,200	3,737,020	3,829,271	92,251	...
II	Opium	9,200,000	1,525,426	1,493,165	...	32,261
III	Salt	6,167,000	1,151,206	1,086,765	...	64,441
IV	Stamps	3,427,200	557,923	585,463	27,540	...
V	Excise	3,623,300	602,606	628,521	25,915	...
VI	Provincial Rates	2,688,200	514,244	523,597	9,353	...
VII	Customs	1,255,100	264,314	269,259	4,945	...
VIII	Assessed Taxes	523,400	145,092	172,353	27,261	...
IX	Forest	933,300	38,411	100,959	62,548	...
X	Registration	280,400	46,627	48,478	1,851	...
XI	Tributes from Native States	701,000	83,579	82,324	...	1,255
XII	Post Office	1,010,900	166,447	170,690	4,243	...
XIII	Telegraph	514,100	61,642	67,174	5,532	...
XIV	Mint	102,000	51,112	9,007	...	42,105
XV	Law and Justice	645,000	78,760	81,277	2,517	...
XVI	Police	226,200	35,499	46,014	10,515	...
XVII	Marine	207,100	19,490	20,856	1,366	...
XVIII	Education	204,900	28,240	33,201	4,961	...
XIX	Medical	46,600	3,845	9,340	5,495	...
XX	Scientific and other Minor Departments.	70,000	5,501	9,452	3,951	...
XXI	Interest	616,000	151,606	148,027	...	3,579
XXII	Receipts in aid of Superannuation, &c.	193,500	13,838	20,345	6,507	...
XXIII	Stationery and Printing	57,200	6,956	5,803	...	1,153
XXIV	Miscellaneous	260,100	32,834	28,654	...	4,180
		55,320,700	9,322,218	9,469,995	147,777	...
	Productive Public Works.					
XXV	State Railways (Gross Earnings)	2,730,500	366,439	557,669	191,230	...
XXVI	Guaranteed and Subsidized Railways (Net Traffic Receipts).	3,539,000	1,226,611	1,453,793	227,182	...
XXVII	East Indian Railway (Net Traffic Receipts).	2,907,000	520,360	611,823	91,463	...
XXVIII	Irrigation and Navigation (direct Receipts).	885,400	15,129	91,900	76,771	...
XXIX	Madras Irrigation and Canal Company (Net Traffic Receipts).	...	...	...	...	...
	Unproductive Public Works.					
XXXI	State Railways	191,900	...	6,719	6,719	...
XXXII	Subsidized Railways	10,000	...	...	...	...
XXXIII	Irrigation and Navigation	141,300	2,782	13,042	10,260	...
XXXIV	Military Works	39,200	...	3,523	3,523	...
XXXV	Civil Buildings, Roads and Services	463,900	59,693	71,086	11,393	...
XXXVI	Army	824,800	143,714	122,028	...	21,686
XXXVII	Military Operations in Afghanistan	...	...	...	...	...
	Do. do. in Egypt	...	...	444	444	...
		67,053,700	11,656,946	12,402,022	745,076	...
	England, including Army, Public Works, &c.	220,300	45,831	46,958	1,127	...
	GRAND TOTAL	67,274,000	11,702,777	12,448,980	746,203	...

* Includes Land Revenue due to Irrigation, which cannot be separated in the Monthly Accounts.

THE TREASURY,

Calcutta, the 25th October 1883.

months of the year 1883-84, as compared with the corresponding period of 1882-83.

sterling at R10 to the pound sterling.

	EXPENDITURE.	Estimates, 1883-84.	April to May 1882.	April to May 1883.	COMPARISON OF TWO YEARS.	
					Increase.	Decrease.
		£	£	£	£	£
1	Interest on Ordinary Debt†	3,713,100	760,256	785,809	25,553	...
2	Do. on Deposits	437,400	46,829	22,970	...	23,859
3	Refunds and Drawbacks	195,900	75,920	34,916	...	41,004
4	Assignments and Compensations	1,246,100	191,216	240,841	49,625	...
5	Land Revenue	3,210,800	464,736	468,989	4,253	...
6	Opium (including cost of production)	2,164,300	1,201,236	774,960	...	426,276
7	Salt (do. do.)	546,300	64,556	67,411	2,855	...
8	Stamps	79,600	12,996	13,481	484	...
9	Excise	94,400	16,707	15,691	...	1,016
10	Provincial Rates	51,100	3,615	3,455	...	160
11	Customs	143,700	32,955	22,653	...	10,302
12	Assessed Taxes	14,000	1,435	1,554	119	...
13	Forests	671,560	28,504	77,439	48,935	...
14	Registration	186,300	28,668	30,725	2,057	...
15	Post Office	1,120,800	177,020	178,382	1,362	...
16	Telegraph	543,600	72,627	78,987	6,360	...
17	Mint	71,200	12,727	14,187	1,460	...
18	General Administration	1,315,900	206,413	203,849	...	2,564
19	Law and Justice	3,345,100	511,896	524,687	12,791	...
20	Police	2,708,000	413,930	435,133	21,203	...
21	Marine (including river Navigation)	378,700	52,892	55,836	2,944	...
22	Education	1,199,800	167,929	176,354	8,425	...
23	Ecclesiastical	167,300	27,292	25,492	...	1,800
24	Medical	715,200	105,884	116,625	10,741	...
25	Political	415,100	114,807	73,188	...	41,619
26	Scientific and other Minor Departments	475,000	69,928	97,822	21,894	...
27	Territorial and Political Pensions	664,100	117,540	110,589	...	6,951
28	Civil Furlough and Absentee Allowances	1,500	554	123	.	431
29	Superannuation Allowances and Pensions	756,300	186,297	186,006	...	291
30	Stationery and Printing	329,000	49,178	55,871	6,693	...
31	Miscellaneous	334,900	41,173	38,954	...	2,219
32	Famine Relief	12,500	1,006	103	...	903
33	Protective Works—Railways	1,012,500	62,064	29,425	...	32,639
34	Do. do. Irrigation	343,300	51,401	43,581	...	7,820
35	Reduction of Debt	131,700	...	...	...	...
51	Exchange on transactions with London	3,548,000	358,424	792,895	434,471	...
		32,344,000	5,730,611	5,792,983	62,372	...
	Productive Public Works.					
36	State Railways (Working and Maintenance)	1,572,800	196,985	277,501	80,516	...
37	Guaranteed and Subsidized Railways (Interest and Profits).	588,500	85,617	99,319	13,702	...
38	East Indian Railway (Interest and Profits)	188,400	...	83,514	83,514	...
39	Irrigation and Navigation (Working and Maintenance).	549,300	23,507	71,208	47,701	...
40	Madras Irrigation & Canal Co. (Interest, &c.)	...	...	...	...	...
	Unproductive Public Works.					
42	State Railways (Capital Account)	510,400	54,313	45,526	...	8,787
43	Do. (Working and Maintenance)	184,800	.	16,069	16,069	...
44	Subsidized Railways	74,300	5,329	6,546	1,217	...
	Southern Mahratta Railway	84,800	...	...	...	...
45	Frontier Railways	67,500	59,417	−26,955	...	86,372
46	Irrigation and Navigation	802,000	70,352	117,493	47,141	...
47	Military Works	999,600	...	108,801	108,801	...
48	Civil Buildings, Roads and Services	4,202,000	244,980	466,252	221,272	...
49	Army	12,018,800	2,037,062	1,947,141	...	89,921
50	Military Operations in Afghanistan	.	404	...	..	404
	Do. do. in Egypt	. .	..	15,477	15,477	...
		54,184,200	8,508,577	9,020,875	512,298	...
	England, including Army, Public Works, Guaranteed Interest, &c.	14,132,100	2,661,314	2,902,626	241,312	...
		68,316,300	11,169,891	11,923,501	753,610	...
	Productive Public Works—Capital Expenditure.					
	In India—					
52	State Railways	1,583,000	97,570	205,193	107,923	...
53	East Indian Railway	424,000	99,623	38,547	...	61,076
54	Irrigation and Navigation	955,500	68,328	91,495	23,167	...
55	Miscellaneous Public Improvements	23,000	3,869	3,265	. .	604
	In England—					
	State Railways	812,000	57,038	110,214	53,176	...
	Irrigation and Navigation	22,600	...	1,875	1,875	...
	East Indian Railway	...	102,219	77,062	...	25,157
		3,820,100	428,647	527,951	99,304	...
	GRAND TOTAL	72,136,400	11,598,538	12,451,152	852,914	...

† Includes Interest on Debt incurred for Productive Public Works, which cannot be separated in the Monthly Accounts.

E. W. KELLNER,
Deputy Comptroller General.

J. WESTLAND,
Comptroller General.

2 b

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th October 1883.

PARTICULARS.	3½ PER CENT. TRANSFER LOAN OF 1853-54.	4 PER CENT. LOANS — Of 1832-33	Of 1835-36	Of 1842-43.	Of 1854-55.	Transfer of 1865	Reduced 4 per cent. Loan of 1879.	Reduced 4 per cent Loan of 1881.	TOTAL.	4½ PER CENT. LOANS — Of 1870.	Of 1878.	TRANSFER LOAN OF 1879, 4½ PER CENT. PORTION.	TOTAL.	TRANSFER LOAN OF 1879, SEVEN SHILLINGS PER CENT. PORTION.	5 PER CENT. DEBENTURE LOAN OF 1867-68	5 PER CENT. LOAN OF 1856-57.	GRAND TOTAL.
Balance of 30th September 1883	54,100	12,94,827	29,53,400	2,39,57,500	1,02,47,200	2,67,61,537	2,67,40,700	...	9,19,55,164	47,78,600	1,03,41,600	10,01,72,700	11,52,92,900	1,26,500	2,000	60,200	20,74,90,864
Add—																	
Amount enfaced at Madras between 1st and 15th October 1883		...	...	...	...	42,500	...	...	42,800	...	12,000	10,500	22,500	...	...	...	65,300
Amount enfaced at Bombay between 1st and 15th October 1883	...	...	...	1,000	...	8,000	...	...	9,000	...	...	...	...	...	...	...	9,000
Amount enfaced at Calcutta between 1st and 15th October 1883	...	...	...	20,000	...	25,500	500	...	46,000	...	1,500	10,500	12,000	...	...	...	58,000
	54,100	12,94,827	29,53,400	2,39,78,500	1,02,47,200	2,68,37,537	2,67,41,200	..	9,20,52,964	47,78,600	1,03,55,100	10,01,93,700	11,53,27,400	1,26,500	2,000	60,200	20,76,23,164
Deduct—																	
Amount written off in the London Registers	...	...	5,000	32,000	.	.	..	.	37,000	...	86,000	1,15,000	2,01,000	...	...	...	2,38,000
Balance on 15th October 1883	54,100	12,94,827	29,48,400	2,39,46,500	1,02,47,200	2,68,37,537	2,67,41,200	..	9,20,15,964	47,78,600	1,02,69,100	10,00,78,700	11,51,26,400	1,26,500	2,000	60,200	20,73,85,164

NOTE.—From 9th June 1867 to 15th Aug. 1883, enfaced from India 4,303 lakhs; re transferred from London, 4,092 lakhs.

" 16th Aug. 1883 to 31st "	3 "	"	6 "
" 1st Sept. " to 15th Sept. "	19 "	"	5 "
" 16th " " to 30th "	5 "	"	7 "
" 1st Oct. " to 15th Oct "	1 "	"	2 "
	4,331 lakhs.		4,112 lakhs.
	4,112 "		
Balance against India	719 lakhs.		

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 19th October 1883.

R. HARDIE,
Secretary and Treasurer.

Statement of the Affairs of the Bank of Bengal for the week ending 19th October 1883.

LIABILITIES.	R	a.	p.		R	a.	p.
Capital paid-up				. . . . . .	2,00,00,000	0	0
Reserve Fund				. . . . . .	35,10,581	4	4
Public Deposits at Head Office	99,80,667	4	2	}	2,62,65,960	7	4
Public Deposits at Branches	1,69,85,293	3	2	}			
Other Deposits at Head Office and Branches				. . . . . .	2,07,56,000	3	3
Bank Post Bills, &c.				. . . . .	4,07,530	9	9
Sundries				. . . . . .	12,72,940	3	9
RUPEES				.	7,22,13,012	12	5

ASSETS.	R	a.	p.		R	a.	p.
Government Securities				. . .	50,52,639	5	0
Other authorized Investments				. .	53,46,607	8	0
Loans on Government and other authorized Securities				. . .	1,41,48,335	11	0
Accounts of Credit on Government and other authorized Securities				. .	55,00,075	8	11
Bills discounted and purchased				. .	2,02,64,054	12	0
Balances with other Banks				. . .	5,58,535	5	11
Bullion				. . . .	50,913	14	0
Dead Stock				. . . .	12,07,275	15	8
Stamps				. . . .	7,956	0	0
Sundries				. . . .	5,65,572	10	11
					5,27,01,966	11	5
Cash and Currency Notes at Head Office	82,47,231	8	2	}	1,95,11,046	1	0
Cash and Currency Notes at Branches	1,12,63,814	8	10	}			
RUPEES				.	7,22,13,012	12	5

By order of the Directors.

BANK OF BENGAL,
Calcutta, 20th October 1883.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

Statement of the Affairs of the Bank of Bengal for the week ending 23rd October 1883.

LIABILITIES.	R	a.	p.		R	a.	p.
Capital paid-up				. . . . . .	2,00,00,000	0	0
Reserve Fund				. . . . . .	35,10,581	4	4
Public Deposits at Head Office	85,64,369	2	7	}	2,59,83,593	3	3
Public Deposits at Branches	1,74,19,224	0	8	}			
Other Deposits at Head Office and Branches				. . . . . .	2,19,48,873	10	0
Bank Post Bills, &c.				. . . . .	3,90,483	7	5
Sundries				. . . . . .	12,91,500	0	2
RUPEES				.	7,31,25,031	9	2

ASSETS.	R	a.	p.		R	a.	p.
Government Securities				. . .	51,78,791	3	3
Other authorized Investments				. .	53,46,610	0	0
Loans on Government and other authorized Securities				. . .	1,47,83,042	0	3
Accounts of Credit on Government and other authorized Securities				. .	53,77,707	7	1
Bills discounted and purchased				. .	2,00,34,986	2	4
Balances with other Banks				. . .	5,61,970	7	6
Bullion				. . . .	50,913	14	0
Dead Stock				. . . . . .	12,07,289	13	11
Stamps				. . . . . .	7,856	6	0
Sundries				. . . .	5,59,728	10	4
					5,31,08,896	0	8
Cash and Currency Notes at Head Office	90,31,709	15	2	}	2,00,16,135	8	6
Cash and Currency Notes at Branches	1,09,84,425	9	4	}			
RUPEES				.	7,31,25,031	9	2

By order of the Directors,

BANK OF BENGAL,
Calcutta, 25th October 1883.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. R	Name of Claimant.
202	P 76—19298	100	Messrs. Bollyechand Dutt & Co.
203	P 9—94752	50	Mr. E. G. Chester, Deputy Conservator of Forests, Darjeeling.

Calcutta Circle—*continued.*

NOTES WHOLLY LOST OR DESTROYED—*continued.*

Regr. No.	No. of Notes.	Value. R	Name of Claimant.
205	O 30—38973	50	Babu Bhabanath Roy.
206	P 76—20972	100	Mr. W. Reece.
207	P 47—95829 P 11—87619	1,000 500	Premraj Hazari Mull.
208	P 76—29255	100	Debi Shaw Tillee.
209	P 44—79910	100	Gonesh Ram Marwaree.
210	P 43—29581	100	Har Chand Roy Goburdhun Doss.

CALCUTTA,
The 26th October 1883.

J. TAYLOR,
Asstt. Comptlr. Genl., in charge, Paper Currency.

TREASURE TROVE.

In accordance with the provisions of Section 5 of Act VI of 1878, notice is hereby given to all whom it may concern, that on the 31st day of December 1882 certain treasure, to cost three hundred and two Punhalla Rupees, was found in a field called "Dag," in Mouza Warurz, Taluka Karad.

All persons claiming the said treasure, or any part thereof, are hereby required to appear personally or by agent before the Mamledar of Karad on 1st April 1884, at Karad, when the Mamledar will proceed to hold an enquiry in accordance with the provision of the Act.

J. KING,
Acting Collector.

SATARA,
The 19th October 1883.

Report of a Deserter from the Army Hospital Corps attached to 2nd Battalion, Royal Warwickshire Regiment, dated at Fort William, this 21st day of October 1883.

Number, Rank, and Name,—Private William Samuel Carter.
Age,—29 years.
Size,—5 feet 6½ inches.
Colour of—
Complexion, dark; Hair, dark brown; Eyes, dark brown.
Date of Desertion,—15th October 1883.
Place of Desertion,—Fort William, Calcutta.
Date of Enlistment,—19th September 1877.
At what Place Enlisted,—Westminster, London.
Parish and County in which Born,—Not known.
Marks,—Tattooed on both forearms.
Trade,—Sailor.
Coat or Jacket,— Waistcoat,— Breeches or Trowsers,— } Plain clothes.
REMARKS,—Confessed himself as having deserted from Army Hospital Corps at Aldershot on 23rd October 1882, surrendered himself on the 8th October 1883.
Under 8 years' service.

L. B. HOLE, *Lieut.-Colonel,*
Comdg. 2nd Battn., Royal Warwickshire Regt.

Report of a supposed Deserter from the 1st Battalion, East Lancashire Regiment of Foot, dated at Meean Meer, this 19th day of October 1883.

Number, Rank, and Name,—No. 2364, Corporal Frederick Lloyd.
Age,—25 years 7 months.
Size,—5 feet 9 inches.
Colour of—
Complexion, fresh; Hair, light brown; Eyes, hazel.
Date of Desertion,—14th October 1883.
Place of Desertion,—Meean Meer.
Date of Enlistment,—28th May 1879.
At what Place Enlisted,—London.
Parish and County in which Born,—Yarmouth.
Marks,—Heavily built, clumsy in his movements.
Trade,—Seaman.
Coat or Jacket,— Waistcoat,— Breeches or Trowsers,— } Regimentals.
REMARKS,—In possession of naval discharge; will probably endeavour to work his passage home. While on pass 14 days to Multan, has been discovered that he never reported himself on arrival at Multan.
Under 5 years' service.

C. J. MOORSOM, *Colonel,*
Comdg. 1st Battn., E. Lancashire Regt.

Report of a Deserter from the 1st Battalion, Rifle Brigade, dated at Ahmednagar, this 18th day of October 1883.

Number, Rank, and Name,—No. 4562, Private Frederick Young.
Age,—23 years 7 months.
Size,—5 feet 6 inches.
Colour of—
Complexion, fresh; Hair, brown; Eyes, hazel.
Date of Desertion,—13th October 1883.
Place of Desertion,—Poona.
Date of Enlistment,—8th September 1881.
At what Place Enlisted,—Ashton-under-Lyne.
Parish and County in which Born,—St. Johns, Sheffield, Yorkshire.
Marks,—Two tattoo dots left forearm, small scar of burn on right shoulder.
Trade,—Labourer.
Coat or Jacket,— Waistcoat,— Breeches or Trowsers,— } Not known.
REMARKS,—
Under 3 years' service.

C. W. ROBINSON, *Bt. Lieut.-Col.,*
Comdg. 1st Battn., Rifle Brigade.

Report of a Deserter from the 1st Battalion, Rifle Brigade, dated at Ahmednagar, this 18th day of October 1883.

Number, Rank, and Name,—No. 3954, Private James Arrowsmith.
Age,—25 years.
Size,—5 feet 5½ inches.
Colour of—
Complexion, fresh; Hair, brown; Eyes, blue.
Date of Desertion,—13th October 1883.
Place of Desertion,—Poona.
Date of Enlistment,—10th October 1879.
At what Place Enlisted,—Ashton-under-Lyne.
Parish and County in which Born,—Bollington, Macclesfield, Cheshire.
Marks,—None.
Trade,—Labourer.
Coat or Jacket,— Waistcoat,— Breeches or Trowsers,— } Not known.
REMARKS,—
Under 5 years' service.

C. W. ROBINSON, *Bt. Lieut.-Col.,*
Comdg. 1st Battn., Rifle Brigade.

BOARD OF REVENUE.

NOTIFICATION.

Calcutta, the 27th September 1883.

No. 1135½ *B.*—The following rules have been made under section 9 of Act VIII of 1878 by the Board of Revenue, Lower Provinces, with the sanction of the Local Government, and are under Section 204 of the same Act notified for general information :—

CALCUTTA INTERNATIONAL EXHIBITION, 1883-84.

Custom House Arrangements.

1. All entries of goods for the Exhibition must be passed at the Custom House in accordance with the arrangements made by the Collector of Customs.
2. In respect of dutiable goods the Exhibition building is appointed a public warehouse under the provisions of section 15 of Act VIII of 1878, of which Mr. Jules Joubert shall be deemed to be the keeper for the purposes of section 96 of that Act.
3. Packages containing dutiable goods, upon which duty has not been paid, must be entered for bond and appraised and taken in charge of an officer to the Exhibition building in the usual manner. Pending appraisement and removal to the Exhibition building, all such packages will be allowed to remain rent-free in a portion of the Custom House premises set apart for the purpose.

4. At the close of the Exhibition, exhibitors will have to account to the Custom House authorities for all dutiable goods admitted into the Exhibition in accordance with the bond bill of entry. Goods intended for delivery in Calcutta on sale or otherwise will on payment of duty be cleared from bond, and goods intended for re-exportation will be re-shipped from bond in the usual manner.

5. The charges mentioned in the schedule attached to these rules are remitted in respect of goods intended for the Exhibition.

6. No duty will be payable for wines, spirits, or other liquors consumed in the Exhibition for tasting or judging purposes, and a certificate of the amount thus consumed must be obtained from the Secretary to the Executive Committee of the Exhibition and presented by exhibitors to the Custom House officer when accounting for the dutiable goods admitted into the Exhibition. Without such certificate duty will be assessed on all dutiable goods shown by the bills of entry as having been admitted into the Exhibition and which are not forthcoming at its close.

7. The Custom House officers will not have custody of, or be in any way responsible for, goods in the Exhibition building, the custody of which as a public warehouse will rest with Mr. Jules Joubert.

8. These rules apply only to goods intended *bonâ fide* for Exhibition.

SCHEDULE.

	R	*a*	*p*.
Entry.			
1. Wharf rent for any time over four days during which they lie at the Custom House .	...		
2. Form of bond	1	0	0
3. Two warehousing chalans .	0	1	0
4. Peon's fee	0	4	0
5. Officer's fee	4	0	0
Clearance.			
6. Two clearance chalans . .	0	1	0
7. Officer's fee	4	0	0
8. Re-gauging fee (if in cask) .	1	0	0
Re-shipment.			
9. Preventive Officer's fee . .	4	0	0

C. E. BUCKLAND,

Offg. Secy. to the Board of Revenue.

POST OFFICE.

NOTIFICATIONS.

Unclaimed Letters held in the Calcutta General Post Office on 25th October 1883.

Augier and Smalley, Messrs.
Barlow, H.
Bruce, Miss L. J.
D'Ascali, Gelsomina.
Fraser & Co.
Hamack and Boyce, Messrs.
Kriz, Frans.
Mackay, J.
McLardy, Hugh & Co.
Page, Miss Little.
Prentis, H. L.
Ranken, H. E.
Rimmer, A.
Thomas, Mrs.
Watson, J. O.
White, Charles.
Williamese & Co.

Letters marked "Care of Post Office."

A. B., No. 100.
A. M.
Agist, John.
A. X. Y. Z.
B. B.
Barber, C. J.
Barber, R. J.
Battersby, Leslie C.
Berry, J
Bradley, Walter.
Bromley, Herbert.
Brown, John.
Camar, Madame A.
Campbell, Dr. R. N.
Chase, J.
Chiepuelli, Ferdinando.
Cottrell, William.
Coutt, P. S.
Crispini, C. Umberta.
Croose, Richard Victoria.
Crowe, A. B.
Dean, William Edward.
DeCruz, Mr.
Dyett, W. H. R.
Erler, Frau. Merrie.
Erler, Albert.
Fount, P. S.
Fraser, Mrs. F.
Fry, H. W.
Gahan, Capt. R. L.
Gomperts, Captn.
Goodfellow, Mrs. A. T.
Hall, Mrs P.
Hallett, W. O.
Hallewell, J. A.
H. R. A.
Hillard, Mrs.
Hughes, R. J.
Ingels, H. V.
J. B. B M.
Jones, John.
Karoly, S
Kimmins, W. J.
Kirkbride, J
Langley, Manly G.
Lee, Frederick
Lemport, Sigr. S.
Lloyd, John Henry.
Lynam, R.
McKay, James B.
Meilos, Adam.
M. M. M.
Mifsud, George.
Miller, J.
Muir, John C.
Murphy, T.
Noel, C. B.
Nordt, Miss Minnie.
Paige, D. B.
Parker, G. E.
Pescod, J. J.
Rachel.
Rains, —.
Rathergurd, R. C.
Ross, C. Henry.
Ryan, J. H.
Ryckman, E H.
Schaeffler, F. B.
Scott, Montagu Hill.
Sheppard, S. G.
Specht, Otto.
Spencer, Mrs. L.
Stevenson, Mrs.
Tancovici, Mendel.
Thomson, C W.
Tuck, Serjeant J.
Tucker, Mrs
VansAgnew, Lieut. P. A.
Wallace, Col. R.
Watson, G
Williams, Mrs F. A.
Zanichelli, Aliszandro.

Registered Letters.

Koflen, Ignatz.
Merrick, E. C.
Thomas, H. P.

Calcutta, the 27th October 1883.

It is hereby notified for general information that the following mail despatches to Ceylon will be made from the Calcutta General Post Office during November 1883 :—

DATE OF CLOSING.	ROUTE.
3rd November 1883 .	By P. & O. Steamer from Calcutta.
9th November 1883* .	By B. I. S. N. Co.'s private vessel.
9th November 1883 .	By French Steamer
13th November 1883 .	By P & O Steamer from Bombay.
17th November 1883 .	By P. & O. Steamer from Calcutta.
23rd November 1883* .	By B. I. S. N. Co.'s private vessel.
27th November 1883 .	By P. & O. Steamer from Bombay.

* These dates are subject to alteration in the event of departure of the vessels being delayed.

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The 27th October 1883.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date.	Per Steamer
	1883.	
Persian Gulf	27th Oct.	From Bombay.
Persian Gulf	3rd Nov.	From Bombay.
Madras, Ceylon, and Intermediate Ports	2nd ,,	Str. *Chindwara*.
Madras and Ceylon	3rd ,,	P. & O. Str. *Malwa*.
Colombo, Penang, Singapore, Hong-Kong, Shanghai, Yokohama, and Australian Colonies	30th Oct.	From Bombay.
Foreign Mails *viâ* Bombay	30th ,,	From Bombay.*
Do. Book Post and Pattern Packets .	29th ,,	From Bombay.
Rangoon, Moulmein and Straits . . .	1st Nov.	Str. *Madura*.†
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	1st ,,	Str. *Busheer*.

* Also for South Africa *viâ* England can be forwarded.

† Also for Port Blair can be sent by this opportunity.

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Presidency Post Master.

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گورنمنت سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے اونکے جو کوئي ايک مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه; يک پونڈ کے ٹين کا سوله روپيه آٹهه آنه'

اور عوام‌الناس بوٹانکل گارڈن يعنے کمپني با کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

يهه دوا کلکته کے بڑے بڑے ولايتي اور ديسي دوا خانونمين بکتي هی ماسيواے قيمت مذکورهٔ بالا کے محصول ڈاک چار ورآٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا باره آنه

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 27, 1883.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

IN THE COURT OF THE JUDICIAL ASSISTANT COMMISSIONER, LAHORE.

IN THE MATTER OF THE INDIAN COMPANIES ACT, 1882, AND OF THE PUNJAB BANK, LIMITED.

Upon the application of the Official Liquidator, notice is hereby given that the Court will, on the 16th day of October 1883, proceed to pass orders in reference to the distribution of the remaining assets of the Punjab Bank, Limited.

The more immediate question for disposal is whether depositors are entitled to interest; or whether (depositors having been paid the amount of their respective deposits in full with interest to 30th June 1877) the whole of the surplus assets should be divided amongst the shareholders.

All persons concerned are desired to attend this Court on the above date, and to bring forward anything they may have to state in regard to the above question.

E. W. PARKER,

Judl. Asst. Commr., Lahore.

LAHORE,

The 14th June 1883.

NOTICE.

Probate of the last Will and Testament and Codicil of Hannah Anne Rose, formerly of No. 5, Lindsay Street in Calcutta, in Bengal, formerly the wife and afterwards the widow of Captain Patrick Orr, deceased, and afterwards the wife and widow of William Grant Rose, deceased, and late of the Town of Newport, in the Isle of Wight in England, deceased, was on the 8th day of September 1883, granted by the District Judge of Lucknow to Arthur Benoni Sutherland, Esq., of No. 1, Commercial Buildings, in Calcutta, the sole executor named in the said Will to whom all parties claiming to be creditors of the estate of the said deceased are requested to send in their respective claims, and all parties indebted to the said estate are required to make payment of their respective debts.

BARROW & ORR,

Attorneys for the Executor.

6, OLD POST OFFICE STREET,
CALCUTTA.

The 24th October 1883.



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The 24th October 1883.



SUPPLEMENT TO

The Gazette of India.

Nº 43.} CALCUTTA, SATURDAY, OCTOBER 27, 1883.

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GOVERNMENT

DEPARTMENT OF FIN

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Districts.	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of 1882.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of 1882.	Rice (best sort). Present fortnight.	Rice (best sort). Past fortnight.	Rice (best sort). Corresponding fortnight of 1882.	Rice (common). Present fortnight.	Rice (common). Past fortnight.	Rice (common). Corresponding fortnight of 1882	Great Millet (Cholum, Jowar), *Holcus Sorghum*. Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of 1882.	Bulrush Millet (Cumboo, Bajra), *Pennisillaria Spicata*. Present fortnight.	Bulrush Millet. Past fortnight.	Bulrush Millet. Corresponding fortnight of 1882.
	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Ganjam	8 13	8 13	7 6	...	...	...	17 0	17 0	17 13	17 14	17 14	19 8	...	...	...	...	...	...
Vizagapatam	10 0	9 8	11 8	...	...	...	9 8	9 0	10 10	11 5	11 5	12 6	24 13	24 13	21 10	27 11	28 13	27 11
Godavery	9 14	9 14	11 11	...	...	...	10 14	12 14	13 14	15 0	15 0	18 0	23 0	23 0	30 11	...	...	...
Kistna	9 5	8 13	12 11	...	...	...	14 0	14 0	15 11	14 11	14 11	16 5	20 13	20 13	24 14	...	...	...
Nellore	10 5	10 13	12 10	...	...	...	13 6	13 14	15 13	14 0	15 0	17 0	21 10	21 10	28 13	...	...	...
Cuddapah	14 0	13 10	14 0	...	...	...	12 6	12 6	12 6	13 5	13 5	14 2	30 0	31 10	30 0	31 14	31 14	31 14
Anantapur	18 6	13 6	13 6	...	...	...	12 13	12 13	12 13	14 0	14 0	14 0	33 0	33 0	30 14	30 2	30 2	18 13
Bellary	17 5	17 5	16 14	...	...	...	11 13	11 13	12 5	13 0	13 0	13 8	39 2	46 5	37 2	30 2	28 3	26 5
Kurnool	12 11	12 2	12 2	...	...	...	11 0	10 10	10 10	12 2	11 6	11 6	38 6	37 0	34 3	33 11	33 11	21 3
Madras	11 0	11 0	10 8	...	...	...	13 8	13 8	13 5	15 2	15 2	15 2	22 5	22 5	23 13	23 13	23 13	25 0
Chingleput	...	...	..	...	...	...	13 8	13 8	14 3	15 2	15 2	14 11	..	..	...	25 2	26 6	...
North Arcot	9 11	9 11	9 11	...	...	...	13 8	13 8	15 0	16 5	16 14	17 5	32 13	41 14	33 11	29 11	31 5	28 14
South Arcot	9 6	9 6	8 10	...	...	...	14 13	14 13	15 11	15 11	15 11	16 3	...	...	33 10	31 10	30 0	33 14
Tanjore	11 0	11 0	9 8	...	...	...	17 6	17 6	15 13	...	.	..	30 3	31 13	33 6	40 10	40 10	37 13
Trichinopoly	9 3	9 3	9 10	...	...	...	15 13	15 2	14 6	16 11	15 14	14 14	30 13	30 13	24 0	30 8	27 14	27 14
Madura	12 0	12 8	11 11	...	...	...	15 2	14 5	14 11	16 8	14 13	15 3	37 5	37 5	35 10	35 5	29 6	31 10
Tinnevelly	10 10	10 10	8 0	...	...	...	16 5	16 5	15 6	16 13	16 13	15 13	..	...	...	...	...	...
Coimbatore	13 2	13 2	10 11	...	...	...	14 6	14 6	13 8	15 6	15 6	14 14	27 13	27 13	26 2	31 13	31 13	28 10
Nilgiris	10 10	10 10	8 8	...	...	...	11 3	11 3	9 10	12 0	12 0	11 3	20 0	20 0	20 13	21 0	21 0	19 10
Salem *	13 5	12 11	10 11	...	...	...	14 0	14 0	14 0	14 11	14 11	15 10	33 11	32 13	30 11	30 5	29 8	27 13
South Canara	8 10	7 8	8 10	...	...	...	9 11	9 11	9 11	14 3	13 8	10 11	..	...	...	...	...	...
Malabar	7 14	8 10	7 3	...	...	...	15 6	15 6	14 10	16 3	16 3	15 0	...	...	...	...	...	...
Bombay	10 0	10 0	10 0	23 8	18 10	18 4	7 8	7 8	8 11	12 10	12 6	14 1	18 12	18 11	20 0	15 15	14 14	17 5
Ahmedabad	12 0	12 0	14 0	19 8	19 8	...	6 8	6 8	8 0	12 8	12 0	8 8	15 0	14 0	18 8	14 8	14 8	17 0
Kaira	11 7	10 10	13 5	20 0	20 0	22 14	10 0	9 11	10 0	13 10	13 0	16 0	15 0	13 5	20 0	13 14	13 5	16 0
Surat	11 4	11 4	12 8	12 4	12 4	7 11	7 6	7 6	8 3	8 5	8 5	8 12	19 4	19 4	15 9	14 0	14 0	14 14
Broach	12 4	12 4	13 5½	..	...	...	9 15½	9 15½	11 1	12 12	12 12	12 9	16 0	16 0	16 9½	13 14	13 14	15 4
Tanna (Salsette)	10 5	10 5	10 5	12 14	12 14	...	9 0	9 0	8 3	10 9	10 9	10 0	18 10	18 10	18 10	14 6	14 6	15 0
Colába (Alibag)	8 8	8 8	8 8	...	...	...	7 8	7 8	7 8	12 8	12 8	14 8	...	...	...	...	...	...
Khandesh (Dhulia)	14 14	14 14	14 2	...	...	...	7 9	7 9	7 4	10 13	10 13	10 15	17 11	17 11	17 13½	15 2	15 2	15 6
Násik	14 4	14 4	14 4	...	...	...	7 7	7 7	7 7	12 0	12 0	12 0	...	...	..	15 5	15 5	18 6
Ahmednagar	14 5	13 1	14 6	...	...	...	8 11	8 11	9 11	11 2	9 15	12 0	27 0	23 6	26 13	19 6	17 12	21 7
Poona	12 10	12 10	12 10	9 4	9 4	...	9 13	9 13	11 0	11 0	11 0	12 4	21 12	20 11	26 2	17 4	17 2	20 11
Sholápur	14 8	14 8	13 9	.	.	...	10 7	10 15	10 7	11 5	11 12	11 12	27 10	27 9	35 12	22 1	22 0	27 2
Kaládgi (Bagalkot)	19 0	19 8	22 12	16 0	16 8	15 0	6 8	6 8	6 12	11 8	11 8	9 0	32 0	31 8	45 0	27 0	30 0	39 0
Satara	13 6	13 6	12 1	..	.	.	8 14	8 14	8 14	11 7	11 7	10 12	20 0	20 0	26 10	18 2	18 2	22 0
Belgaum	16 0	15 15	19 0	14 0	14 0	14 0	12 0	11 8	10 0	12 8	12 0	10 8	17 14	17 13	30 0	19 0	19 0	26 13
Dharwar (Hubli)	23 0	23 0	24 0	...	...	...	13 0	13 0	12 0	16 0	16 0	15 0	27 0	26 0	34 0	24 0	24 0	23 0
Ratnagiri	7 15	9 4	10 9	...	...	...	8 9	8 9	7 13	14 2	13 7	14 2	...	..	18 3	13 8	13 8	14 11
Kanara (Karwar)	9 0	9 0	10 8	...	...	...	8 0	8 0	8 0	12 0	12 0	10 11	16 0	16 0	14 0	...	...	...
Panch Mahals (Godhra)	10 8	10 8	11 6	..	...	...	11 6	11 6	11 6	13 5	13 5	15 0	20 0	20 0	32 0	12 13	12 13	16 0
Aden	7 0	7 0	8 0	...	...	...	6 3	6 3	6 3	7 0	7 0	7 0	12 7	12 7	9 5	11 3	11 3	8 0
Asirgarh	13 12	13 12	13 10	..		..	11 12	11 12	10 8	14 0	14 0	12 2	19 0	19 0	24 13	17 12	17 12	22 6
Baroda	9 15	9 15	10 9	13 10	13 7	14 2	8 3	7 9	9 6	11 1	10 8	11 11	15 12	15 12	17 10	13 7	13 7	16 7
Disa	14 4	12 12	15 8	...	...		6 14	6 14	6 6	9 0	9 0	8 11	12 6	14 4	19 4	18 2	15 14	18 8
Nimach	18 8	17 4	16 0	24 0	23 0	17 8	9 8	9 0	9 8	10 0	10 0	10 0	25 0	25 0	23 0	13 0	12 0	18 0
Nasirabad	17 8	17 6½	16 8	24 0	23 12¾	23 10¾	6 0	6 0	6 0	7 0	7 0	7 0	20 10½	18 0	18 13½	16 2¼	14 8	16 6
Rajkot	15 0	13 6	13 10	...	..	...	6 8	6 8	6 8	9 0	9 0	11 0	17 0	16 2	16 0	14 8	13 12	13 10
Upper Sindh Frontier	13 12	13 12	13 4	24 8	23 8	25 0	11 4	10 8	11 4	13 4	12 4	20 0	29 0	27 12	33 8	...	23 10	27 8
Karachi	13 0	12 13	12 5	24 0	24 0	20 0	9 0	9 0	9 8	15 0	15 0	18 0	22 0	23 0	23 0	17 12	17 0	19 0
Hyderabad (Nakur)	15 0	15 0	14 0	26 0	26 0	26 0	12 0	12 0	14 0	16 0	16 0	20 0	26 0	26 0	32 0	23 0	23 0	38 0
Shikarpur	13 8	13 0	13 2½	22 8	23 0	25 6	11 12	11 8	12 4	16 0	16 0	20 4	26 12	25 12	32 0	25 0	25 0	30 8
Sukkur	14 8	13 8	14 8	27 8	25 8	29 8	10 8	10 0	12 12	14 8	15 0	18 10	29 8	26 8	29 10	23 8	23 0	23 8
Thar & Parkar (Umarkot)	12 0	12 6	18 0	...	...	...	...	...	...	12 6	12 3	12 12	..	...	...	18 5	17 8	22 12
Western Districts																		
Burdwan	13 4	14 8	13 4	25 0	25 0	40 0	17 8	17 8	25 2	26 0	24 12	27 0	..	...	...	...	...	...
Bancoorah	13 0	13 0	13 8	14 0	16 0	15 0	19 0	20 0	21 0	25 0	25 0	27 0	...	...	...	...	...	...
Beerbhoom	15 12	15 9	13 4	...	16 0	...	16 8	16 8	16 8	22 8	21 0	21 0	...	...	...	...	...	...
Midnapore	14 0	[illegible] 0	13 0	17 0	17 0	...	17 0	18 0	21 0	24 0	24 0	25 0	...	...	...	...	...	...
Hooghly	13 0	13 0	20 0	...	...	...	9 0	9 0	10 0	18 0	18 0	20 0	...	...	...	...	...	...
Howrah	13 0	13 4	13 4	...	...	...	14 0	14 0	15 8	19 0	19 0	17 12	...	...	...	...	...	...

* NOTE.—Salem for 31st August 1883—Rice, best sort, Retail sale, for 14-0 read 14-0 seers.

[illegible] Culna 14 seers, Cutwa 13-4 seers, and Raneegunge 13-4 seers.

§ Retail prices of salt at Raipore 11 seers, at Onda 10 seers, at Mejia, Bishenpore, Indas and Sonamukhi 13 seers, and Kotulpore 12 seers.

OF INDIA.

ANCE AND COMMERCE.

INDIA FOR THE 2nd HALF OF SEPTEMBER 1883.

IN SEERS OF 80 TOLAHS.

Lesser Millets, Ragi, &c. (Kavaru, Veragu, Sawee, Cheena, Coraloo, Murhwa, Nuglee), *Panicum Miliaceum, &c.*			Gram.			Firewood.			Salt.						Districts.	Provinces.
									Wholesale.			Retail.				
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.		
35 3	32 3	35 3	26 10	33 5	26 10	215 13	215 13	215 13	..	.	..	13 13	13 13	15 8	Ganjam	MADRAS.
26 5	23 3	24 3	32 13	35 2	22 3	95 3	95 3	93 5	14 10	14 10	15 3	14 0	14 0	14 0	Vizagapatam	
27 5	29 2	29 2	33 10	33 10	25 3	194 6	194 6	194 6	14 10	14 10	14 10	14 10	14 10	14 10	Godavery	
25 0	25 0	32 5	29 10	29 10	22 11	145 13	145 13	130 0	15 11	15 11	16 0	15 3	15 3	15 11	Kistna	
21 13	25 8	32 13	23 2	24 2	23 2	93 5	93 5	186 10	15 6	14 13	15 6	14 13	14 13	14 13	Nellore	
31 8	30 0	33 0	33 8	33 8	21 14	194 6	194 6	194 6	17 2	16 10	17 8	16 10	16 3	16 10	Cuddapah	
32 0	32 0	31 0	37 0	37 0	31 5	..	.		14 5	14 5	14 5	14 5	14 5	14 5	Anantapur	
32 0	34 14	34 14	37 0	35 13	30 3	94 13	94 13	82 10	15 13	15 13	15 13	15 8	15 8	15 11	Bellary	
...	...	..	33 0	31 8	24 11	147 3	157 0	178 13	14 13	14 0	14 13	14 6	13 10	14 6	Kurnool	
24 11	24 11	28 0	26 2	26 2	25 0	85 0	85 0	86 5	16 14	16 14	16 11	16 8	16 8	16 3	Madras	
24 11	26 11	27 6	25 11	25 11	25 0	92 5	92 5	92 5	17 5	17 5	17 5	17 0	17 0	17 0	Chingleput	
30 13	32 8	35 14	28 10	28 10	24 10	140 0	110 0	140 0	15 6	15 6	15 6	14 13	14 13	14 13	North Arcot	
34 3	31 13	31 13	26 8	26 8	28 6	201 11	201 11	201 11	19 5	19 5	19 5	18 6	18 6	18 14	South Arcot	
39 5	39 5	36 3	28 0	28 0	26 3	194 6	194 6	194 6	15 10	15 3	15 10	15 3	15 3	15 10	Tanjore	
34 2	34 2	31 6	30 13	31 10	30 13	97 3	97 3	97 3	17 13	17 13	17 13	17 0	17 0	17 0	Trichinopoly	
38 11	37 3	33 5	31 2	35 10	30 5	115 13	115 13	131 3	17 5	17 5	17 13	16 5	16 5	17 5	Madura	
..	...	...	31 5	31 5	27 5	70 0	70 0	81 10	18 11	18 11	18 11	18 5	18 5	18 3	Tinnevelly	
32 13	32 13	27 14	34 3	34 3	25 10	131 3	131 3	131 3	15 2	15 2	14 11	14 10	14 10	14 10	Coimbatore	
21 10	21 10	20 3	24 14	23 3	20 11	161 13	161 13	161 13	12 14	13 0	11 14	12 0	12 0	11 14	Nilgiris	
31 10	30 13	30 13	36 6	35 10	34 8	151 10	151 10	151 10	17 8	17 8	19 2	16 14	16 14	18 0	Salem	
18 11	18 8	17 10	22 3	21 3	20 3	109 5	109 5	116 6	18 6	18 6	15 8	17 3	17 3	14 11	South Canara	
21 14	21 14	21 14	26 14	26 14	22 11	121 8	121 8	121 8	14 6	14 6	13 8	13 8	13 8	12 10	Malabar	
20 15	14 11	23 0	16 2	16 2	17 0	62 6	62 6	58 3	14 6	14 6	14 6	12 9	12 9	12 9	Bombay	BOMBAY.
...	...	...	15 0	15 0	20 0	80 0	80 0	80 0	16 0	16 0	16 8	16 0	16 0	16 0	Ahmedabad	
18 0	...	...	15 8	16 0	18 13	80 0	80 0	80 0	...	..	...	16 0	16 0	16 0	Kaira	
...	...	...	14 0	14 0	16 0	80 0	80 0	80 0	13 9	13 9	13 9	13 9	13 9	13 9	Surat	
...	...	...	12 12	12 12	16 0	106 0	106 0	106 0	14 8¾	14 8¾	12 13	14 8¾	14 8¾	12 13	Broach	
25 11	25 11	25 11	13 4	13 4	14 15	71 0	71 0	71 1	15 12	15 12	14 5	15 10	15 10	13 13	Tanna (Salsette)	
...	...	...	12 0	12 0	12 8	120 0	120 0	120 0	13 0	13 0	13 0	12 8	12 8	12 0	Colaba (Alibag)	
...	...	...	14 4	14 4	13 0½	140 0	140 0	140 0	13 0	13 0	14 2	12 14	12 14	14 0	Khandesh (Dhulia)	
18 6	18 6	27 9	15 4	17 0	15 8	128 0	128 0	128 0	14 8	15 8	14 8	14 5	15 5	14 4	Nasik	
...	..	...	18 12	18 6	17 3	79 0	79 12	91 5	14 6¾	13 6	14 9	14 4	13 4	14 7	Ahmednagar	
15 6	15 6	...	16 11	16 2	16 2	68 0	68 0	68 0	13 10	13 10	13 1	13 6	13 6	12 13	Poona	
...	...	...	20 1	20 1	18 4	71 0	71 0	80 0	13 8	13 8	13 8	13 4	13 4	12 8	Sholapur	
...	...	...	18 8	18 8	11 12	100 0	100 0	130 0	11 0	11 0	12 0	10 8	10 8	11 12	Kaladgi (Bagalkot)	
...	...	.	16 14	17 9	11 5	116 8	116 8	116 8	13 2	13 2	12 6	12 6	12 6	11 10	Satara	
19 0	19 0	37 3	16 0	16 8	11 8	65 0	65 0	75 0	11 0	12 3	13 8	10 0	11 3	13 0	Belgaum	
28 0	28 0	35 0	16 0	16 0	10 0	80 0	80 0	80 0	8 6	8 6	9 8	8 0	8 0	9 0	Dharwar (Hubli)	
18 13	18 13	21 2	14 11	14 11	14 0	120 0	120 0	120 0	13 2	13 2	11 10	12 15	12 15	11 10	Ratnagiri	
18 0	18 0	20 0	12 8	12 8	12 0	213 5	213 5	213 5	11 8	11 8	11 8	10 8	10 8	10 8	Kanara (Karwar)	
20 0	20 0	23 0	20 0	20 0	32 0	200 0	200 0	200 0	16 0	16 0	16 0	15 4	15 4	15 4	Panch Mahals (Godhra)	
...	...	...	9 5	9 5	9 5	65 5	65 5	65 5	...			32 0	32 0	32 0	Aden	
...	...	...	17 8	17 8	17 3	160 0	160 0	160 0	11 0	11 0	11 9	11 0	11 0	11 9	Asirgarh	
17 8	17 8	...	12 13	14 0	16 2	80 0	83 0	83 10	13 9	13 9	14 11	13 7	13 7	11 10	Baroda	
...	...	...	15 8	13 8	19 4	137 8	137 8	137 8	12 8	12 8	13 8	12 0	12 0	13 0	Disa	
...	...	...	20 0	20 0	19 8	160 0	160 0	160 0	..	..	..	13 0	13 0	11 9	Nimach	
...	...	...	26 4¼	25 6¼	23 10	80 0	80 0	73 5¼	16 0¼	16 0¼	16 6¼	15 1¼	15 7	16 0	Nasirabad	
...	...	...	14 0	14 2	16 12	70 0	70 0	70 0	50 0	50 0	55 0	10 0	10 0	18 0	Rajkot	
80 0	70 0	40 0	22 12	20 12	18 0	160 0	160 0	160 0	12 12¼	12 12¼	12 4¼	12 8	12 8	12 0	Upper Sind Frontier	
10 0	10 0	11 0	17 0	16 0	17 0	90 0	90 0	105 0	17 12	17 12	17 13	17 0	16 0	17 0	Karachi	
26 0	24 0	24 0	21 0	21 0	14 0	320 0	320 0	480 0	14 8	14 4	14 0	13 0	14 4	14 0	Haidarabad (Nakar)	
...	...	...	20 12	20 0	19 0	240 0	240 0	260 0	14 8	14 0	13 8	14 0	13 12	13 [illegible]	Shikarpur	
...	...	...	20 0	20 0	19 8	110 0	110 0	100 0	13 1	12 8	13 0	12 8	12 0	12 8	Sukkur	
...	...	...	...	...	...	160 0	160 0	160 0	14 12	14 12	11 5	14 12	14 12	11 5	Thar and Parkar (Umarkot)	
									Prices per md. of 10 seers.							
									R a. p.	R a. p.	R a p				*Western Districts*	
...	...	...	21 0	20 0	21 0	120 0	120 0	120 0	2 15 4	3 0 0	2 15 0	13 3*a*	12 13	13 8	Burdwan	BENGAL.
...	...	...	17 8	17 0	18 0	240 0	240 0	240 0	3 3 6	3 3 6	3 1 0	12 0*b*	12 0	13 0	Bancoorah	
[illegible]	...	...	21 0	21 0	19 0	160 0	160 0	160 0	3 2 9	3 5 3	3 1 3	12 0*c*	11 4	12 0	Beerbhoom	
...	...	...	16 0	16 0	18 0	155 0	155 0	155 0	2 14 0	2 14 0	2 14 0	12 8*d*	12 8	[illegible] 5	Midnapore	
...	...	...	17 0	17 0	20 0	120 0	120 0	120 0	2 14 [illegible]	2 14 0	2 14 0	13 9*e*	13 9	13 9	Hooghly	
...	...	...	17 12	17 0	21 0	80 0	80 0	80 0	3 0 [illegible]	3 0 0	2 14 0	13 0	13 0	12 13	Howrah	

c In the interior retail prices of salt range from 11 to 13 seers.
d In the sub-divisions retail prices of salt are as follow :- Ghattal 14-4 seers and Contai 11-8 seers.
e In the sub-divisions retail prices of salt are as follow :—Serampore 15 seers and Jehanabad 13-[illegible] seers.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Districts.	Wheat. Present fortnight	Wheat. Past fortnight	Wheat. Corresponding fortnight of 1882	Barley. Present fortnight	Barley. Past fortnight	Barley. Corresponding fortnight of 1882	Rice (best sort). Present fortnight	Rice (best sort). Past fortnight	Rice (best sort). Corresponding fortnight of 1882	Rice (common). Present fortnight	Rice (common). Past fortnight	Rice (common). Corresponding fortnight of 1882	Great Millet (Cholum, Jowar), Holcus Sorghum. Present fortnight	Great Millet. Past fortnight	Great Millet. Corresponding fortnight of 1882	Bajrah Millet (Cumboo Bajra), Penicillaria Spicata. Present fortnight	Bajrah Millet. Past fortnight	Bajrah Millet. Corresponding fortnight of 1882
	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Central Districts.																		
ttta	15 5	15 0	13 11	20 0	20 10	26 14	11 8	10 12	10 0	16 0	16 0	20 0	20 10	20 10	.	21 5	21 5	...
rgunnahs	12 12	13 5	13 5	18 0	16 0	20 0	8 0	8 0	10 8	13 5	14 4	17 8	16 0	...	...	...	...	...
lea	14 8	14 8	14 4	24 10	22 15	26 0	15 4	14 8	16 0	18 4½	17 4	19 0	...	...	..	...	...	...
lna	...	..	..	...	...	...	16 0	16 0	16 0	22 0	22 0	22 0	...	...	...	...	...	...
re	11 8	13 0	13 0	...	...	...	16 0	15 0	16 0	21 0	21 4	21 4	...	...	..	...	...	...
shedabad	16 12	16 0	16 0	...	...	...	16 0	15 0	15 0	21 8	22 0	21 4	...	..	..	...	...	...
gevore	16 0	17 4	13 4	16 0	16 0	14 0	19 0	14 4	19 8	21 0	23 0	24 0	...	...	...	...	...	...
babye	16 0	15 4	13 8 to 14 4	29 0	29 0	32 0	15 0	15 4	13 8 to 16 0	17 0 to 18 0	22 0	18 8 to 24 0	...	...	..	...	...	...
gpore	13 5	13 5	16 0	...	...	...	13 5	13 5	15 0	19 0	19 0	23 0	...	...	...	.	...	...
a	18 0	24 0	18 12	...	...	...	12 0	12 12	18 0	22 8	21 12	27 3	...	...	...	...	..	...
a	18 12	18 12	18 0	...	...	.	8 4	8 4	10 0	17 4	19 0	24 0	...	...	..	...	...	...
reling	8 0	8 0	8 0	8 0	8 0	8 0	5 0	5 0	5 0	13 0	12 0	12 0	...	...	...	...	..	...
iguri	10 0	10 0	10 0	20 0	20 0	20 0	12 8	12 8	14 0	18 0	18 0	20 0	...	...	...	...	...	...
Eastern Districts.																		
a	13 3	13 5	13 5	20 0	22 10	32 0	16 0	17 0	22 0	17 12	20 0	30 0	...	...	...	...	...	...
eedpore	21 0	21 0	20 0	30 0	30 0	37 8	18 0	20 0	21 0	20 0	22 0	22 0	...	...	...	..	...	...
ergunge		...		...	...	...	18 0	18 0	19 0	21 0	21 0	23 0	...	...	...	...	...	...
ensingh	12 0	11 8	11 8	...	...	...	13 4	13 4	20 0	18 12	19 0	26 0	...	...	...	...	...	...
tagong	11 4	11 4	9 0	...	...	...	16 0	16 0	12 8	17 0	18 0	22 8	...	...	...	...	...	...
kholly	..	.	...	...	...	...	19 0	19 0	22 0	21 0	21 0	26 0	...	...	...	...	...	...
erah	11 12	11 12	11 8	..	...	...	17 0	18 0	21 5	20 12	25 12	31 8	..	...	...	...	...	...
tagong Hill Tracts	...	...	.	...	...	...	13 0	13 0	13 5	14 0	14 0	17 12	...	...	...	...	...	...
Tipperah	10 0	10 0	10 0	...	...	...	16 0	16 0	21 0	20 0	22 0	28 0	...	...	...	...	...	...
Behar.																		
a	21 0	21 0	22 0	29 0	29 0	28 0	15 0	15 0	14 0	18 0	18 0	22 8	...	...	...	...	...	...
.	17 8	17 8	17 0	23 0	21 0	24 0	12 0	12 0	12 0	16 8	16 0	17 8	...	...	...	...	...	...
habad	16 8 to 17 0	15 0 to 15 8	16 0 to 17 8	24 0	25 0	25 8	11 0 to 12 0	10 0 to 11 0	17 0	16 0 to 18 0	15 0 to 16 0	18 0 to 19 0	28 0	27 0	...	26 0	25 0	...
bhunga	14 0	15 0	14 0	24 0	...	30 0	14 0	12 8	14 0	16 0	15 0	17 0	...	...	...	...	...	...
fferpore	17 0	18 0	16 0	30 0	25 0	40 0	10 0	11 0	12 0	15 0	15 0	17 0	...	...	...	...	...	...
n	17 0	16 0	16 8	28 0	27 0	28 0	10 0	10 0	10 0	17 8	18 8	19 8	29 0	27 0	34 0	...	...	...
mparun	19 0	19 0	18 0	31 0	31 0	36 0	14 0	14 0	12 0	17 0	17 8	18 0	.	...	...	...	...	...
ghyr	17 13	17 9	17 13	27 12	21 2½	31 8	13 10	13 2	15 12	16 4	15 12	17 13	...	...	...	..	...	...
galpur	15 2	15 8	15 2	25 4	22 11	37 14	15 10	15 2	17 11	18 7	17 10	20 3	...	...	...	...	...	...
neah	19 0	18 0	14 0	...	...	...	15 0	16 0	20 0	18 0	18 0	24 0	...	...	...	...	...	...
lah	18 0	18 0	17 0	...	...	...	15 0	16 0	16 0	18 0	20 0	22 0	...	...	...	...	...	...
hal Pergunnahs	13 8	13 0	13 0	...	...	...	17 8	18 0	16 0	23 0	23 8	22 0	...	...	...	...	...	...
Orissa.																		
ack	13 2	11 13	14 7	..	...	...	13 2	13 2	15 12	21 0*	21 0	26 4	...	...	...	...	...	...
ree	11 13	10 8	10 4	...	...	...	21 0	21 0	20 0	23 10	23 10	25 0	...	...	...	...	...	...
sore	16 0	16 0	14 0	...	...	...	16 0	16 0	25 0	28 0	28 0	28 0	...	...	...	...	...	...
CHOTA NAGPORE.																		
th-Western Frontier Agency.																		
áribagh	15 0	14 0	13 0	24 0	17 0	17 0	10 0	9 0	10 0	18 0	15 0	19 0	...	...	...	...	...	...
ardugga	16 0	15 0	14 0	20 0	20 0	20 0	16 0	18 0	20 0	20 0	22 0	22 0	...	...	...	..	...	...
gbhoom	18 0	18 0	20 0	24 0	24 0	28 0	32 0	32 0	36 0	36 0	36 0	40 0	...	...	...	...	...	...
nbhoom	13 0	13 0	12 0	...	...	...	17 0	16 0	18 0	27 0	26 0	28 0	...	...	...	...	...	...

In the interior retail prices of common rice vary from 20-4 to 39-6 seers per rupee.
In the sub divisions retail prices of salt are as follow.—Baraset and Bussirhat 13 seers, Diamond Harbour 10-8 seers, Barrackpore 12-12 seers, and Dum-Dum 12 seers.
In the sub-divisions retail prices of salt are as follow:—Koostea and Chooadanga 13 seers, Meherpore 11-5 seers, and Ranaghat 11-14 seers.
In Satkhira and Basirhat sub-divisions retail price of salt 11 seers.
In the sub-divisions retail prices of salt are as follow:—Jhenidah, Magura and Narail 12 seers, and Bongong 13 seers.
In the sub-divisions retail prices of salt are as follow:—Lalbagh 11 seers, Jungipore 12 seers, and Kandi 11-8 seers.
Retail prices of salt at Raigunge 10-8 seers and Neelpore 12 seers.
In Nattore retail price of salt 12 seers.
In the sub-divisions retail prices of salt are as follow:—Gaibanda 10-4 seers, and Kurigram and Nilphamari 12 seers.
In Serajgunge retail price of salt 13 seers.
Retail price of salt at Kurseong 8 seers and Silligoree 10 seers.
Retail price of salt at Fullacotta in Alipore sub division 10 seers.
In the sub-divisions retail prices of salt are as follow:—Manickgunge 12 seers, Moonsheegunge 10 seers 10½ chittacks, and Naraingunge 12-12 seers.
In the sub-divisions retail prices of salt are as follow:—Goalundo 13 seers, Madaripore 12 seers, Bhanga 11-8 seers and Gopalgunge 12-12 seers.
In the sub-divisions retail prices of salt are as follow:—Patuakhali 9-4 seers, Perozepore 11 seers, and Bhola 9 seers.
In the sub-divisions retail prices of salt are as follow:—Kishoregunge 10-10 seers, Attea and Jamalpore 12 seers, and Netrokona 12-6 seers.

[IN]DIA FOR THE 2nd HALF OF SEPTEMBER 1883—*continued.*

SEERS OF 80 TOLAHS.

[Le]sser Millets, Ragi, &c. Kavaru, Veragu, Sawee, Cheena, Coraloo, Murhwa, Nagiesl, *Panicum Miliaceum, &c.*			Gram.			Firewood.			Salt						Districts.	Provinces.
									Wholesale prices per maund of 40 seers.			Retail.				
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	R a. p.	R a. p.	R a. p.	S. Ch.	S. Ch.	S. Ch.		
															Central Districts.	BENGAL—*continued.*
...	...	...	20 0	18 13	22 10	90 0	90 0	90 0	2 12 0	2 12 0	2 10 0	13 5	13 5	14 9	Calcutta	
...	...	...	18 0	17 8	17 8	80 0	80 0	100 0	3 0 0	3 0 0	2 14 0	12 13t	12 13	13 14	24-Pergunnahs	
...	...	...	18 13	18 13	18 12	.	.	..	3 0 0	3 1 11	3 0 0	11 10¼q	11 10¼	11 10¼	Nuddea	
...	...	...	16 0	16 0	12 0	180 0	180 0	160 0	3 4 0	3 4 0	3 2 0	10 8¼	10 8	11 0	Khoolna	
..	...	...	16 0	16 0	18 0	120 0	120 0	120 0	3 2 0	3 2 0	3 0 0	10 12r	11 0	11 8	Jessore	
...	...	..	20 0	22 0	22 14	120 0	120 0	120 0	3 0 0	3 2 0	3 0 0	13 0r	12 8	12 0	Moorshedabad	
...	...	...	20 0	20 0	14 0	160 0	80 0	160 0	3 6 0	3 6 0	3 3 6	11 8¼	11 0	12 0	Dinagepore	
...	...	...	19 8	22 8	21 0 to 22 8	240 0	240 0	240 0	3 1 3	3 0 0	3 2 0	12 0l	12 0	12 12	Rajshahye	
...	...	...	17 3	17 3	15 0	110 0	110 0	130 0	3 5 0	3 5 0	3 5 3	11 14m	11 14	11 8	Rungpore	
...	...	...	16 6	19 2	17 1	62 8	62 8	48 12	3 2 8	3 5 4	3 5 4	12 0	12 0	12 0	Bogra	
...	..	..	18 12	18 12	19 0	200 0	200 0	200 0	3 2 6	3 4 0	3 1 0	12 0n	12 0	12 0	Pubna	
0	12 0	8 0	10 0	8 0	9 0	128 0	106 8	160 0	4 8 0	4 8 0	4 8 0	8 0o	8 0	8 0	Darjeeling	
...	...	..	16 0	16 0	16 0	128 0	128 0	128 0	3 4 0	3 4 0	3 4 0	12 0p	12 0	11 0	Jalpaiguri	
															Eastern Districts.	
...	...	..	19 0	18 0	20 0	99 0	97 0	106 8	3 0 0	...	2 14 0	13 5q	12 10	13 5	Dacca	
...	...	...	20 0	18 0	12 0	120 0	120 0	120 0	3 5 0	3 5 0	3 2 0	12 0r	12 0	12 0	Furreedpore	
...	...	...	18 0	18 0	18 0	120 0	120 0	100 0	2 11 0	2 11 0	2 15 0	13 0s	13 0	13 0	Backergunge	
...	...	...	15 0	15 0	17 0	.	..	..	3 4 0	3 4 0	3 3 0	12 4t	12 4	12 8	Mymensingh	
...	...	...	13 0	13 0	16 0	40 0	40 0	80 0		.	2 14 0	10 0u	10 0	13 0	Chittagong	
...	...	...	12 0	12 0	16 0	.	...	..	3 2 0	3 2 0	3 2 0	10 0v	10 0	10 0	Noakholly	
...	...	...	18 0	16 0	18 0			.	3 2 0	3 2 0	3 2 0	12 4w	12 4	12 8	Tipperah	
...	...	..	..	..	.	320 0	320 0	320 0	6 0 0	6 0 0	3 4 0	6 4	6 4	10 9	Chittagong Hill Tracts	
...	...		14 0	14 0	14 0	..	..	.	3 4 0	3 4 0	3 4 0	11 0	11 0	10 0	Hill Tipperah	
															Behar.	
...	..	...	28 0	28 0	28 0	130 0	130 0	130 0	3 1 6	3 1 6	3 0 0	9 12	9 12	10 8	Patna	
...	...	..	21 0	21 0	22 0	160 0	180 0	180 0	3 5 0	3 5 0	3 5 0	11 0x	11 0	11 8	Gya	
...	...	27 8	25 0	24 0 to 25 0	29 0	120 0	100 0	120 0	3 1 0	3 1 0	3 1 0	12 8y	12 8	12 8	Shahabad	
0	29 0	42 8	22 8	20 0	23 0	180 0	160 0	160 0	3 10 0	3 10 0	.	10 0z	10 0	11 0	Durbhunga	
...	...	..	22 0	23 0	25 0	140 0	140 0	140 0	3 4 0	3 4 0	3 4 0	12 0z1	12 0	12 0	Mozufferpore	
0	30 0	33 0	26 0	25 0	27 0	160 0	160 0	160 0	3 4 0	3 4 0	3 4 0	11 0z2	11 0	11 0	Sarun	
...	...	...	24 0	24 0	25 0		...	.	3 6 0	3 6 0	3 6 0	11 0z3	11 0	11 8	Chumparun	
...	...	...	25 3	24 3	29 7	160 0	120 0	126 0	3 2 4½	2 15 0	3 1 0	13 1z4	12 9	12 10	Monghyr	
...	...	...	22 11	22 11	26 8	151 14	151 14	151 8	3 0 0	3 2 0	2 14 6	12 10z5	12 10	12 10	Bhagalpur	
...	...	...	19 0	20 0	21 0	160 0	160 0	160 0	4 0 0	4 0 0	3 12 0	9 0z6	9 0	10 12	Purneah	
...	...	...	21 0	20 0	21 0	160 0	160 0	200 0	3 2 0	3 4 0	3 3 0	12 0	12 0	12 0	Maldah	
...	...	...	18 0	17 0	19 0	200 0	200 0	200 0	3 12 0	3 12 0	3 4 0	10 0z7	10 0	11 4	Southal Pergunnahs	
															Orissa.	
12	18 6	13 2	18 6	18 6	21 0	80 0	80 0	160 0	2 12 0	2 12 0	2 12 0	14 0	14 0	14 0	Cuttack	
...	...	...	17 1	17 6	15 0	120 0	100 0	120 0	2 12 0	2 12 0	2 12 0	13 0z8	13 0	13 4	Pooree	
...	...	...	16 0	16 0	16 0	120 0	120 0	120 0	4 2 0	4 2 0	3 2 0	9 3z9	9 3	13 12	Balasore	
															CHOTA NAGPUR.	
															South-Western Frontier Agency.	
0	33 0	42 0	20 0	16 0	18 0	240 0	240 0	240 0	3 7 0	3 8 6	3 8 0	10 8z10	10 0	11 0	Hazaribagh	
0	28 0	30 0	15 0	14 0	15 0	100 0	100 0	120 0	4 0 0	4 0 0	4 2 0	9 0	9 0	9 0	Lohardugga	
...	...	..	24 0	24 0	24 0	180 0	180 0	180 0	4 7 0	4 7 0	4 0 0	8 0	8 0	8 12	Singbhoom	
...	...	...	15 0	16 0	18 0	120 0	120 0	120 0	3 9 0	3 7 0	3 12 0	10 12z11	10 0	10 12	Manbhoom	

u Retail price of salt at Hathazaree 8 seers.
v In the interior retail prices of salt range from 8 to 12-4 seers.
w In Brahmanberiah and Chandpore sub-divisions retail price of salt is 13 seers per rupee.
x In Nowada retail price of salt 10 seers.
y In the sub-divisions retail prices of salt are as follow —Buxar 11-8 seers, Sasseram 11-12 seers, and Bhabooah 10-8 seers.
z In the sub-divisions retail prices of salt are as follow —Madhubani 10 seers and Tajpur 11-8 seers.
z1 In the interior retail prices of salt range from 10 to 12 seers.
z2 In Sewan and Gopalgunge sub-divisions retail price of salt 12 seers.
z3 In the interior retail prices of salt range from 10 to 12 seers.
z4 In the sub-divisions retail prices of salt are as follow —Beguserai 11-8 seers and Jamui 11 seers.
z5 In the sub-divisions retail prices of salt are as follow —Banka 11 seers, Muddehpoora 10-8 seers, and Soopole 12 seers.
z6 In the sub-divisions retail prices of salt are as follow —Kissengunge 10 seers and Arraria (at Raneegunge) 10 seers.
z7 In the sub-divisions retail prices of salt are as follow :—Deoghur 12 seers, Rajmehal and Godda 12-8 seers.
z8 In Khoorda retail price of salt 13 seers.
z9 In Bhudruck retail price of salt 8 seers.
z10 Retail price of salt at Chatra is 11 seers, and Khurruckdiha 11-8 seers.
z11 Retail price of salt at Raghunathpore 11-8 seers, Burrabazar 10 seers, and Gobindpore 11 seers.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Provinces.	Districts	Wheat.			Barley.			Rice (best sort).			Rice (common).			Great Millet (Cholum, Jowari, *Holcus Sorghum*).			Bulrush Millet (Cumboo, Bajra, *Penicillaria Spicata*).		
		Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.
		S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Assam.	Sylhet																		
	Cachar																		
	Goálpárá																		
	Gáro Hills																		
	Kámrúp	No return received			...	...		...		...	...	...	...	...	...	...	...	...	...
	Darrang																		
	Nowgong																		
	Sibságar																		
	Lakhimpur																		
	Khásí & Jaintiá Hills																		
	Nága Hills																		
N. W. Provinces.	Dehra Dún	17 8	17 8	18 8	26 0	26 0	27 0	6 8	6 8	6 0	10 8	10 0	11 0	24 0	24 0	24 0	20 0	20 0	22 0
	Saharanpur	18 13	18 18	20 7	23 10½	19 5½	31 3	7 8½	7 8¼	9 11	10 12	10 12	12 14½	26 14	26 14	32 4	23 10½	23 10½	23 10½
	Muzaffarnagar	17 14	17 10	19 12	33 0	33 0	28 11	6 9	6 9	6 9	11 8	11 0	11 5	28 11	28 11	33 0	22 0	22 0	24 6
	Meerut	18 0	17 8	19 8	27 8	25 0	27 0	6 0	6 0	6 0	13 0	13 0	15 0	27 0	26 0	27 0	19 0	19 0	21 0
	Bulandshahr	19 0	18 8	19 10	28 0	26 0	25 8	6 0	6 0	6 0	10 0	9 11	10 5	26 0	26 0	24 0	16 0	16 0	20 0
	Aligarh	17 12	17 4	18 8	24 8	23 0	24 0	6 0	6 0	6 8	10 0	10 0	13 0	24 0	24 0	25 0	16 0	16 0	23 8
	Kumaun	15 0	15 0	17 0	18 0	18 0	17 0	10 0	10 0	10 0	12 0	12 0	14 0	...	...	...	...	...	...
	Garhwál	20 0	20 0	24 0	22 0	22 0	27 0	9 0	9 0	9 0	15 0	15 0	17 0	...	...	...	30 0*	30 0*	30 0*
	Bijnor	19 2	18 14	17 14	29 8	29 4	25 14	10 2	9 9	11 8	12 6	10 11	12 15	...	22 8	21 6	...	...	19 2
	Moradabad	20 10	20 0	19 11	29 6	28 2	23 2	9 0	9 0	9 6	13 0	13 0	13 2	25 8	25 8	26 4	15 4	15 4	18 2
	Budaun	20 4	20 6	18 0	30 0	30 0	23 0	6 0	6 0	9 9½	16 3	18 3	18 0	...	...	...	18 0	...	...
	Bareilly	19 1	19 6	17 3	26 9	24 6	21 4	7 8	7 8	8 2	13 7	13 2	14 6	27 8	26 4	25 0	20 0	20 0	21 4
	Sháhjahánpur	20 8	19 6	19 2	33 8	33 0	25 0	10 0	9 12	9 4	15 12	15 4	19 12	...	...	..	...	...	...
	Tarái Pergunnahs	24 6	24 4	22 0	40 0	40 0	32 0	8 12	8 12	10 0	14 0	14 0	15 0	40 0	25 0	25 0	25 0	22 8	25 0
	Muttra	17 8	17 8	17 8	23 0	23 0	24 0	7 0	7 0		11 0	11 0	14 0	22 0	22 0	24 0	18 0	18 0	23 0
	Agra	17 0	16 8	17 8	24 8	23 0	25 0	5 8	5 8	6 0	11 8	11 8	14 0	23 0	22 0	26 0	20 0	18 0	25 0
	Farukhabad	18 11	17 15	17 8	26 12	24 7	22 8¼	7 4	7 4	6 13	12 9	12 8	13 6½	24 12	24 2	24 8	23 7	22 4	22 12
	Mainpuri	18 0	17 0	18 8	24 0	22 8	24 0	4 0	4 0	5 0	10 0	10 0	11 0	...	...	...	...	...	...
	Etáwah	17 0	17 8	19 0	22 8	22 0	25 8	6 0	6 0	6 0	12 0	12 0	14 8	24 0	23 0	25 8	19 8	19 8	23 8
	Etah	19 0	18 8	19 0	25 5	25 4	25 3	7 12	6 8	7 11	12 0	11 8	13 0	..	18 0	22 0	18 0	18 0	20 0
	Jalaun	19 0	19 0	17 0	20 0	20 0	20 0	9 0	9 0	10 0	10 0	10 0	11 0	25 0	25 0	28 0	20 0	20 0	22 0
	Jhánsi	21 4½	19 7½	21 3	30 9	28 10	31 15	7 8	7 8	8 0	12 12	11 2½	15 0	28 11	27 2½	25 0	22 8	...	...
	Lalitpur	21 6	20 8	20 8	36 0	35 0	37 0	9 0	9 0	11 0	11 8	11 0	13 0	33 4	31 0	32 0	24 0	22 0	26 0
	Cawnpore	19 0	18 8	19 0	28 8	27 0	27 8	10 0	10 0	11 0	13 8	13 8	14 8	27 0	27 0	28 0	24 0	24 0	25 0
	Fatehpur	16 14	16 10	16 10	25 12	25 4	24 4	10 8	10 12	13 8	14 0	13 8	16 0	..	...	..	...	...	...
	Bánda	23 0	22 0	17 8	32 0	31 0	21 0	8 0	8 0	8 0	12 8	12 0	14 0	36 0	37 0	34 0	33 0	30 0	30 0
	Allahabad	17 8	17 4	17 8	29 0	28 0	25 4	11 0	10 8	12 0	15 0	15 0	16 0	31 0	31 0	32 8	30 0	29 8	31 0
	Hamirpur	18 9	18 4	16 14	...	...	18 0	8 4	9 0	11 4	9 4	...	...	27 14	24 12	29 8	26 14	23 10	27 0
	Jaunpur	19 0	19 13	18 5	30 5	31 1	28 15	7 12	7 12	7 1	14 2	12 12	15 8	..	..	...	...	...	19 12
	Gorakhpur	18 0	18 0	18 14½	27 0	27 0	27 0	12 2½	11 13	14 6½	14 14	14 5½	19 13	36 0	39 9½	36 0	...	...	...
	Basti	18 0	18 0	18 8	30 0	30 0	28 0	12 0	12 0	16 0	16 0	16 0	20 0	..	...	...	...	...	...
	Azamgarh	16 10	17 4	16 4	24 12	25 13	24 6	10 5	10 5	11 9	14 0	13 4	17 11	31 0	29 8	...	20 10	...	...
	Mirzapur	16 0	16 0	15 0	25 0	25 0	21 0	10 0	9 0	10 0	12 0	12 0	16 0	26 0	26 0	26 0	24 0	24 0	24 0
	Benares	16 13	16 13	15 11½	25 12	25 8½	24 6	10 5	10 13½	11 6	17 1	17 1	15 11½	26 0	26 0	26 0	25 8	26 0	24 15
	Gházipur	18 5	18 10½	18 0	26 11½	27 0½	27 11	9 0	9 0	10 15½	15 7	15 7	16 1½	33 7½	33 7½	25 12	25 12	25 12	21 14
	Balia	18 12	18 12	16 4	26 4	25 0	27 8	10 0	10 0	10 0	17 8	17 8	15 0	...	...	...	...	...	...
	Pilibhít	No return received			...	...	...	...	...	...	...	...	...	...	...	...	..	...	...
Oudh.	Sultánpur	20 0	20 0	20 0	32 0	32 0	31 0	11 0	11 0	11 0	16 0	16 0	20 0	...	...	...	...	...	...
	Partábgarh	20 0	19 14	19 4	32 8	32 5	28 12	16 0	15 5	18 4	18 0	17 2	19 12	...	..	...	...	...	28 0
	Fyzabad	17 6	18 0	16 14	28 0	28 0	27 4	10 0	10 0	11 0	16 8	15 12	18 12	38 0	38 12	...	...	...	...
	Kheri	22 0	21 0	19 0	36 0	34 8	25 0	7 0	7 0	8 0	14 0	13 8	20 0	44 0	41 0	...	...	...	...
	Lucknow	17 12	17 11	17 13	27 7	26 14	25 3	6 0	6 0	6 0	12 14	13 2	15 8	27 2	27 0	24 8	23 6	23 4	24 0
	Bara Banki	18 8	18 0	18 0	26 0	24 0	24 0	10 0	9 0	11 0	14 0	14 0	16 0	36 0	32 0	36 0	20 0	21 0	20 0
	Bahraich	16 0	16 0	16 0	34 0	34 0	30 0	10 0	10 0	9 8	14 0	15 0	17 0	34 0	34 0	36 0	22 0	22 0	13 0
	Rai Bareli	19 0	18 12	19 0	27 8	26 8	26 0	...	...	...	15 0	15 8	16 8	...	...	25 0	22 0	22 0	20 0
	Sitapur	21 6	20 12	19 9½	34 8	32 11	26 9½	8 0	8 0	8 0	16 2	14 0	18 12	28 0	28 0	...	25 0	25 0	20 0
	Gonda	21 5	20 15	20 4	39 4	42 0	28 0	15 0	14 4	16 4	15 8	15 10	18 12	39 12†	39 0†	40 0†	21 8	22 0	24 0
	Unao	18 8	18 0	18 0	27 0	26 0	27 0	10 0	11 0	11 0	14 0	13 0	15 0	28 0	28 0	36 0	21 0	21 0	24 0
	Hardui	17 6	16 14	20 6	28 10	27 3	27 11	5 10	5 10	5 10	11 4	11 4	12 14	...	23 7	..	...	16 14	...
Punjab.	Gujránwála (a)	22 4	22 4	27 0	37 0	35 0	45 0	..	..	...	13 0	12 0	14 0	32 0	32 0	35 0	28 0	28 0	25 0
	Lahore (b)	22 0	20 0	25 0	32 0	32 0	48 0	..	...	...	11 0	11 0	11 0	32 0	32 0	30 0	24 0	24 0	24 0
	Ferozepore (b)	21 0	20 0	25 0	36 8	38 0	42 0	...	...	...	10 8	10 0	11 0	41 0	36 0	...	...	...	...
	Sirsa (c)	21 0	21 0	22 8	35 0	35 0	38 0	...	...	...	12 0	11 0	12 0	32 0	32 0	38 0	29 0	28 0	32 0
	Hissar	18 8	18 8	17 0	28 0	29 0	32 0	...	..	...	9 0	9 0	10 0	27 0	28 0	32 0	25 0	25 0	27 0
	Rohtak (d)	18 6	18 8	17 8	25 0	24 0	24 0	...	..	...	8 0	8 0	9 0	22 0	22 0	24 0	21 0	21 0	23 0
	Gurgaon	20 0	19 8	19 12	27 0	27 0	27 2	..	...	...	10 0	10 0	13 0	25 0	25 0	25 12	22 0	22 0	25 12
	Delhi (b)	18 8	17 8	19 0	24 0	24 8	24 0	...	...	...	12 0	12 0	13 0	24 0	23 8	27 0	20 8	19 0	21 0
	Karnal (b)	18 8	18 0	20 8	27 8	26 8	31 0	...	...	...	11 0	10 0	13 0	24 0	24 0	30 0	22 0	22 0	18 0
	Umballa (a)	20 8	20 8	24 8	28 0	30 0	32 0	...	...	...	10 0	10 0	12 0	32 0	32 0	32 0	15 0	15 0	26 0
	Ludhiana	23 0	23 0	25 0	34 0	32 0	37 0	...	...	...	10 8	10 8	14 0	33 0	30 0	40 0	25 0	19 0	23 0
	Simla (b)	15 4	15 0	17 0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

* Mandwa. † Maize. (a) Barley, rice and gram falling. (b) Prices falling.

INDIA FOR THE 2nd HALF OF SEPTEMBER 1883—*continued.*

IN SEERS OF 80 TOLAHS.

Districts	Provinces	Lesser Millets, Ragi, &c. (Kavaru, Veragu, Sawee, Cheena, Coraloo, Murhwa, Nuglee), *Panicum Miliaceum, &c.* Present fortnight	Past fortnight	Corresponding fortnight of 1882	Gram. Present fortnight	Past fortnight	Corresponding fortnight of 1882	Firewood. Present fortnight	Past fortnight	Corresponding fortnight of 1882	Salt. Wholesale. Present fortnight	Past fortnight	Corresponding fortnight of 1882	Salt. Retail. Present fortnight	Past fortnight	Corresponding fortnight of 1882
		S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	R a.	R a. per md.	R a.	S. Ch.	S. Ch.	S. Ch.
Sylhet	Assam															
Cachar																
Goálpárá																
Gáro Hills																
Kámrúp																
Darrang		...	...	...	...	...	...	...	...	...	...	...	No	return	received	...
Nowgong																
Sibságar																
Lakhimpur																
Khási & Jaintiá Hills																
Nága Hills																
											S. Ch.	S. Ch.	S. Ch.			
Dehra Dún	N. W. Provinces	...	...	...	22 0	22 0	20 0	160 0	160 0	160 0	11 0	11 0	10 0	10 8	10 8	10 0
Saháranpur		...	...	...	24 11½	24 11½	24 11½	129 0	129 0	129 0	13 2¼	13 2¼	12 1	12 14¼	12 14¼	11 13
Muzaffarnagar		...	...	...	23 2	22 8	24 14	110 0	110 0	132 0	12 6	12 6	11 13	11 8	11 8	11 4
Meerut		...	...	...	23 0	22 8	24 0	110 0	110 0	110 0	12 8	12 8	12 8	12 0	12 0	12 0
Bulandshahr		...	...	...	22 0	21 0	23 0	140 0	140 0	150 0	11 8	11 8	11 12	..	...	...
Aligarh		...	...	...	22 0	21 0	22 8	120 0	120 0	130 0	12 8	12 4	12 8	12 0	12 0	11 8
Kumaun		...	...	...	12 0	12 0	12 0	200 0	200 0	200 0	9 0	9 0	8 0	8 0	8 0	7 0
Garhwál		...	...	...	9 0	10 0	9 0	280 0	280 0	280 0	9 0	8 8	7 0	8 2	7 13	6 4
Bijnor		...	...	...	20 13	21 6	21 6	135 0	135 0	135 0	...	...	...	11 8	11 4	11 4
Moradabad		...	...	..	21 14	21 14	21 14	125 0	125 0	137 8	12 10	12 10	12 12	12 8	12 8	11 14
Budaun		...	...	...	24 9½	24 0	19 8	192 0	192 0	192 0	11 6	11 6	10 12½	10 12¼	11 1¼	10 7½
Bareilly		...	...	...	23 2	22 8	20 10	125 0	125 0	125 0	12 3	12 3	11 14	11 14	11 14	11 4
Sháhjahánpur		...	...	...	23 4	22 12	21 12	160 0	160 0	160 0	13 0	13 0	12 8	11 0	10 12	10 12
Tarái Pergunnahs		...	...	...	20 0	20 0	18 0	120 0	120 0	120 0	11 4	11 4	12 0	11 0	11 0	11 8
Muttra		...	...	...	21 8	21 8	24 8	120 0	120 0	110 0	13 0	13 0	14 0	12 8	12 8	12 8
Agra		...	...	...	28 0	22 8	25 0	100 0	100 0	100 0	13 8	13 8	12 8	13 0	13 0	12 0
Farukhabad		...	...	...	24 12	23 0	21 15¼	150 0	150 0	156 8	12 4	12 4	11 14½	11 10	11 10	10 14
Mainpuri		...	...	...	22 0	21 0	24 0	160 0	160 0	160 0	11 8	11 8	12 0	11 0	11 0	11 0
Etawah		...	...	...	24 0	24 0	26 0	100 0	100 0	100 0	12 0	12 0	10 8	11 0	11 0	10 0
Etah		...	...	...	22 1	21 0	22 0	180 0	180 0	160 0	12 0	12 0	10 8	11 13	11 4	12 0
Jalaun		...	...	...	29 0	29 0	30 0	140 0	140 0	140 0	11 0	11 0	12 0	10 0	10 0	11 0
Jhánsi		...	...	...	28 14	27 9¼	28 0½	200 0	200 0	200 0	11 0	11 0	12 8	10 0	10 0	11 8
Lalitpur		...	...	...	31 0	30 0	30 0	160 0	180 0	160 0	12 0	12 0	11 0	11 0	11 0	11 0
Cawnpore		...	...	...	28 8	27 0	25 8	145 0	145 0	140 0	13 8	13 8	12 12	13 0	13 0	12 8
Fatehpur		...	...	...	29 8	27 12	25 4	200 0	200 0	200 0	11 0	11 0	10 4	10 12	10 12	10 0
Banda		...	...	...	37 0	37 0	33 0	160 0	160 0	160 0	12 0	12 0	12 8	11 0	11 0	12 0
Allahabad		...	...	...	29 12	29 0	25 2	160 0	140 0	150 0	12 0	12 0	12 0	11 0	11 0	11 0
Hamirpur		...	...	...	32 8	29 13	29 13	140 0	140 0	140 0	11 8	11 4	11 12	10 8	10 0	11 0
Jaunpur		...	...	...	28 4	29 10	24 0	148 12	148 12	120 0	10 12	10 12	9 11	10 10	10 10	9 9
Gorakhpur		...	...	...	28 13	28 13	26 0	160 0	160 0	160 0	10 9½	10 9¼	11 13	10 6¼	10 6¼	10 6¼
Basti		...	...	...	27 0	27 0	23 0	160 0	150 0	160 0	8 8	8 8	9 8	8 0	8 0	9 0
Azamgarh		...	...	...	25 1	25 15	22 14	147 8	147 8	181 0	10 8	10 8	10 8	9 14	9 14	10 0
Mirzapur		...	...	...	26 0	24 0	21 0	70 0	70 0	100 0	10 0	10 0	10 0	8 0	8 0	9 0
Benares		...	...	...	24 6	23 14	21 2	90 0	90 0	120 0	10 6¼	10 6¼	11 4	10 2	10 2	1[illegible] 2
Gházipur		...	...	..	27 0½	27 0¼	25 12	128 12	128 12	130 0	10 15¼	10 15½	11 0	10 5	10 5	9 10½
Balia		...	...	...	25 0	25 8	25 0	90 0	90 0	100 0	11 4	11 4	11 4	11 4	11 4	11 4
Pilibhít		...	...	...	...	...	..	...	...	...	...	...	..	No return	received	
Sultánpur	Oudh	...	...	...	31 0	31 0	26 8	160 0	160 0	160 0	12 4	12 4	11 8	12 0	12 0	11 4
Partabgarh		...	...	...	28 0	26 10½	21 4	200 0	200 0	200 0	11 0	11 0	11 0	10 10	10 10	10 4
Fyzabad		...	...	...	26 8	27 8	23 4	120 0	120 0	140 0	11 8	11 8	11 0	11 0	11 0	10 0
Kheri		...	...	...	26 0	26 8	18 0	120 0	120 0	160 0	11 0	11 0	11 0	10 8	10 8	10 0
Lucknow		...	...	...	23 3	23 0	21 9	115 0	115 0	110 0	11 2¼	11 2¼	10 8	10 10½	10 10½	10 0
Bara Banki		...	...	...	25 0	25 0	22 8	130 0	130 0	130 0	12 0	12 0	12 0	11 0	11 0	10 0
Bahraich		...	...	...	30 0	30 0	24 0	160 0	160 0	160 0	...	...	...	9 8	9 8	9 8
Rai Bareli		...	...	...	25 0	24 0	19 12	160 0	160 0	160 0	...	...	...	12 0	12 0	9 0
Sitapur		...	...	...	27 8	27 1	21 6	160 0	160 0	160 0	12 8	12 8	12 0	11 8	11 8	10 8
Gonda		...	...	...	32 8	33 8	26 12	200 0	200 0	240 0	11 4	11 4	11 4	11 0	11 0	11 0
Unao		...	...	...	26 0	25 0	23 0	160 0	160 0	160 0	...	...	..	11 0	12 0	11 8
Hardui		...	...	...	22 8	21 9	22 8	240 0	200 0	240 0	9 6	9 6	9 6	7 8	7 8	8 7
Gujránwála (a)	Punjab	...	...	...	32 8	29 8	27 0	95 0	95 0	95 0	15 4	15 4	15 4	15 0	15 0	15 0
Lahore (b)		...	...	...	31 0	29 0	32 0	80 0	80 0	80 0	15 0	15 0	15 0	14 0	14 0	12 0
Ferozepore (b)		...	...	...	35 0	30 8	36 0	100 0	100 0	80 0	13 4	13 4	12 0	13 0	13 0	12 0
Sirsa (c)		...	...	...	35 0	33 0	27 0	120 0	120 0	120 0	12 8	12 0	11 0	12 0	11 8	10 8
Hissar		...	...	...	27 0	27 0	29 0	120 0	120 0	80 0	12 8	12 0	11 0	12 0	11 8	10 0
Rohtak (d)		...	...	...	22 8	23 0	23 8	100 0	100 0	100 0	12 8	12 0	11 0	11 8	11 0	10 12
Gurgaon		...	...	...	22 0	22 0	24 4	120 0	120 0	110 0	12 0	12 0	12 0	12 0	12 0	12 0
Delhi (b)		...	...	...	22 0	21 0	22 12	80 0	80 0	80 0	12 8	12 8	12 8	11 8	11 8	11 8
Karnal (b)		...	...	...	24 0	24 0	26 0	140 0	140 0	160 0	12 0	12 0	11 8	11 12	11 12	11 4
Umballa (e)		...	...	...	26 0	27 0	29 0	160 0	160 0	140 0	14 0	14 2	13 13	14 0	14 0	13 12
Ludhiana		...	...	...	29 8	29 0	32 12	100 0	100 0	100 0	14 0	14 0	14 10	14 0	14 0	14 8
Simla (b)		...	...	...	19 4	18 4	22 8	80 0	80 0	80 0	11 4	11 0	10 0	10 8	10 5	9 6

(a) Rice, bajra, gram and salt falling. (d) Wheat and gram rising : salt and barley falling. (e) barley and gram rising.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Districts	Wheat			Barley			Rice (best sort)			Rice (common)			Great Millet (Cholum, Jowar), *Holcus Sorghum*			Bulrush Millet (Cumboo, Bajra), *Penicillaria Spicata*		
	Present fortnight	Past fortnight	Corresponding fortnight of 1882	Present fortnight	Past fortnight	Corresponding fortnight of 1882	Present fortnight	Past fortnight	Corresponding fortnight of 1882	Present fortnight	Past fortnight	Corresponding fortnight of 1882	Present fortnight	Past fortnight	Corresponding fortnight of 1882	Present fortnight	Past fortnight	Corresponding fortnight of 1882
	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Kángra	20 0	20 0	24 0	32 0	32 0	40 0	...	..	...	14 0	14 0	15 0	...	..	...	...	...	..
Jullundur (a)	21 8	20 0	25 8	30 0	30 0	35 0	..	...	...	6 0	6 0	8 0	30 0	28 0	34 0	25 0	24 0	19 0
Hoshiárpur (a)	20 0	20 0	26 8	25 0	24 0	36 0	...	...	..	12 8	11 0	11 0	29 0	...	34 0	20 0	20 0	16 0
Gurdaspur	24 8	24 8	30 0	28 0	28 0	42 0	..	...	...	14 0	14 0	16 0	30 0	30 0	28 0	14 0	14 0	14 0
Amritsar (b)	23 0	21 8	25 8	30 0	30 0	43 8	...	...	...	13 8	11 8	12 8	35 0	27 4	29 4	24 8	24 8	28 8
Siálkot (a)	23 8	22 0	27 0	35 0	35 0	44 0	...	...	...	12 0	13 0	14 0	32 0	32 0	28 0	30 0	29 0	21 0
Gujrát (c)	23 0	23 0	27 0	37 0	36 0	45 8	...	...	...	12 0	12 0	12 0	38 0	36 8	22 0	35 8	33 8	29 8
Jhelum	23 0	21 0	24 0	36 0	28 0	35 0	...	...	..	10 0	10 0	10 0	33 0	33 0	26 0	36 0	29 0	25 0
Ráwalpindi (d)	25 0	23 0	25 0	34 0	32 0	35 8	...	...	..	7 8	7 8	11 12	14 0	36 8	32 0	45 0	35 8	25 0
Shahpur (e)	27 0	26 0	21 0	11 0	11 0	32 0	...	..	...	15 0	15 0	12 0	36 0	34 0	22 0	34 0	34 0	21 0
Jhang (f)	20 0	21 4	19 4	31 8	30 0	33 0	...	...	...	9 8	9 4	10 0	24 0	26 11	25 0	31 0	30 0	20 0
Montgomery	17 8	17 0	20 0	30 0	26 0	24 0	...	.	...	5 8	5 8	5 8	...	...	20 0	...	...	16 0
Mooltan (g)	15 8	15 8	17 0	27 0	27 0	29 0	...	...	...	11 0	10 0	10 0	27 0	24 0	30 0	24 0	24 0	24 0
Muzaffargarh (h)	17 0	17 0	18 8	26 0	25 0	26 0	..	..	...	5 0	5 0	7 0	21 0	21 0	18 0	17 0	16 0	18 0
Dera Ghazi Khan	17 8	17 8	18 12	27 8	27 8	22 8	...	...	..	10 0	10 0	7 8	33 12	32 8	23 12	30 0	30 0	22 8
Dera Ismail Khan (i)	20 10	21 4	20 10	32 8	35 0	28 8	..	...	...	8 0	8 2	9 1	40 0	40 0	32 4	30 0	30 0	27 4
Bannu	28 2	29 6	30 0	35 0	11 4	12 2	...	...	...	8 12	8 12	10 0	37 8	45 0	35 0	30 0	30 0	33 12
Kohat	19 12	19 10	17 8	33 2	31 14	30 4	...	..	..	11 8	11 8	12 2	30 10	30 10	23 4	30 10	30 10	21 10
Peshawar (j)	20 5	20 8	18 12	33 0	32 0	35 6	...	...	...	11 5	11 5	9 8	24 0	23 6	26 6	27 12	27 4	14 0
Hazara	25 8	25 0	23 12	40 0	40 0	32 0	...	..	...	12 0	12 0	11 8	38 0	34 0		28 0	28 0	...
Nágpur	18 12	18 12	17 0	...	...	..	8 12	9 0	9 8	16 0	16 0	16 0	29 8	29 0	26 12	...	...	...
Bhandara	22 0	20 0	18 12	...	...	...	10 0	10 0	10 0	22 8	20 0	21 4	35 0	35 0	23 0	..	...	..
Chanda	19 0	19 0	18 8	.	.	...			...	15 0	15 0	13 0	30 8	27 8	24 0	...	...	..
Wardha	20 0	20 0	18 8	...	...	.	10 0	10 0	8 12	12 0	12 0	11 12	27 0	26 0	23 0	..	..	...
Balaghat	20 0	18 0	17 0	..	..		18 0	15 0	15 0	27 0	23 0	28 0		..	...	..	..	...
Jubbulpore	20 0	19 0	17 0	22 0	20 0	20 0	11 0	10 0	10 0	16 0	15 0	11 0	24 0	23 0	17 0	17 0	17 8	15 8
Saugor	23 8	20 8	18 8	.	...	...	8 0	8 0	8 0	10 0	11 0	9 0		...	...	..	.	...
Damoh	26 8	26 8	22 0	..	...	...	12 0	10 12	14 8	13 8	12 0	15 0	..	...	..	..	...	..
Seoni	21 0	21 0	18 0	...	...	..	12 8	12 8	13 8	18 0	16 0	19 0	..	...	..	..	...	...
Mandla	26 0	25 0	19 0	.	...	...	15 0	15 0	15 0	19 0	18 8	18 8	.	..	..	...	..	...
Betul	18 0	18 0	16 0	..	..	..	10 8	10 8	9 0	11 0	11 0	10 0	19 8	19 8	20 0	...	...	...
Chhindwara	25 8	25 8	17 0	...	..	..	8 8	8 8	9 0	14 8	14 8	13 0	31 0	31 0	23 0	..	..	...
Hoshangabad	15 6	15 6	15 7	...	...	...	4 0	4 0	4 8	9 9	9 12	11 4	21 0	21 0	27 4	19 4	19 4	27 4
Narsinghpur	17 8	17 8	16 0	.	...	...	9 0	9 0	10 0	11 8	11 8	13 0	...	...	...	..	..	..
Nimar	16 8	16 8	16 0	...	...	...	12 9	12 9		14 14	14 14	12 0	20 10	20 10	30 0	20 0	20 0	25 0
Raipur	21 0	21 0	28 0	.	..	..	17 8	17 8	20 0	31 8	31 8	40 0	..	..	...	...	...	..
Sambalpur	15 0	16 8	22 12	..	...	...	27 0	29 5	35 0	32 0	32 11	44 0	..	...	...	...	...	...
Bilaspur	26 0	25 0	49 0	..	..	...	47 8	33 4	54 0	58 0	14 0	84 0	...	...	...	...	...	...
Arakan Division																		
Akyab	6 6	6 6	6 10	...		...	7 0	7 0	14 0	9 0	9 0	17 0	..	...	...	...	...	...
Northern Arakan	..	...	.	.	...	...	..	.	...	..	...	.	...	...	...	...	...	...
Kyoukpyoo	...	...	...	...	...	...	9 8	8 11	18 0	11 0	10 3	19 8	..	...	...	...	..	...
Sandoway	...	...	...	...	..	...	..	...	...	...	...	...	...	...	..	...	...	...
Pegu Division.																		
Rangoon Town	11 2	11 0	15 5	...	...	.	11 4	11 10	12 9	12 3	12 8	13 2	...	...	...	...	...	..
Tharrawaddy	..	..	.		..	..	7 2¾	7 2¾	10 13¾	7 14 [illegible]	7 11 [illegible]	14 4 4/7	..	...	...	...	..	...
Prome	9 11	9 11	13 13		...	...	9 9	11 3	12 12	13 1	13 1	17 2	.	..	...	...	...	...
Irrawaddy Division.																		
Henzada	...	.	...		...		11 15	11 15	14 5	15 10	15 10	19 8	...	..	...	...	...	...
Thonegwa	..	...	.			...	9 6	8 6	10 12	14 11	10 7	14 11	..	...	...	...	...	...
Thayetmyo	9 4	9 4	10 1	..	...	...	10 0	10 3	10 3	11 13	11 13	13 13	..	...	...	.	...	...
Tenasserim Division																		
Moulmein Town & Amherst	12 2	12 2	10 0	..		.	9 0	9 0	12 10	12 3	12 3	20 4	...	...	...	...	..	...
Tavoy	...	...	.		..	.	12 6	12 6	13 12	17 15	17 15	22 14	...	...	...	...	...	...
Toungoo	...		..			.	12 13	14 3	18 5	14 3	16 1	21 5	..	.	...	...	...	...
Shwaygyin	...	.	.	..	...	.	9 13	9 1	12 7	10 6	11 5	13 13	..	...	...	...	...	...
Salween	.			..		...		.	..	.	.	..	...	...	...	...	...	...
Secunderabad	No return received																	
Bolarum	No return received			...	...	.	..	...	..	..	..	...	...		...	...	..	...
Chudderghat	No return received																	
Amraoti	15 8	16 0	17 0	10 0	10 0	11 0	8 0	8 0	8 0	10 0	10 0	10 0	26 0	26 0	28 0	16 0	16 0	18 0
Akola	16 0	16 0	16 0	.	...	..	7 0	7 0	8 0	13 0	13 0	10 0	27 0	24 0	26 0	21 0	21 0	16 0
Ellichpur	16 0	16 0	16 0	14 0	14 0	12 0	10 0	10 0	10 0	12 0	14 0	12 0	26 0	27 0	30 0	23 0	24 0	25 0
Buldana	18 0	18 0	17 0	...	...	..	...	...	..	11 0	11 0	11 0	25 0	26 0	32 0	24 0	21 0	28 0
Wun	18 0	18 0	13 8	...	...	...	8 8	8 0	7 0	13 0	13 0	10 8	30 8	31 8	28 0	...	...	...
Basim	21 0	21 0	21 0	.	..	...	5 12	5 12	5 4	13 0	13 0	13 0	28 0	27 0	32 0	...	...	...

Prices falling. (b) Wheat, rice, jowar, gram and salt falling. (c) Barley, bajra, jowar and gram falling. (d) Wheat, barley, bajra, jowar and gram falling; wood rising.
Barley, bajra and gram falling. (i) Wheat, barley, rice, gram and salt rising. (j) Wheat slightly rising; barley, bajra and gram falling.

INDIA FOR THE 2nd HALF OF SEPTEMBER 1888—*continued.*

IN SEERS OF 80 TOLAHS.

Lesser Millets, Ragi, &c. (Kavaru, Veragu, Sawee, Cheena, Coraloo, Murhwa, Nurlee), Panicum Miliaceum, &c.			Gram.*			Firewood.			Salt. Wholesale.			Salt. Retail.			Districts.
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	
															Punjab—continued.
...	...	...	21 0	18 0	24 0	140 0	140 0	140 0	10 8	10 8	10 8	10 0	10 0	10 0	Kángra
...	...	...	27 0	25 8	32 0	110 0	110 0	100 0	14 8	14 8	14 4	14 0	14 0	13 11	Jullundur (a)
...	...	...	25 0	24 0	28 0	110 0	110 0	100 0	14 0	14 0	14 0	13 12	13 12	13 8	Hoshiárpur (a)
...	...	...	27 0	25 8	31 0	120 0	120 0	120 0	13 4	13 0	13 8	12 8	12 0	13 0	Gurdaspur
...	...	...	31 4	30 8	33 4	80 0	80 0	80 0	15 6	15 5	14 12	15 0	14 13	14 6	Amritsar (b)
...	...	...	27 0	26 8	26 0	120 0	120 0	130 0	15 8	15 8	14 12	15 0	15 0	14 0	Siálkot (a)
...	...	...	28 8	26 0	25 8	100 0	100 0	100 0	*	*	*	15 0	15 0	15 0	Gujrát (c)
...	...	...	28 0	25 0	24 0	120 0	120 0	160 0	16 0	16 0	16 8	15 8	15 8	16 0	Jhelum
...	...	...	32 8	29 0	25 0	82 0	88 0	90 0	15 4	15 4	14 6	15 0	14 12	14 4	Ráwalpindi (d)
...	...	...	37 0	36 0	23 8	320 0	320 0	320 0	17 0	17 0	17 0	16 0	16 0	16 0	Shahpúr (e)
...	...	...	26 0	26 11	22 8	200 0	200 0	200 0	13 8	14 0	15 2	13 4	13 12	15 0	Jhang (f)
...	...	...	30 0	27 0	28 0	200 0	200 0	200 0	12 0	12 0	12 0	11 0	11 0	11 0	Montgomery
...	...	...	25 0	24 0	23 8	90 0	90 0	90 0	13 12	14 0	15 0	13 8	13 8	14 8	Mooltan (g)
...	...	...	21 8	21 0	19 0	90 0	90 0	120 0	*	*	*	13 8	13 8	12 0	Muzaffargarh (h)
...	...	...	23 12	23 12	17 8	100 0	100 0	100 0	30 10	31 4	30 10	27 8	28 12	27 8	Dera Ghazi Khan
...	...	...	26 4	30 0	24 13	125 0	125 0	100 0	47 8	50 0	55 0	45 0	47 8	53 0	Dera Ismail Khan (i)
...	...	...	30 10	30 10	30 0	80 0	80 0	80 0	100 0	100 0	120 0	80 0	80 0	100 0	Bannu
...	...	...	28 1	25 8	16 14	102 0	102 0	102 0	68 14	71 6	91 8	63 12	66 5	75 0	Kohát
...	...	...	24 10	24 0	16 13	105 0	105 0	96 0	44 3	44 3	55 4	43 0	43 0	53 0	Pesháwar (j)
...	...	...	24 0	24 0	...	140 0	140 0	70 0	*	*	*	12 0	11 0	11 0	Házára
															Central Provinces.
...	...	...	20 8	20 8	19 4	140 0	120 0	150 0	12 0	12 0	10 12	11 12	11 12	10 8	Nágpur
...	...	...	22 0	21 0	21 0	96 0	96 0	.	10 4	10 0	11 0	10 0	9 12	10 12	Bhandára
...	...	...	21 8	21 8	27 0	360 0	360 0	360 0	..	.	..	9 8	10 0	9 8	Chánda
...	...	...	21 0	19 0	24 0	150 0	120 0	125 0	12 4	11 8	12 4	12 0	11 0	12 0	Wardha
...	...	...	27 0	25 0	30 0	275 0	275 0	275 0	9 4	9 4	10 0	9 0	8 8	10 0	Bálaghát
...	...	.	26 8	26 0	25 0	130 0	120 0	120 0	11 8	11 4	11 0	11 0	10 12	11 0	Jubbulpore
...	...	...	28 0	26 0	24 8	160 0	160 0	160 0	9 4	9 8	8 12	9 0	9 0	8 8	Saugor
...	...	...	39 0	37 0	34 0	200 0	200 0	200 0	9 8	10 0	9 12	9 4	9 12	9 8	Damoh
...	...	..	25 0	26 0	16 0	220 0	220 0	210 0	11 0	10 8	11 0	10 8	10 0	10 12	Seoni
25 0	25 0	25 0	47 0	40 0	35 0	256 0	256 0	2..6 0	...	..	.	9 0	8 0	9 8	Mandla
15 0	15 0	15 0	18 0	18 0	15 0	320 0	320 0	240 0	8 8	8 8	9 8	8 0	8 0	8 0	Betúl
16 8	16 0	18 0	29 8	30 0	20 0	200 0	200 0	200 0	9 0	9 0	10 0	8 0	8 0	9 0	Chhindwára
...	...	...	23 8	26 7	27 0	160 0	160 0	160 0	11 8	11 8	9 8	10 8	10 8	9 0	Hoshangabad
...	...	...	24 0	24 8	26 0	140 0	140 0	160 0	11 0	11 0	10 8	10 8	10 8	10 0	Narsinghpur
...	...	...	20 4	20 4	18 0	160 0	160 0	120 0	13 13	13 13	13 0	13 0	13 0	12 12	Nimár
...	...	...	26 8	28 8	32 0	64 0	64 0	64 0	10 0	10 0	9 8	9 0	9 0	8 13	Raipur
...	...	...	16 8	16 13	28 8	128 0	120 0	110 0	11 12	10 8	11 0	10 0	8 15	10 0	Sambalpur
123 4	123 4	150 0	34 0	34 0	57 0	120 0	120 0	120 0	...	..	...	9 0	8 0	7 0	Biláspur
															British Burma. *Arakan Division.*
...	...	...	10 0	10 0	10 0	180 0	160 0	160 0	35 0	40 0	40 0	30 0	35 0	32 0	Akyab
...	...	...	..	.	...	..	...	...	...	...	..	...	...	...	Northern Arakan
...	...	...	4 0	4 0	4 0	50 0	50 0	160 0	...	..	...†	30 0	30 0	36 0	Kyoukpyoo
...	...	...	...	..	...	...	...	...	...	...	...	...	..	...	Sandoway
															Pegu Division.
...	...	...	19 2	19 2	21 1	320 0	320 0	320 0	50 11	50 11	50 11	22 10	22 10	22 10	Rangoon Town
...	...	...	16 5[illegible]	17 13[illegible]	17 2[illegible]	535 11[illegible]	535 11[illegible]	535 11[illegible]	..	...	.	35 11[illegible]	27 7[illegible]	27 7[illegible]	Tharrawaddy
...	...	...	15 9	15 9	15 9	139 11	139 11	139 11	25 5	25 5	29 9	16 9	16 9	15 10	Prome
															Irrawaddy Division.
...	...	...	...	...	.	183 8	183 8	183 8	29 9	29 9	29 9	29 9	29 9	29 9	Henzada
...	...	...	18 6	16 13	13 17	295 3	246 0	246 0	39 6	33 12	39 6	35 7	32 4	35 7	Thonegwa
...	...	...	13 13	13 13	17 1	245 0	245 0	245 0	25 5	25 5	26 4	18 15	18 15	18 15	Thayetmyo
															Tenasserim Division.
...	...	...	12 3	12 3	11 1	220 0	220 0	220 0	35 8	35 8	47 7	25 5	25 5	35 8	Moulmein Town & Amherst
..	...	...	...	...	...	399 3	399 3	399 3	24 2	24 2	24 2	16 1	16 1	16 1	Tavoy
...	...	...	12 8	12 9	12 9	24 0	24 0	24 0	22 0	3 3	30 12	14 1	2 10	18 12	Toungoo
...	...	...	...	...	...	250 0	250 0	...	35 6	35 6	32 3	18 14	18 14	18 14	Shwaygyin
...	...	...	...	...	...	...	...	...	...	...	...	..	...	..	Salween
															Hyderabad As[illegible]
...	...	...	...	...	...	...	...	...	...	...	...	No return received			Secunderabad, Bolarum, Chudderghat
...	...	...	17 0	18 0	19 0	64 0	64 0	64 0	12 8	12 8	12 0	12 0	12 0	11 8	Amraoti
8 0	8 0	7 8	16 0	18 0	20 0	64 0	64 0	64 0	11 0	10 0	11 0	10 0	10 0	10 0	Akola
...	...	...	15 0	17 0	17 0	64 0	64 0	64 0	...	...	..	9 0	9 0	[illegible] 0	Ellichpur
...	...	...	16 0	16 0	22 0	...	...	...	...	...	...	11 0	11 0	10 0	Buldána
...	...	...	18 0	18 0	20 0	200 0	200 0	100 0	...	...	...	11 0	11 0	8 0	Wun
...	...	...	20 0	20 0	26 0	64 0	64 0	64 0	10 8	10 8	10 0	10 0	10 0	9 0	Básim

(e) Wheat, jowar and gram falling.

(f) Wheat, jowar gram and salt rising; barley, rice and bajra falling

* No wholesale salt sold.

† R per 100 maunds.

(g) Rice, jowar and gram falling.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Districts	Wheat.			Barley.			Rice (best sort).			Rice (common).			Great Millet (Cholum, Jowari), *Holcus Sorghum*.			Bulrush Millet (Cumboo, Bajra), *Penicillaria Spicata*		
	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.
	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Bangalore, Kolar, Túmkúr, Mysore, Hassan, Shimoga, Kadur, Chitaldroog	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Coorg	8 11	8 7	9 0	9 14	9 15	8 9	15 3	14 3	10 0	19 14	18 11	13 8	...	...	...	...	...	...
Jeypore	17 0	16 0	17 0	24 0	22 8	24 0	6 0	6 0	6 0	8 0	8 8	9 0	23 0	20 0	20 0	21 12	19 8	21 0
Kishengurh	17 4	16 12	17 8	22 0	23 4	26 0	9 0	9 0	9 0	10 0	10 0	11 0	22 8	22 8	22 8	17 8	16 8	20 0
Kerrowlee	18 7	16 14	18 0	27 8	25 10	25 0	10 0	10 0	13 0	11 4	11 4	14 0	27 8	25 10	25 0	23 12	21 4	25 0
Ulwur	18 6	17 5	19 12	24 10	22 14	28 12	8 10	8 10	9 0	10 8	10 8	12 8	23 7	22 0	25 9	23 0	17 12	34 14
Bhurtpore (City)	*	17 11	19 0	*	25 8	28 0	*	7 12	6 8	*	9 10	11 0	*	22 0	22 8	*	20 8	17 8
Ajmere	16 0	15 8	15 8	23 8	22 0	24 0	5 0	5 0	5 0	8 0	8 0	8 0	20 0	16 0	20 0	18 0	16 0	18 0
Deoli Cantonment	19 7	17 3	17 7	27 8	24 15	22 9	...	...	...	13 0	13 0	10 8	20 8	20 13	20 0	18 0	18 0	20 12
Erinpura	15 9	13 12	17 4	23 13	20 12	28 9	...	...	...	7 11	7 13	8 7	19 11	19 0	21 9	19 0	17 10½	20 7
Sirohee	13 0	11 8	16 0	20 0	20 0	30 0	6 8	6 8	7 0	7 8	7 8	8 0	14 0	14 0	17 0	15 0	15 0	21 0
Abu	12 9	11 12	15 0	18 12	16 14	23 0	6 8	7 0	6 8	8 0	8 4	8 0	...	...	...	13 12	13 0	18 0
Anadra	13 12	11 14	17 0	20 12	17 14	26 8	7 0	6 14	7 0	8 8	8 2	9 0	...	...	...	14 12	13 8	20 8
Hilly Tracts of Meywar	21 0	21 0	22 0	25 0	25 0	28 0	...	...	...	15 0	15 0	16 0	...	...	...	...	...	...
Meywar (Oodeypore)	14 7½	13 13¾	14 7½	18 12	17 9¼	19 8½	8 15¾	9 6	10 2½	...	...	...	...	...	...	...	...	...
Bánswára (Meywar Agency)	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Partábgurh (")	17 15	17 8	18 0	...	...	...	8 12	8 7	10 5	11 14	9 6	12 3	...	...	...	...	...	...
Marwar (Jodhpore)	16 0	15 10	16 9	20 0	20 0	22 8	6 8	6 4	6 4	7 8	7 8	7 8	20 0	21 9	22 8	20 0	18 11	20 0
Bikaneer	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Boondee	24 0	23 0	17 0	36 0	33 0	27 0	10 0	10 0	10 0	11 0	11 0	10 8	31 8	30 0	30 0	...	...	...
Kotah	22 8	21 0	18 0	25 0	25 0	16 0	8 0	8 0	10 0	11 0	11 0	13 0	28 0	25 0	23 8	12 8	12 8	15 0
Tonk	20 0	19 8	14 4	29 0	26 0	22 4	6 8	6 7	7 0	8 8	8 9	9 0	28 12	26 6	24 4	...	...	21 4
Jhallawar	18 4	15 5	14 2¼	20 0	20 0	15 15	...	...	...	7 1	7 1	10 2	25 0	22 6	18 12	17 1	17 1	15 13
Shahpoora	20 1	18 8	16 1	25 8	25 0	20 3	10 0	10 0	10 5	15 0	15 0	14 2	23 0	22 0	17 9	15 0	15 8	16 12
Dholpur	17 0	16 10	18 11	24 12	24 4	28 1	10 2	10 2	10 2	10 11	10 15	12 6	23 5	21 1	25 8	21 10	22 10	27 9
Indore	14 8	14 8	16 0	...	...	...	8 9	8 9	8 9	10 0	10 0	10 0	20 0	19 3	24 0	19 3	19 3	24 0
Gwalior	16 12	15 9	17 2	21 0	19 11	20 9	7 5	7 7	7 13	9 2	8 13	10 1	24 4	21 15	22 7	18 12	13 4	21 11
Goona	23 12	23 0	20 12	20 0	20 0	19 0	8 0	8 8	9 0	9 8	9 10	10 0	36 0	35 0	25 0	20 0	20 0	16 0
Baghelkhand (Sutna)	26 1	24 3	20 15	43 0	39 0	35 0	7 0	7 0	8 0	17 12	17 6	18 15	37 8	37 0	35 12	30 0	30 6	27 12

* Not received.

DEPARTMENT OF FINANCE AND COMMERCE,
(*Statistical Branch.*)

INDIA FOR THE 2nd HALF OF SEPTEMBER 1883—*concluded.*

IN SEERS OF 80 TOLAHS.

Lesser Millets, Nagli, &c. (Kavaru, Veraru, Sawee, Cheena, Coraino, Murhwa, Nurlee), *Panicum Miliaceum*, &c			Gram.			Firewood.			Salt.						Districts.	Provinces.
									Wholesale.			Retail.				
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
S. Ch.	S. Ch	S. Ch.	S. Ch	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch	S. Ch.		
...	...	...	...	...	...	...	...	...	...	...	...	No return received			Bangalore Kolar Túmkúr Mysore Hassan Shimoga Kadur Chitaldroog	Mysore.
31 0	31 2	20 4	29 14	29 12	22 7	110 0	110 0	110 0	10 3	10 1	8 9	9 11	9 10	8 0	Coorg	Coorg.
...	...	...	22 0	21 8	21 0	...	...	...	15 0	15 0	14 4	14 12	14 12	14 0	Jeypore	Rajpootana.
...	...	...	23 12	23 8	21 0	...	...	...	..	...	..	16 0	16 0	16 0	Kishengurh	
...	...	.	30 0	26 0	25 0	...	...	...	13 5	13 5	14 1	13 0	13 0	14 0	Kerrowlee	
...	...	...	24 0	22 11	25 10	...	...	...	15 7	15 7	15 13	14 12	14 12	15 6	Ulwur	
...	...	...	*	23 8	24 8	...	...	...	*	12 4	12 5	*	12 0	11 13	Bhurtpore (City)	
...	...	...	24 0	23 0	22 8	80 0	80 0	70 0	17 0	17 0	...	15 0	15 0	15 0	Ajmere	
...	...	...	27 9	25 8	21 11	...	...	...	13 6	13 6	...	12 12	12 12	12 12	Deoli Cantonment	
									R a. p.	R a. p. per md.	R a. p					
...	...	...	21 4	18 7	23 0	160 0	160 0	160 0	3 1 3	3 1 3	3 1 3	12 0	12 0	12 0	Erinpura	
...	...	...	18 0	16 0	23 0	160 0	160 0	160 0	3 0 0	3 0 0	3 0 0	12 5	12 5	12 5	Sirohee	
...	...	..	15 12	15 4	21 8	160 0	160 0	160 0	3 8 0	3 8 0	3 8 0	11 8	11 8	11 8	Abu	
...	...	...	17 12	15 8	24 10	...	...	...	3 4 0	3 4 0	3 4 0	12 4	12 4	12 12	Anadra	
...	...	...	20 0	20 0	24 0	†	†	†	3 10 0	3 10 0	...	11 0	11 0	10 0	Hilly Tracts of Meywar	
									S. Ch	S. Ch.	S. Ch.					
...	...	...	15 3¾	15 3¾	16 0¼	200 0	200 0	200 0	10 8¾	9 9	9 15½	10 2¼	9 6	9 12½	Meywar (Oodeypore)	
									R a. p.	R a. p. per md.	R a. p.					
...	...	...	...	..	...	...	...	...	...	...	...	No return received			Bánswára (Meywar Agency)	
...	...	...	20 5	20 5	21 9	.	...	...	2 6 9	...	..	16 7½	16 4	9 11	Partábgarh („)	
...	...	...	20 0	20 0	21 14	...	...	...	2 9 0	2 10 0	2 8 0	15 10	15 0	15 15	Marwar (Jodhpore)	
									S. Ch.	S. Ch.	S. Ch.					
...	...	...	...	...	...	..	...	...	...	...	...	No return received			Bikaneer	
...	...	...	34 8	31 0	27 0	160 0	160 0	160 0	11 8	11 8	12 8	11 4	11 4	12 0	Boondee	
...	...	...	28 0	27 0	26 8	240 0	240 0	240 0	12 8	12 8	12 8	12 0	12 0	11 12	Kotah	
...	...	...	29 4	27 0	21 12	107 0	160 0	160 0	13 8	13 6	12 4	13 4	13 2	11 8	Tonk	
.		...	25 5	22 4	17 15	...	...	...	10 2	10 2	10 14	9 14	9 14	10 10	Jhallawar	
...	...	...	23 8	24 4	19 14	160 0	160 0	160 0	12 14	13 6	13 4	12 12	13 4	12 0	Shahpoora	
...	...	...	24 12	23 9	27 3	...	...	...	13 8	13 8	13 3	12 10	12 10	12 6	Dholpur	
...	...	...	17 2	17 12	18 13	100 0	100 0	100 0	12 0	12 0	12 5	11 6	11 5	...	Indore	Central India.
...	...	...	22 13	21 0	24 3	109 8	109 8	109 8	...	...	..	11 7	11 7	11 14	Gwalior	
...	...	...	32 0	32 0	25 4	200 0	200 0	200 0	12 8	12 8	11 8	12 0	12 0	11 0	Goona	
...	...	...	36 9	33 10	30 0	160 0	160 0	160 0	12 4	11 15	12 2	11 8	11 4	11 10	Baghelkhand (Sutna)	

† Eight pies per bundle.

D. BARBOUR,
Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

SUPPLEMENT TO THE STATEMENT OF PRICES CURRENT OF FOOD-GRAINS FOR THE 1st HALF OF SEPTEMBER 1883 PUBLISHED IN PAGES 1660, 1661, 1662 AND 16.3 OF THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED 13th OCTOBER 1883.

QUANTITIES PER RUPEE IN SEERS OF 80 TOLAHS. (Each cell: S. C.)

Provinces.	Districts.	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of last year.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of last year.	Rice. Best sort. Present fortnight.	Rice. Best sort. Past fortnight.	Rice. Best sort. Corresponding fortnight of last year.	Rice. Common. Present fortnight.	Rice. Common. Past fortnight.	Rice. Common. Corresponding fortnight of last year.
H. A. Districts.	Secunderabad	16 9	16 5	17 12	...	...	...	7 8	7 14	7 14	10 3	10 3	9 13
	Bolaram	18 8	18 1	19 7	...	..	...	8 1	8 1	7 6	9 10	9 10	9 8
	Chudderghat	13 8	14 0	14 0	..	...	...	7 0	7 0	7 0	9 0	9 0	9 8
Rajpootana.	Deoli Cantonment	..	...	...	..	...	...	...	...	.	...	...	..
	Boondee	23 0	19 4	16 8	32 0	30 0	27 0	10 0	8 8	8 12	11 0	9 0	9 8
	Tonk	19 8	17 0	13 11	26 0	22 8	23 4	6 7	6 0	7 0	8 9	8 0	9 9
	Shahpoora	18 8	15 8	16 1	25 0	19 0	20 4	10 0	10 8	10 2	15 0	15 4	13 12

Provinces.	Districts.	Great Millet (Cholum, Jowar), *Holcus Sorghum*. Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of last year.	Bulrush Millet (Cumboo, Bajra), *Penicillaria Spicata*. Present fortnight.	Bulrush Millet. Past fortnight.	Bulrush Millet. Corresponding fortnight of last year.	Lesser Millets, Ragi, &c. (Kavaru, Veragoo, Sawee, Cheena, Coraloo, Murhwa, Nuglee, &c.), *Panicum Miliaceum*, *Eleusine Coracana*, &c. Present fortnight.	Lesser Millets. Past fortnight.	Lesser Millets. Corresponding fortnight of last year.	Gram. Present fortnight.	Gram. Past fortnight.	Gram. Corresponding fortnight of last year.
H. A. Districts.	Secunderabad	22 3	23 0	25 14	.7 0	27 0	...	28 4	29 9	...	17 8	17 12	18 4
	Bolaram	29 9	26 6	29 9	...	...	...	...	...	...	20 4	19 7	20 9
	Chudderghat	27 0	27 0	28 0	28 0	34 0	33 0	...	...	...	17 0	18 0	20 0
Rajpootana.	Deoli Cantonment	..	..	...	...	...	...	...	...	...	...	...	..
	Boondee	30 0	27 0	30 0	...	...	...	...	...	...	31 0	27 0	27 0
	Tonk	26 6	24 0	25 4	..	...	19 12	...	.	...	27 0	23 8	22 8
	Shahpoora	22 0	19 2	17 8	15 8	15 0	17 0	...	...	..	24 4	25 0	19 8

Provinces.	Districts.	Firewood. Present fortnight.	Firewood. Past fortnight.	Firewood. Corresponding fortnight of last year.	Salt. Wholesale. Present fortnight.	Salt. Wholesale. Past fortnight.	Salt. Wholesale. Corresponding fortnight of last year.	Salt. Retail. Present fortnight.	Salt. Retail. Past fortnight.	Salt. Retail. Corresponding fortnight of last year.
H. A. Districts.	Secunderabad	125 0	125 0	125 0	10 14	10 11	10 11	10 6	10 8	10 8
	Bolaram	116 14	116 14	116 14	...	...	...	10 12	10 12	10 12
	Chudderghat	80 0	80 0	80 0	...	...	...	9 0	9 12	9 8
Rajpootana.	Deoli Cantonment	...	...	...	13 6	13 4	...	...	...	...
	Boondee	160 0	155 0	120 0	11 8	11 8	12 0	11 4	11 4	11 12
	Tonk	160 0	160 0	160 0	13 6	12 8	12 6	13 2	12 4	11 14
	Shahpoora	160 0	160 0	160 0	13 6	13 1	13 4	13 4	12 13	13 0

DEPARTMENT OF FINANCE AND COMMERCE,
(*Statistical Branch.*)

D. BARBOUR,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY TRAFFIC.

No. XXXVIII OF 1883.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Latest return received.	Railways.	Total mean length open.	Receipts for week ending 30th September 1882. Total.	Per mile open.	Total mean length open.	Receipts for week ending 29th September 1883. Total.	Per mile open.	Total Receipts from 1st April to 30th September 1882. Total.	Per mile open per week.	Total Receipts from 1st April to 29th September 1883. Total.	Per mile open per week.	Total Increase in 1883-84.	Total Decrease in 1883-8
			R	R		R	R	R	R	R	R	R	R
	Guaranteed.												
29th Sept. 1883	Eastern Bengal	172	2,02,482	1,177	172	(a)1,36,836	796	26,78,526	596	(a)22,86,617	511	...	3,91,90
22nd ditto	Oudh and Rohilkhund	547	75,089	137	...	(b)	...	(c)23,70,366	172	(d)27,88,055	204	4,17,689	...
6th Oct. 1883	Sind, Punjab & Delhi	676	1,54,908	229	749	2,08,604	279	45,85,655	260	57,84,253	299	11,98,598	...
29th Sept. 1883	Madras	861	1,48,887	173	861	1,32,749	154	35,86,797	160	33,29,553	149	...	2,57,24
29th ditto	South Indian	655	77,070	118	655	76,508	117	19,58,649	114	20,28,546	119	69,897	...
6th Oct. 1883	Great Indian Peninsula	1,451	4,18,761	289	1,451	3,87,708	267	1,56,88,207	414	1,65,44,157	438	8,55,950	...
29th Sept. 1883	Bombay, Baroda and Central India	461	1,24,940	271	461	1,47,881	321	48,00,099	398	55,51,728	463	7,51,629	..
	TOTAL	4,823	12,02,137	249	e4,349	10,90,286	251	3,56,68,299	283	3,83,12,909	301	26,44,610	...
	State.												
29th Sept. 1883	East Indian	1,507	7,83,528	520	1,509	9,11,143	604	2,14,48,940	545	2,53,72,063	647	39,23,123	...
29th ditto	Calcutta and South-Eastern	33	7,723	234	56	7,340	131	98,306	121	1,48,979	106	50,673	...
29th ditto	Nalhati	27	1,480	55	27	1,336	49	33,998	48	41,422	59	7,424	...
29th ditto	Northern Bengal	230	45,480	198	239	46,180	193	9,48,901	156	10,21,661	168	72,760	...
22nd ditto	Tirhoot	75	14,459	193	...	(b)	..	(c)3,07,895	151	(d)4,09,370	100	1,01,475	...
25th Aug. 1883	Patna-Gya	57	22,135	388	...	(b)	..	(f)1,8[illegible],944	152	(g)1,63,758	137	...	19,186
29th Sept. 1883	Cawnpore-Achnera	138	9,107	66	138	11,095	80	2,59,537	72	2,70,337	75	10,800	...
6th Oct. 1883	Dildarnagar-Ghazipur	12	616	51	12	731	61	22,652	72	23,432	75	780	...
6th ditto	Rajputana-Malwa	1,116	1,42,133	127	1,117	1,92,300	172	49,80,710	170	59,67,322	205	9,86,612	...
6th ditto	Wardha Coal	45	12,226	272	45	9,577	213	2,57,688	219	3,44,842	295	87,154	...
6th ditto	Nagpur & Chhattisgarh	98	4,955	51	149	10,211	69	2,65,929	104	6,38,937	165	3,73,008	...
6th ditto	Rangoon and Irrawaddy Valley	161	22,996	143	161	19,885	124	6,73,459	160	6,75,397	161	1,938	...
6th ditto	Sindia	75	5,355	71	75	4,492	60	1,52,367	77	1,50,093	77	...	2,274
29th Sept. 1883	Punjab Northern	409	70,212	172	421	48,312	115	14,40,033	137	15,39,396	141	99,363	...
6th Oct. 1883	Indus Valley and Kandahar	660	62,312	94	660	1,28,402	195	20,63,044	120	37,06,675	216	16,43,631	...
29th Sept. 1883	Kaunia-Dhurla	32	1,700	53	32	3,112	97	38,598	46	50,217	60	11,619	...
6th Oct. 1883	Rewari-Ferozepore	...	...	...	89	9,100	102	...	..	2,07,104	90	2,07,104	...
	TOTAL	3,168	4,22,889	133	k3,221	4,92,073	153	1,17,26,061	141	1,53,58,942	172	36,32,881	..
	Assisted Company.												
29th Sept. 1883	Bengal Central	...	...	...	35	2,078	59	...	...	54,660	60	54,660	...
	Native States												
6th Oct. 1883	Bhavnagar-Gondal	194	13,246	68	193	12,056	62	4,50,846	89	4,90,577	98	39,731	...
29th Sept. 1883	Nizam's	121	18,773	155	121	19,892	164	4,32,027	137	3,96,742	126	...	35,285
Last 8 days of Sept. 1883.	Mysore	86	6,226	72	86	5,814	68	1,41,430	63	1,31,903	59	...	9,527
6th Oct. 1883	Jodhpore	19	421	22	19	370	19	(j)7,541	29	19,083	39	11,542	...
	TOTAL	420	38,666	92	419	38,132	91	10,31,844	96	10,38,305	95	6,461	...
	GRAND TOTAL	9,918	24,47,220	247	k9,533	25,33,712	265	6,98,75,144	270	8,01,36,879	300	1,02,61,735	...
	GROSS ESTIMATED EXPENSES	...	...	...	...	...	...	3,64,27,114	141	4,11,14,008	154	...	...
	NET RECEIPTS	...	...	...	...	...	...	3,34,48,030	129	3,90,22,871	146	55,74,811	...

(a) Exclusive of the Company's share of the earnings of the Bengal Central Railway.
(b) Return not received.
(c) Total receipts from 1st April to 23rd September 1882.
(d) Total receipts from 1st April to 22nd September 1883.
(e) Excludes mileage of Oudh and Rohilkhund Railway (547).
(f) Total receipts from 1st April to 26th August 1882.
(g) Total receipts from 1st April to 25th August 1883.
(h) Excludes mileages of Tirhoot and Patna-Gya State Railways (166+57).
(j) Total receipts from 24th June to 30th September 1882.
(k) Excludes mileages of O. and R., Tirhoot and P.-G. Rys. (547+166+57).

R. A. SARGEAUNT, *Major, R.E.*,
Offg. Under-Secretary.

SIMLA,
The 20th October 1883.



The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 44.} SIMLA, SATURDAY, NOVEMBER 3, 1883.

☞ **Separate paging is given to this Part in order that it may be filed as a separate compilation.**

CONTENTS,

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 2nd November 1883.

No. 1443.—In supersession of Home Department Notification No. 996, dated the 6th June 1873, and in exercise of the power conferred by Section 35 of the Court Fees Act, 1870, the Governor General in Council is pleased to remit the fees leviable on the following documents, namely,—

(1) Copy of the charge given to the accused under Section 210 of the Code of Criminal Procedure.

(2) Copy of the evidence of witnesses given to the accused under Section 219 of the Code.

(3) Copy of the judgment in any case other than a summons case, or of the heads of the charge to the jury given to the accused under Section 371 of the Code.

(4) Copy of an order of maintenance given under Section 490 of the Code.

(5) Copy of the Judge's charge to the jury, or of any order or deposition or other part of the record furnished free of cost to a person affected by a judgment or order under Section 548 of the Code.

ECCLESIASTICAL.

The 29th October 1883.

No. 270.—The Right Reverend the Lord Bishop of Calcutta has appointed the Reverend Brook Deedes, M.A., to be His Lordship's Domestic Chaplain, with effect from the 30th October 1883.

The 1st November 1883.

No. 272.—Her Majesty's Secretary of State for India has permitted the Reverend W. J. Rowland, a Junior Chaplain on the Bengal Ecclesiastical Establishment, to resign the service, with effect from the expiry of his leave, the 23rd November 1883.

PATENTS.

The 29th October 1883.

No. 1025.—Specifications of the undermentioned inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open to public inspection, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department at the Presidency, upon payment of a fee of one rupee. A certified copy of any specification will be given to any person requiring the same on payment of the expense of copying:—

No. 75 of 1883.—James Morgan Blackman, of the City of Chicago, in the County of Cook and State of Illinois, United States of America, for improvements in ventilating and exhaust fans, and in the application thereof for drying malt and other materials.

No. 124 of 1883.—James Watson, of Westbourne Park, London, Engineer, for improvements in baling presses.

No. 133 of 1883—Alfred Hamlyn Williams, of London, England, for improved constructions of pontoons or air vessels for use in the formation of military bridges, for raising sunken vessels, and for use in saving life and property at sea.

No. 140 of 1883.—Thomas Alva Edison, of Menlo Park, New Jersey, United States of America, for improvements in, or relating to, incandescing electric lamps.

No. 141 of 1883.—Thomas Alva Edison, of Menlo Park, New Jersey, United States of America, for improvements relating to the distribution of electrical energy for light power and other purposes.

No. 142 of 1883.—Thomas Alva Edison, of Menlo Park, New Jersey, United States of America, for improvements in electrical generators and motors.

No. 146 of 1883.—Allen Westley Rose, of Farringdon Road, in the County of Middlesex and Kingdom of England, Engineer, for improvements in telephones.

No. 155 of 1883.—James Robert Dry, of London, England, Engineer, for an improvement in the preparatory treatment of flax and other like straws and fibrous material.

No. 154 of 1883.—James Robert Dry, of London, England. Engineer, for improved means and apparatus for boiling seed, separating straw, breaking and scutching flax and other like fibrous bodies.

No. 162 of 1883.—James Crighton Kinmond, Manufacturer, residing at Leamington, in the County of Warwick, England, for improvements in, or applicable to, machinery or apparatus for drying or withering tea-leaf.

No. 163 of 1883.—James Crighton Kinmond, Manufacturer, residing at Leamington, in the County of Warwick, England, for improvements in, or applicable to, machinery or apparatus for drying or withering tea-leaf.

A. MACKENZIE,
Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.—SURVEYS.

Simla, the 2nd November 1883.

No. 503-114 *S.*—In supersession of Notification No. 355 S., dated the 14th August last, Mr. J. McGill, Deputy Superintendent, 4th Grade, Survey of India, is granted furlough for 1 year 11 months and 16 days under Section 49, Chapter V of the Civil Leave Code, with effect from the 7th instant, or from any subsequent date on which he may avail himself of it.

E. C. BUCK,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—MILITARY.

Simla, the 31st October, 1883.

No. 2539 *G.*—Lieutenant H. Daly, 2nd Battalion, Gloucestershire Regiment, is appointed to officiate as Squadron Officer of the 2nd Regiment, Central India Horse, with effect from the 4th October, 1883, *vice* Lieutenant C. J. B. H. Dressner, officiating as Cantonment Magistrate, Nowgong.

JUDICIAL.

The 2nd November, 1883.

No. 3281 *I.*—Foreign Department Notification, No. 2892 I., dated the 28th September, 1883, investing Colonel M. M. Procter with the powers of a Magistrate of the 1st Class, to be exercised within the limits of the Morar Cantonment, is hereby cancelled, consequent on the return from privilege leave of Colonel Playfair, Cantonment Magistrate of Morar.

POLITICAL.

The 30th October, 1883.

No. 2520 *G.*—With reference to Foreign Department Notification, No. 1901 G., dated the 31st July, 1883, the recognition of the appointment by the Government of India of Mr. Jacob Steiner, as Acting Consul for the Netherlands, at Bombay, has been confirmed by Her Majesty's Government.

No. 2523 *G.*—With reference to Foreign Department Notification, No. 1946 G., dated the 6th August, 1883, the recognition of the appointment by the Government of India of Mr. Alberto Pogliani, as Acting Vice-Consul for Italy, at Aden, has been confirmed by Her Majesty's Government.

GENERAL.

No. 2526 *G.*—Surgeon-Major C. E. Raddock, Medical Officer, 3rd Regiment, Bengal Native Infantry, is appointed to the medical charge of the Bundelkhand Political Agency, in addition to his other duties, with effect from the 16th August, 1883.

The 1st November, 1883.

No. 2542 *G.*—In supersession of Foreign Department Notification, No. 1607 G., dated the 14th June, 1883, it is hereby notified that Brigade Surgeon J. Houston, M.D., Surgeon to the Mysore Government, officiated as Residency Surgeon at Bangalore, in addition to his own duties, during the absence on privilege leave of Surgeon P. H. Benson, M.B.

No. 2550 *G.*—Kazi Sayyid Ahmad, "Khan Bahadur," Attaché in the Foreign Department, is granted fifteen days' privilege leave, with effect from the 26th October, 1883.

C. GRANT,
Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 31st October 1883.

No. 4050.—Whereas under the terms of Notification in the Department of Finance and Commerce, No. 3646, dated the 13th November 1880, the Commissioners for making improvements in the Port of Calcutta have paid Rs. 3,875 as composition for the stamp duty chargeable on a sum of Rs. 7,75,000, which has been raised by the said Commissioners, by the issue of the undermentioned debentures bearing date the 1st April 1883 :—

	Rs.
502 to 531 for Rs. 5,000 each	... 1,50,000
532 to 631 for " 1,000 "	... 1,00,000
632 to 731 for " 500 "	... 50,000
732 to 746 for " 5,000 "	... 75,000
747 to 756 for " 10,000 "	... 1,00,000
757 to 856 for " 1,000 "	... 1,00,000
857 to 876 for " 5,000 "	... 1,00,000
877 to 1076 for " 500 "	... 1,00,000
Total	... 7,75,000

Therefore, in exercise of the powers conferred by Section 8 of the Indian Stamp Act, 1879, the Governor General in Council has exempted the abovementioned debentures from the payment of any stamp duty with which they might otherwise be chargeable, whether on issue, renewal or sub-division.

No. 4100.

ORDER—By the Government of India, Department of Finance and Commerce.

Read the following :—

FINANCIAL; INDIA OFFICE;
No. 280. *London, 27th September 1883.*

To—His Excellency the Most Hon'ble the Governor General of India in Council.

MY LORD MARQUIS,—I forward herewith a copy of the report of the Deputy Master of the Royal Mint, dated the 7th of September 1883, on the pyx coins of the Calcutta and Bombay Mints issued in 1882, from which you will observe that the "Standard weight and fineness of the coins have been maintained with the usual approximation to accuracy.

I have, &c.,
(Sd.) KIMBERLEY.

ROYAL MINT;
7th September 1883.

To—The Secretary, Treasury.

SIR,—The examination of the pyx coins of the Indian Mints, transmitted to me by direction of the Lords Commissioners of Her Majesty's Treasury on the 17th ultimo, being completed, I have the honour to forward herewith a report on the weight and fineness of the coins, and to return the bullion remaining.

No. 14758-83.

CALCUTTA MINT.	
Gold.	oz.
Fine	·350
Silver.	
Fine	7·759
Standard	13·159
	20·918
BOMBAY MINT.	
Silver.	oz.
Fine	6·230
Standard	9·907
	... 16·137

The coins were first weighed singly by the Mint balance and were then handed to the Assayer of the Mint, by whom each coin has been separately assayed and reported upon.

The standard weight and fineness of the coins have been maintained with the usual approximation to accuracy.

In accordance with the directions of Their Lordships, I have caused parting assays to be made of the silver coins of each Presidency, in order to ascertain the average proportion of gold contained in them, and the result is shown in my report. These assays have been made in the manner detailed in my report of the 25th of October 1869.

I am, &c.,
(Sd.) C. W. FREMANTLE.

Memorandum of the weight and fineness of coins issued from the Indian Mints in the year 1882.

No. of pieces.	Mint.	Denomination of coin.	Average weight of a piece.	Average proportion of gold or silver in 1,000 parts.	Average proportion of gold in the silver coins, as ascertained by parting assay in 1,000 parts.
			Grains.		
1	Calcutta ...	Gold Mohur ...	179·970	916·20	
40		Rupee ...	180·022	915·73	·503
20		Half rupees ...	89·957	916·14	
20		Quarter rupees ...	44·905	915·91	
20		Eighth rupees ...	22·491	915·82	
40	Bombay ...	Rupees ...	180·073	915·47	·385
6		Half rupees ..	89·915	915·95	
5		Quarter rupees ...	44·552	917·00	
4		Eighth rupees ...	22·582	915·80	

ROYAL MINT;
7th September 1883.

(Sd.) C. W. FREMANTLE,
Deputy Master and Comptroller.

ORDER.—Ordered, that these papers be communicated to the Mint Masters, Calcutta and Bombay, for information.

Ordered also, that the papers be published in the *Gazette of India* for general information.

No. 4133.

The following Corrigendum to the Codes of the Financial Department is published for general information:—

C. L. C.

PAGE 209.

Section 162, Rule 8.

Strike out the Rule.

D. M. BARBOUR,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 2nd November, 1883.

APPOINTMENTS.

No. 577.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Secretary of State for India:—

Lieutenant Rolland Frederick Hart Anderson, East Surrey Regiment, Wing Officer, 5th Native Infantry,—18th July, 1882.

FURLOUGH AND LEAVE.

No. 578.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant-Colonel A. Battye, C.B., Bengal S. C., Commandant, 2nd (Prince of Wales' Own) Goorkha Regiment, (p. a.) for two years, under rule IX of the regulations of 1868.

Major (Brevet Lieutenant-Colonel) W. H. Macnaghten, C.B., Cavalry, Commandant, 13th Bengal Lancers, (p. a.) for two years, under rule IX of the regulations of 1868.

Lieutenant C. G. M. Fasken, Bengal S. C., Wing Officer and Adjutant, 2nd Sikh Infantry, (p. a.) for one year, under rule I of the regulations of 1875.

Conductor W. J. McDermott, Ordnance Department, (m. c.) under the regulations of 1875.

Conductor J. Ventham, Ordnance Department, Manufacturer of Fulminate of Mercury, Small Arm Ammunition Factory, Dum-Dum, (m. c.) for one year, under the regulations of 1868.

Conductor D. McNeill, Ordnance Department, Overseer, Gun Carriage Factory, Fatehgurh, (m. c.) for one year, under rule VI of the regulations of 1875.

Sub-Conductor C. S. McRae, Adjutant General's Office, (m. c.) under the ruling on rule VI of the regulations of 1875, with effect from the date of embarkation.

No. 579.—In G. G. O. No. 221 of 1883, for "the first 61 days being on full staff pay" read *the first 60 days, &c.*

No. 580.—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India:—

Lieutenant-Colonel (Brevet Colonel) Æ. Perkins, C.B., R.E., (p. a.) for six months.

Major A. J. Stead, General List, Infantry, (p. a.) for fifteen days.
Brigade Surgeon C. Kilkelly, M.B., (m. c.) for six months.
Honorary Captain J. Brown, Ordnance Department, (m. c.) for six months.

LONDON GAZETTE.

No. 581.—The following extracts are published for general information :—

"London Gazette," dated the 28th September, 1883, page 4711.

"INDIA OFFICE;
28th September, 1883.

The Queen has approved of the following Admissions to the Staff Corps made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenants.

Lieutenant Devereux Walter Hickman, from the Dorsetshire Regiment. Dated 26th March, 1882, but to rank from 11th February, 187[illegible].
Lieutenant Arthur Walter Lyster, from the 1st West India Regiment. Dated 10th March, 1880, but to rank from 8th March, 1876.
Lieutenant George Bowring, from the Dorsetshire Regiment. Dated 18th March, 1882, but to rank from 11th September, 1876.
Lieutenant Frederick Joseph Blakiston Priestley, from the Leicestershire Regiment. Dated 29th July, 1881, but to rank from 6th August, 1879.
Second Lieutenant Hedley Wright, from the Argyll and Sutherland Highlanders. Dated 1st March, 1880.
Lieutenant George Patrick Ranken, from the Manchester Regiment. Dated 2nd January, 1882, but to rank from 26th May, 1880.
Lieutenant Norman Chichester Perkins, from the Wiltshire Regiment. Dated 11th November, 1880, but to rank from 4th September, 1880.
Lieutenant James Robert Dunlop-Smith, from the Cheshire Regiment. Dated 26th March, 1882, but to rank from 2nd February, 1881.
Lieutenant Thomas Henry Bairnsfather, from the Cheshire Regiment. Dated 22nd January, 1882, but to rank from 3rd March, 1881.
Lieutenant Irton Eardley-Wilmot, from the Border Regiment. Dated 25th February, 1882, but to rank from 30th April, 1881.
Lieutenant Herbert Richard Browne, from the Shropshire Light Infantry. Dated 27th February, 1882, but to rank from 1st July, 1881.
Lieutenant Frederic Blundell Mein, from the Manchester Regiment. Dated 11th April, 1882, but to rank from 1st July, 1881.
Lieutenant James William Cowley, from the South Yorkshire Regiment. Dated 16th March, 1882, but to rank from 1st July, 1881."

* * * *

"London Gazette," dated the 2nd October, 1883, page 4761.

"WAR OFFICE;
Pall Mall, 2nd October, 1883.

MEMORANDA.

* * * *

Deputy Assistant Commissary and Honorary Lieutenant John Ford, Madras Establishment, to have the honorary rank of Captain on retirement. Dated 15th July, 1882."

PENSIONS.

No. 582.—SUBORDINATE MEDICAL DEPARTMENT—
Senior Apothecary John Birch is transferred to the Pension establishment.

PROMOTIONS.

No. 583.—The following promotions are made, subject to Her Majesty's approval :—

BENGAL STAFF CORPS.

To be Captains.

Lieutenant Averell Daniell,—23rd September, 1883.
Lieutenant Robert Feild Jameson,—28th October, 1883.
Lieutenant Charles Hugh Manners Smith,—28th October, 1883.
Lieutenant William Henry Fothergill Macmullen,—28th October, 1883.
Lieutenant Charles Pulley,—28th October, 1883.
Lieutenant George Henry B. Coats,—28th October, 1883.
Lieutenant Percy Edward Henderson,—28th October, 1883.
Lieutenant Thomas Smalley Boileau,—28th October, 1883.
Lieutenant Arthur George Frederic Browne,—28th October, 1883.
Lieutenant John Haughton,—28th October, 1883.
Lieutenant William George Dunsford,—28th October, 1883.
Lieutenant Francis Sheffield Sorell,—28th October, 1883.
Lieutenant Lambart John Browne,—28th October, 1883.

No. 584.—ORDNANCE DEPARTMENT—
Sub-Conductors John Sexton and Thomas Tookey, on probation, are confirmed in their present grade from the 30th March, 1883.

No. 585.—VOLUNTEER CORPS—

Calcutta Naval Artillery Volunteer Corps.

Mr. George McDonald Anderson, to be Lieutenant, *vice* Lieutenant E. W. Petley, R.N., resigned.

Calcutta Volunteer Rifle Corps.

Mr. Stephen Wall to be Lieutenant, *vice* Lieutenant A. B. Gardiner, promoted.

East Indian Railway Volunteer Rifle Corps.

Lieutenant James Craven to be Captain, *vice* Captain A. B. Langham, deceased.

No. 586.—NATIVE ARMY—
In G. G. O. No. 490 of 1883, promoting Jemadar Izzat Khan, of the 6th Bengal Cavalry, for "1st April, 1883" read *1st May, 1882.*

MILITARY WORKS DEPARTMENT.

No. 587.—The services of Colonel J. Browne, R.E., C.B., C.S.I., Superintending Engineer, class II, are placed temporarily at the disposal of the Public Works Department.

G. CHESNEY,
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 29th October, 1883.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officers, on the dates specified, were received in the Military Department from the 2nd to the 29th October, 1883 :—

Corps.	Rank and Names.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Bengal Staff Corps ...	Brevet Colonel M. H. Heathcote, C.B.	22nd Oct., 1883	Lahore ...	...	...
King's Royal Rifle Corps ..	Major B. Frend	26th Oct., 1883	Dalhousie ...	...	...

E. H. H. COLLEN,
Officiating Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 29th October 1883.

No. 255.—Mr. J. W. Fordham, Examiner, 4th Class, 1st Grade, sub. *pro tem.*, is appointed to officiate as Examiner of Accounts, Rajputana-Malwa State Railway, with rank of Examiner, 3rd Class, during the absence of Colonel Moberly, on special duty.

Mr. C. R. T. Balston, Deputy Examiner, 2nd Grade, sub. *pro tem.*, is appointed to officiate as Examiner of Accounts, Punjab Northern State Railway, with rank of Examiner, 4th Class, 3rd Grade, during the absence of Mr. Quinlan, on special duty.

No. 256.—The undermentioned officers of the Railway Branch are transferred from the establishment under the Government of Bombay to that under the Government of Madras for employment on the Nellore-Tirupátis Railway Survey :—

Mr. W. A. Lesmond, Executive Engineer, 3rd Grade, sub. *pro tem.*
Mr. G. A. Anderson, Executive Engineer, 4th Grade, temporary rank.
Mr. A. V. Heath, Assistant Engineer, 2nd Grade.
Mr. H. A. D. Wathen, Assistant Engineer, 2nd Grade.

The 31st October 1883.

No. 258.—Public Works Department Notification No. 173, dated 18th July 1883, appointing Major R. P. Tickell, R.E., Executive Engineer, 1st Grade, North-Western Provinces and Oudh, to officiate as Superintending Engineer during Major Harrison's absence on privilege leave is cancelled.

No. 259.—The services of Mr. C. V. MacIvor, Executive Engineer, 2nd Grade, Railway Branch, are, on his return from furlough, placed at the disposal of the Director General of Railways.

No. 260.—With reference to Public Works Department Notification No. 231, dated 16th October 1883, the services of the following Assistant Engineers, 2nd Grade, State Railways, are placed at the disposal of the Local Governments and Administration and of the Director General of Railways, as noted below :—

Madras.

Mr. C. S. Killick.
„ G. T. Thompson.

North-Western Provinces and Oudh.

Mr. W. J. Weightman.
„ J. C. Mills.
„ S. G. Batten.
„ W. D. Barrow.

Assam.

Mr. J. A. A. Wallace.

Director General of Railways.

Mr. L. A. Light.

The 1st November 1883.

No. 261.—Mr. J. Y. Davidson, Class II, State Railway Revenue Establishment, Manager of the Nagpur-Chhattisgarh and Wardah Coal Railways, is granted seven months' furlough to Europe, with ten days' subsidiary leave.

No. 262.—Mr. J. Conder, Class II, State Railway Revenue Establishment, Traffic Department, is, on return from furlough, appointed Officiating Manager of the Nagpur-Chhattisgarh and Wardah Coal State Railways.

No. 263.—With reference to Bombay Government, Public Works Department, Notification No. 30, dated 20th October 1883, the services of Mr. W. Drew, Assistant Engineer, 2nd Grade, are placed at the disposal of the Director General of Railways.

No. 264.—Mr. I. S. Hubbard, Deputy Examiner, is, on return from furlough, posted to the Office of Examiner of Public Works Accounts, Bengal.

Mr. W. H. Brand, Examiner, is transferred from the Office of Examiner, Public Works Accounts, Bengal, to that of the Examiner, Public Works Accounts, North-Western Provinces and Oudh, to join after arrival of Mr. Hubbard.

No. 266.—The services of Lieutenant-Colonel H. J. Nuthall, Executive Engineer, 1st Grade, Railway Branch, are, on his return from furlough, placed at the disposal of the Director General of Railways.

The 2nd November 1883.

No. 267.—The following promotions are made in the Public Works Department, Railway Branch :—

Names.	From	To	Date.	Nature of promotion.
Mr. W. C. Renn e ...	Exe. Engr., 1st Grade, *sub. pro tem.*	Exe. Engr, 1st Grade ...	21st Sept. 1883	Permanent.
Capt. M. C. Brackenbury, R.E.	Exe. Engr., 2nd Grade, *sub. pro tem.*	" " 2nd " ..	21st " " ...	"
Mr. W. A. Lesmond ...	Exe. Engr., 3rd Grade, *sub. pro tem.*	" " 3rd " ...	21st " " ...	"
Mr. B. P. Milsom ...	Exe. Engr., 4th Grade, *sub. pro tem.*	" " 4th " ...	21st " " .	"
Mr. M. J. Chabrel ...	Asst. Engr., 1st Grade ..	" " 4th " ...	3rd July 1883 ..	Temporary.
Mr. R. W. Roberts ...	" " 1st " ...	" " 4th " ...	11th August 1883 ...	"
Mr. W. H. Cole ...	" " 1st " ...	" " 4th " ...	6th Sept. 1883 ...	"
Mr. H. E. Haddon ..	" " 1st " ...	" " 4th " ...	16th " " ..	"
Mr. J. M. Montague ...	" " 1st " ...	" " 4th " ...	19th " " ...	"
Mr. R. T. Denne ...	" " 2nd " ...	Asst. Engr., 1st " ...	19th " " ...	*sub. pro tem.*

No. 268.—Mr. H. Johnson, Executive Engineer, 1st Grade, is appointed Superintendent of Way and Works of the Punjab Northern State Railway.

No. 269.—Mr. J. C. Ledger, Executive Engineer, 1st Grade, sub. *pro tem.*, attached to the Office of the Director General of Railways, is placed in charge of those portions of the Offices of the Secretary to the Government of India, Public Works Department, and Accountant General, Public Works Department, which will remain at Simla, until further orders.

No. 270.—Consequent on the relief from special duty of Major L. Conway-Gordon, R.E., the following reversions are made in the Superior Accounts Establishment :—

Names.	From	To	With effect from
Lieut.-Colonel D. H. Trail, R.E.	Examiner, 1st Class, *sub. pro tem.*	Examiner, 2nd Class ...	23rd Oct. 1883.
Lieut.-Colonel P. Lambert, R E.	" 2nd " " ...	" 2nd " tempy. rank ...	23rd " "
Mr. D. C. Gordon .	" 2nd " tempy. rank ..	" 3rd " .	23rd " "
Mr. R. G. Macdonald ...	" 3rd " *sub. pro tem.* ...	" 3rd " tempy. rank .	23rd " "
Mr. W. Palmer ...	" 3rd " tempy. rank ...	" 4th " 1st Grade ...	23rd " "
Mr. J. W. Fordham ..	Examiner, 4th Class, 1st Grade, *sub. pro tem.*	" 4th " 2nd " ...	23rd " "
Mr. J. L. Macpherson ...	Examiner, 4th Class, 2nd Grade, *sub. pro tem.*	" 4th " 3rd " ..	23rd " "
Mr. S. M. Johnson ...	Examiner, 4th Class, 3rd Grade, *sub. pro tem.*	" 4th " 3rd " tempy.	23rd " "
Mr. W. B. Gray ...	Deputy Examiner, 1st Grade, *sub. pro tem* (Supernumerary)	Deputy Examiner, 2nd Grade (Supernumerary).	23rd " "
Mr. S. G. Wood ...	Deputy Examiner, 1st Grade, *sub. pro tem.*	Deputy Examiner, 2nd Grade .	23rd " "

TELEGRAPH.

The 31st October 1883.

No. 257.—Mr. R. Boteler, Superintendent, 4th Grade, Indian Telegraph Department, is appointed to officiate as Superintendent, 3rd Grade, with effect from the 6th October 1883, and until further orders.

The 1st November 1883.

No. 265.—The following Revised Rules and Rates for Inland Telegrams are published for general information :—

Rules and Tariff for Inland Messages.

Rules and Tariff, relating to the transmission of Telegraph Messages in India, sanctioned by the Governor General of India in Council, with effect from the 1st December 1883.

GENERAL.

***Rule 1.*—The accuracy of messages is not guaranteed, and the Sender and Receiver must accept all risks arising from non-delivery, errors or delays.**

Rule 2.—Telegraph Stations are divided into three classes, *viz.* :—

Class of office.	General working hours (local time).	Special working hours (local time) on Sundays, Christmas Day, New Year's Day, Good Friday, and the Queen's Birthday.
I.	Day and night ..	Day and night.
II.	7 A.M. to 9 P.M.*	7 to 9 A.M., and 4 to 9 P.M.
III.	10 A.M. to 5 P.M.*	7 to 9 A.M., and 4 to 6 P.M.

* These hours are subject to modification to suit local requirements.

In cases of life and death, or of extraordinary emergency, a message countersigned by the Chief Civil or Military Authority at a Station, or by any of the Authorities empowered to "clear the line" (see Rule 40), can be sent from any Office at any time.

Exception in favor of emergent telegrams signed by competent authority.

Rule 3.—Senders of messages are advised to write their messages in an unmistakable and distinct hand.

Messages should be legibly written.

ACCEPTANCE OF MESSAGES FOR TRANSMISSION.

Rule 4.—Messages are accepted at all Post Offices. Where the Post Office is unconnected by wire, the messages are despatched by first post "registered" to the nearest Telegraph Station without extra charge. Post Offices which accept and despatch messages by wire are called "Combined" Offices: Post Offices unconnected by wire are called "Receiving Offices."

Acceptance of messages at Post Offices.

Rule 5.—No message or messages of more than five hundred words can be sent at any one time by any private individual or firm, and no second messages by the same individual or firm till after the lapse of three hours, unless the lines be free and not required by any one else.

Limit to length of messages.

Rule 6.—All messages must be legibly written in the Roman character or in Arabic figures: subject to the above limitation, messages may be sent in the vernacular, or any foreign language, or in cipher, if written in Arabic numerals.

Messages must be in the Roman character or Arabic figures.

At Telegraph and Post Offices in Stations other than the Presidency Towns, every assistance possible is afforded to natives in the translation of messages into English, and *vice versâ*.

Messages translated for natives

Rule 7.—The body of the message must be preceded by the *address* (as defined in Rule 18). The true signature and address of the Sender must always be written at the foot of the message.

Form to be followed.

The Sender of a private message can always be called upon to prove that the signature attached to it is genuine.

Verification of signature to private messages may be insisted upon.

Rule 8.—The address must contain all the information necessary to ensure the delivery of the message at its destination, and the Sender in all cases supports the consequences of insufficiency of address. After the message is once despatched, it can neither be cancelled, completed, nor rectified, except by the despatch of a fresh *paid* message.

Full address necessary.

Rule 9.—Every interlineation, reference, erasure, or alteration of words must be authenticated by the Sender of the message, or by his representative.

Authentication of corrections necessary.

Rule 10.—Messages from places where there is no Telegraph Station should be tendered at the local Post Office with cash or with postage stamps, in which case the Post Master will grant a receipt for the amount, or they may at the option of the Sender be addressed to the nearest Government Telegraph Office by post registered, together with Telegraph or Postage stamps sufficient for their payment, in which case a Receipt for the amount will be posted free to the Sender.

Messages sent by post to telegraph stations for transmission.

In the case of a message sent by Post to a Telegraph Station with an insufficient number of stamps, the excess charge will be recovered from the addressee.

Treatment of messages received by post for transmission insufficiently stamped.

Rule 11.—Messages can be addressed to places where there are no Telegraph Stations. In such cases, the Sender must state (free) from what Telegraph Office delivery is to be effected.

Messages addressed to non-telegraph stations.

Example.—"To Sherghotty, Post Burhee."

No charge will be made for ordinary *Inland* postage, or for registration, but postal registration is compulsory in the case of messages which have to be posted in India to places beyond Indian limits, and in such cases both the postage and registration fees* must be prepaid by the Sender.

Rule 12.—With the following exception, all charges for messages must be prepaid in cash or in stamps:—

"Bearing" messages.

Messages are sent "bearing" from Sea-ports when received for despatch by mail steamers or other vessels, but no such message, whether "prepaid" or "bearing," will be received for transmission until the name of the vessel has been made known. *Bearing messages will not be delivered to the Addressees until after payment has been obtained.*

Rule 13.—All charges on telegrams tendered at Government Telegraph Offices are prepaid in Telegraph Stamps, which are procurable at every Treasury and every Government Telegraph Station.

Use of Stamps.

Telegraph stamps are double-headed, the object being that the *upper half* shall be returned on the Receipt (whereby the Sender receives a guarantee that his message has not been suppressed for the sake of the stamps), and the *lower half* shall be affixed to the message as voucher to Government that it has been prepaid.

Form of stamp provides a guarantee to the Sender and to Government.

The Senders of messages should be careful to affix their Telegraph stamps on the spaces left blank for the purpose on the message forms, *the upper half on the Receipt, the lower half on the message*, and to see that the stamps are defaced with the office stamp which bears the name of the station and the date.

Stamps to be properly affixed to the forms.

Telegraph stamps cut in two, before being sent into a Telegraph Office, or which are in any way defaced, discolored, or damaged, cannot be accepted.

Cut or defaced stamps cannot be received.

Application for the refund of the value of such stamps, accompanied by particulars of the way in which the stamps became damaged, may, however, be made to the Telegraph Check Office, Calcutta, which will ordinarily comply with the application when no doubt exists that the damaged stamps are genuine, and that the damage was not caused intentionally.

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* 8 annas.

At "combined offices" (see Rule 4) telegrams can be prepayed in postage stamps.

Forms obtainable *gratis* at all stations.

Proper forms on which to write messages are available *gratis* at all Telegraph Stations and Post Offices, and *Senders are requested to use these forms only*.

Charges on *State* messages.

Rule 14.—State messages from all Public Functionaries must be paid for in cash or in stamps prior to despatch; the rates are the same for State messages as those charged to private individuals. This Rule will be relaxed in case of great emergency: *whenever an 'urgent' State message is tendered for despatch under this permission, the Sender must take the necessary steps to ascertain the charges on it, and pay them into the Telegraph Office within 24 hours.*

State messages take their turn for despatch with private, urgent or deferred messages.

Rule 15.—State messages not marked "urgent" will be treated as "deferred" (*see Rule 19*): they take their turn for despatch with "urgent" and "deferred" private messages according to the order in which they were tendered.

No unpaid messages to be despatched under penalty.

Rule 16.—No unpaid messages, except those specified in the Departmental Regulations, shall, on any account, be transmitted. A violation of this rule will subject the Signaller or Telegraph Master in charge of the station from which a message is improperly despatched to dismissal from the public service.

Objectionable messages to be refused acceptance.

Rule 17.—Telegraph Masters are required to refuse to transmit a message which may be of a decidedly objectionable or alarming character. Should the character of a message be open to doubt, the matter shall be referred to a Secretary to Government, if the message be tendered at the seat of Government, or the Chief Civil or Military Officer, if at a provincial station.

CHARGES.

Rule 18.—*No charge is made for the transmission of the Address.*

Free address.

The "Address" includes names of stations from and to which the message is to be despatched, the *bonâ fide* names or designations* of the Sender and Addressee, and the *latter's* address. No other words can be transmitted unless paid for as part of the body of the message, and the officers of the Telegraph Department are authorised to omit from the address any words which are not essential to the correct delivery of the message.

If the Sender of a message desire *his own* address to be telegraphed, it must be included in the body of the message, and paid for.

Charge for a message.

Rule 19.—The following are the rates of charges for a message:—

(*No charge is made for the transmission of the address.*)

	Local messages,—*i.e.*, those tendered during the working hours of a Telegraph Office for transmission in ordinary course within a radius of six miles of a Central Government Telegraph Office.		*Deferred* messages,—*i.e.* those tendered during the working hours of a Telegraph Office for transmission at night and to be delivered at destination early on the following morning.		*Ordinary* messages,—*i.e.*, those tendered during the working hours of a Telegraph Office for transmission and delivery in ordinary course.		*Urgent* messages.—*i.e.*, those tendered during the working hours of a Telegraph Office for immediate transmission with precedence over ordinary messages.	
	First eight words or groups of three figures.	Each additional eight words or groups of three figures	First eight words or groups of three figures.	Each additional word or group of three figures.	First eight words or groups of three figures.	Each additional word or group of three figures.	First eight words or groups of three figures.	Each additional word or group of three figures.
	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.
Between any two stations in India	0 4	0 4	0 8	0 1	1 0	0 2	2 0	0 4

Messages despatched to and from railway stations without extra charge.

Rule 20.—A message can be sent from any Station of the Government Telegraph Department to any Railway Telegraph Station, or *vice versâ*, without additional charge.

APPLICATION OF CHARGES.

Rule 21.—The maximum length of a word is fixed at six syllables; the excess is counted as a word.

No unusual abbreviations or combinations permitted.

Rule 22.—Messages must not contain any unusual combinations, abbreviations, or constructions. Any word in common use, which, although requiring two words to express it, is generally recognised as one word, is charged as one word when so written; when the two parts are not joined by a hyphen or apostrophe, and when of, or less than, six syllables. "Halfpenny," "Twopence," "Threepence," &c., up to "Elevenpence," when written as a single word, count as one word only. "F. O. B.," "C. F. I.," "A. M.," and "P.M.," when written as separate letters, are each counted as two and three words, respectively, but when written "Fob," "Cfi," "Am," "Pm," as one word.

Words joined by a hyphen.

Rule 23.—Words joined by a hyphen are counted as so many separate words.

* Name and designation cannot both be admitted, *unless it would otherwise be obviously impossible for the Addressee to identify the Sender*.

A message can only be sent in the name of one individual or firm.

Rule 24.—Words separated by an apostrophe are counted as so many separate words. (*This rule does not apply to nouns in the possessive case, as "General's," "Charles'," "Brother's."*)

Words separated by an apostrophe.

Rule 25.—Proper names of towns and persons, names of places, streets, ships, titles, Christian names, prefixes, and qualifications, are counted for the number of words employed by the Sender to express them.

Proper names, titles, &c.

Rule 26.—Every *isolated* character, whether letter or figure, is counted as a word. The same applies to an underline.

Every *separate* character, including an underline, charged as a word.

Rule 27.—Signs of punctuation, hyphens, apostrophes, inverted commas, parentheses, fresh paragraphs, are not counted or signalled, but decimal points, commas, bars of division, &c., *used with figures*, are each counted as a figure and signalled.

Signs of punctuation.

Rule 28.—When numbers are expressed in figures, all the characters, figures, letters, or signs in each group are added together, the total divided by three, and the quotient, plus one for the remainder, if there be any, gives the number of words the group represents. Signs used to separate groups and letters added to figures to form ordinal numbers are counted each as a figure or letter; groups of letters not forming words (letter cipher) cannot be transmitted.

Charges for figures.

Method of counting figures.

Rule 29.—All that the Sender writes in his message to be transmitted to be included in the cost, but the Address of a message, as *defined in Rule 18*, will be transmitted without charge.

All words to be transmitted charged for.

The day, hour and minute (Madras time) of receipt of a message into a Telegraph Office for despatch are in every instance added by the Department *and telegraphed free of charge.* Senders may, however, date their messages if they think fit, but the Sender's date, if given, will be charged for.

Date and time of receipt added by the Department and transmitted free.

Rule 30.—A message addressed to several persons, or to the same person in localities where delivery is to be effected by different offices, is charged for as so many separate messages.

Multiple messages charged as separate messages.

Rule 31.—A message addressed to several persons in one locality, or to the same person at several places of residence in one locality, with or without transmission by post, is charged for as a single message; but a copying fee of four annas, independently of postage, if any, is charged for each destination after the first.

Multiple messages charged as one message.

REPETITION OF MESSAGES.

Rule 32.—The Sender of any message can require that it be repeated. In this case the different stations employed in its transmission collate it as it passes, repeating it to each other integrally.

Collation of message.

Rule 33.—The charge for repeating is equal to half the charge for the message. A repeated message is indicated by the word *"collated,"* which, to ensure the greatest accuracy, is telegraphed (free) both in the official instructions and as the first word of the text of the message.

Charge for collation.

ADVICE OF DELIVERY.

Rule 34.—Any Sender can require that a notice of the time at which his message is delivered be transmitted to him by telegraph. This advice of delivery may be addressed to him at any Station he may name.

Advice of delivery.

Rule 35.—If the message cannot be delivered, the return-telegram indicates the circumstances which prevented delivery, and, if possible, gives the information necessary to enable the Sender to cause his message to reach its destination.

Case of non-delivery.

The return-message has priority in transmission over "ordinary" messages.

Priority of return-message.

Rule 36.—The charge for an advice of delivery or non-delivery is one rupee.

Charge for advice of delivery.

PREPAYMENT OF REPLY.*

Rule 37.—The Sender of a message can prepay a reply, depositing for this purpose a sum not exceeding *ten times* the cost of his original telegram; but the message to which a reply is prepaid must not be addressed to more than one person. On depositing the corresponding sum, the Sender can add (free) the words *"Reply paid"* or *"Answer paid"* and the amount to which he wishes the reply to be limited. The Terminal Station pays to the Receiver, in Telegraph or Postage stamps, or in money, the amount prepaid, leaving it to him to send his answer how, and when, and to what address he pleases, or not to send one at all. The reply, if sent, is considered in every respect as a fresh message.

In the case of a message to which a reply is prepaid addressed to a station where there is no Telegraph Office, the amount is forwarded to destination from the nearest Government Telegraph Office, not in Telegraph stamps, but by currency notes and Postage stamps in an insured cover, the Sender must accordingly prepay the postal insurance fees.

Reply deposits exceeding Rs. 2 in value cannot be received at or delivered from any Railway Telegraph Office, or received at any Postal Receiving Office (see Rule 1). Messages addressed to Stations on Railways to which replies exceeding Rs. 2 in value are prepaid are *posted* with currency notes and Postage stamps enclosed from the nearest Government Telegraph Office, direct to the addressee. In the case of such messages also, the postal insurance fees are payable by the Sender.

Should it be impossible to effect delivery of a *"Reply paid"* message, the Terminal Station sends a Service telegram to that effect to the Sender, and the amount deposited will be refunded on application being made to the Telegraph Check Office, Calcutta. The words *"Reply paid" or "Answer paid" entitle the Addressee to receive the equivalent of the minimum charge only.*

* The Sender of a State message addressed to a Government official may not prepay a reply. And in the case of a State message addressed to other than a Government Official, any sum deposited by the Sender under this rule must be intended for no other purpose than to cover the cost of a return telegram.

It should be distinctly understood that it is not compulsory on the Addressee to send a reply. The duty of the Terminal Station consists simply in paying to him, in Telegraph stamps or in money, the amount prepaid, leaving him at liberty to do what he pleases with it.

DELIVERY.

Rule 38.—"Local" messages will be delivered free of charge within one mile, and other messages within five miles of a Telegraph Station. Beyond this distance messages will be sent by post without charge or by such other means as the Sender may arrange and pay for. Should the addressee of a message (other than a "local" message) have left the Station to which it is addressed, it will, if returned unopened with definite instructions as to the new address, be retransmitted without extra charge.

Free delivery radius.

If the Sender requests it, messages will be delivered open. In this case the words *Deliver open* must be included free in the body of the message.

The Telegraph Department may deliver "deferred" messages through the Post Office of the place of destination.

The messenger who delivers a message may be entrusted with the reply, provided he be not detained for this purpose more than five minutes. The fact of the reply having been given to the messenger, and the amount paid to him, should be mentioned on the receipt given for the original message.

Rule 39.—Any Firm or Individual expecting to receive Inland or Foreign messages can register an abbreviated address at the Government Telegraph Office from which such messages have to be delivered.

Rules for registration of abbreviated addresses.

No abbreviated address can be accepted which has already been registered *locally* by another Firm or Individual.

The fee for registration of *each* abbreviated address is Rs. 10 per annum, payable in advance on the 1st January in each year or Rs. 50 for all time, with a fine of Rs. 5 for every change of address. Abbreviated addresses are considered confidential.

The Department accepts no responsibility in respect of the delivery of any telegram having an abbreviated address if such address has not been registered.

CLEAR LINE MESSAGES.

Rule 40.—On emergent occasions of great importance, the public functionaries named below have the power to "clear the line," that is, to suspend the receipt and despatch of all messages until the one for which the line is "cleared" is passed on :—

(1)—The Governor General of India.
(2)—The Governors of Madras and Bombay.
(3)—Commanders-in-Chief, India, Madras and Bombay.
(4)—Lieutenant-Governors of Bengal, North-Western Provinces and the Punjab.
(5)—Secretaries to the Government of India.
(6)—Secretaries to the Governments of Madras, Bombay, Bengal, North-Western Provinces, and Punjab.
(7)—Chief Commissioners of Oudh, the Central Provinces, British Burma, and Assam.
(8)—Agents to the Governor General, Rajputana, Central India and Biluchistan.
(9)—Commissioners of Sind and Peshawar.
(10)—The Residents at Hyderabad (Deccan) and Mysore.
(11)—Director General of Telegraphs in India.
(12)—The Maharaja of Patiala; *from the Patiala Office only.*

The messages so sent are, however, to be paid for, in cash or in stamps, as other State messages.

REFUNDS.

Rule 41.—No refund will under any circumstances be made for a State message of any class or for a "local" or "deferred" private message; and no refund will be made for an "ordinary" or "urgent" private message delivered wholly or partially in an unintelligible state, unless the extra charge for repetition has been paid by the Sender.

No refund given for State messages or for "local" or "deferred" private messages or for errors in uncollated "ordinary" or "urgent" private messages.

Rule 42.—If an "ordinary" or "urgent" private message be not delivered, or be subjected to serious delay through the fault of the Telegraph Department, the whole charge made for it will be returned to the Sender.

Conditions of refund in the case of non-delivery or delay of private messages.

Rule 43.—Applications for refunds, as also all complaints respecting messages, should be addressed to the TELEGRAPH CHECK OFFICE, CALCUTTA. Such claims for refund should be made, under penalty of rejection, within two months from the date of the message; but this period is extended to six months in the case of a repeated message, or of a message for which a *Reply* or an *Advice of Delivery* has been prepaid. (*When an overcharge has been made on an inland message through the neglect of the Telegraph employés, and when there exists no doubt whatever as to the justice of the claim, the amount overcharged will be repaid at once by the Telegraph Master.*)

CANCELLATION OF MESSAGES.

Rule 44.—If the Sender of an inland message wishes to cancel it before transmission has commenced he can do so, but the charges upon it will not be returned when once the stamps are obliterated. If the message is in course of transmission, or has already been despatched, it can only be cancelled by a paid message from the Sender to the Telegraph Master of the Terminal Station. If in addition the Sender wishes to be informed by telegraph in what manner his request has been acted upon, he must deposit the cost of the return telegram.

Refund not admissible when a message is cancelled at the Sender's request.

OBLIGATION OF SECRECY.

Rule 45.—To secure secrecy as much as possible, all persons (including officers of the Department) not actually on duty are strictly prohibited from entering the Signal-room. Breach of this regulation renders an offender liable to a fine of Rs. 500 under Act I of 1876.

Rule 46.—Violation of secrecy on the part of any person in the Department will be punished by dismissal from office, forfeiture of arrears of pay, and a declaration in the official Gazette of the incapacity of the delinquent to serve the Government in any capacity. He

Penalties for divulging the contents of a message.

will also be liable to the further punishment of fine, or to imprisonment (with or without labor) not exceeding three years, or to both.

It is a violation of secrecy to mention the fact that a message has been received or despatched by any particular person or firm.

COPIES OF MESSAGES.

Rule 47.—The Sender and Receiver have a right to be furnished with certified true copies of any message sent or received by them; a fixed charge of four annas is made for every copy furnished. As no Telegraph Office keeps copies of messages longer than three days, applications for copies required after that time has elapsed should be made to the TELEGRAPH CHECK OFFICE, CALCUTTA.

Certified copies of messages obtainable by Sender and Receiver.

Applications for copies must be made within six months of the date of the message. At the expiration of that period all message drafts are destroyed.

One anna must be enclosed for postage of the reply—failing which, it will be sent "bearing."

Application may be made, as above, by an interested party for the preservation of specified telegrams exchanged between other persons on the ground of pending or contemplated judicial proceedings. Such telegrams will be preserved for a further period of six months, at the expiration of which they will, in default of a renewed application, be destroyed.

Should the particulars furnished be insufficient to enable the *Check Office* to trace the telegrams at once, the estimated cost of the required search must be deposited by the applicant. It must be understood that the duty of the Telegraph Department in the matter is confined to making the search and preserving the telegrams if found. No information as to the result of the search will be furnished, and any telegrams answering the description given which may be found will only be produced on the order of a competent court of law or other competent authority.

PRESS MESSAGES.

Rule 48.—*Bonâ fide* Press messages, *i.e.*, messages in the ordinary English language addressed to, and intended for publication in, a newspaper, can be despatched at the following rates:—

Urgent.—Two rupees for the first 32 words and four annas for every additional 4 words.

Ordinary.—One rupee for the first 32 words and two annas for every additional 4 words.

Deferred.—Eight annas for the first 32 words and one anna for every additional 4 words.

The 25th October 1883.

No. 303 T.

RESOLUTION—By the Government of India, Public Works Department.

Establishment of Telephonic Exchanges, and private Telephone lines, by the Agency of Telephone Companies in India.

Read—

Proceedings of the Government of India, dated February 1882, Nos. 1—97A.

Letter No. 309T., dated 13th June 1882, from the Government of India, to the Director General of Telegraphs.

Despatch No. 12T., dated 7th November 1882, from the Government of India, to Her Majesty's Secretary of State for India.

Despatch No. 16T., dated 5th December 1882, from the Government of India, to Her Majesty's Secretary of State for India.

Despatch No. 7T., dated 22nd February 1883, from Her Majesty's Secretary of State for India, to the Government of India.

Despatch No. 9T., dated 15th March 1883, from Her Majesty's Secretary of State for India, to the Government of India.

OBSERVATIONS.—In November 1881, licenses were granted by His Excellency the Governor General in Council to the Oriental Telephone Company, under which Telephone Exchanges have been established in Madras, Bombay, Calcutta and Rangoon. Permission was also given to the Oriental Telephone Company to establish and work, under separate licenses in each case, private telephone lines within the areas defined in the Telephone exchange licenses held by the Company. During the past year, various questions have arisen with regard to the further development of this class of enterprise; and His Excellency the Governor General in Council is pleased to lay down the following general rules under which licenses for similar purposes will be granted in future.

I.—Competition between the State Telegraph Department and the Company or between Rival Companies.

In its letter No. 401T., dated 10th November 1881, the Government of India addressed the Manager of the Oriental Telephone Company in the following terms:—

"The Government of India have expressly laid down that they will not give to any Company a monopoly for Telephone Exchanges. They reserve to

themselves full power to erect one for themselves anywhere or for the public in any place for which no license has been granted to a private Company ; as also to grant licenses to more than one Company on due application."

And again in its letter No. 465T., dated 9th December 1881, the Government of India wrote :—

"That in the event of any private Company wishing to work Telephone Exchanges in any city, in which the Government has already established such an institution, the Government of India will be willing to treat with any private Company, capable of working it properly, for a transfer of the exchange.

"While the Government of India has no desire to compete with private enterprise in the matter of Telephone Exchanges in this country, it reserves to itself the right to undertake such business in places where private agency is not prepared to take it up."

So far as the operations of the Oriental Telephone Company are concerned, the Government of India is by the wording of these letters to a certain extent debarred from a full exercise of the right of State competition in the exchange business. So long as the business is conducted satisfactorily and on sufficiently advantageous terms to the public, there will be no necessity for departing from the practice hitherto followed in this matter; but in view of the desirability of securing adequate protection of the public interests, it is necessary that full discretion should be reserved to the Government to step in and undertake the carrying on of telephonic communication in the event of failure, overcharge, or other misconduct on the part of a Company, or of other circumstances which appear to render such a course desirable. His Excellency the Governor General in Council is therefore pleased to rule that all future licenses will be granted, subject to a full reservation of the rights of Government in this respect.

The right of the Government to license more than one Company in any town has been maintained from the first, and is now reaffirmed.

The construction, maintenance, and working of all exchanges for, and lines between, Government offices will be undertaken in all cases by the Government Telegraph Department. The instructions contained in Public Works Department letter No. 309T., dated 13th June 1882, to the address of the Director General of Telegraphs are therefore cancelled.

II.—Connection between the companies exchanges and lines, and the Government system will be permitted under rules to be hereafter laid down, and on payment of a certain fee.

When such connections have been established the receipt and delivery at Telephone Exchanges of written messages for transmission over the Government wires will be permitted under rules hereafter to be laid down.

III.—Ultra-radial connections. Telephone Companies holding licenses for an exchange within certain defined limits may be permitted to connect with their exchange, isolated subscribers living beyond the limits defined subject to the payment of an extra royalty.

When connections are desired between towns each possessing a licensed xchange, the trunk line of communication will, in all cases, be erected, maintained, and owned by the Government Telegraph Department, and let to the Company at an annual rental.

But it must be understood that no Company has a right to *claim* the erection of a trunk line, and that the State is free to approve or decline in each individual case.

IV.—Royalties. The royalty fixed in the licenses to the Oriental Telephone Company is at the rate of 10 per cent. With a view to encouraging the development of telephone enterprise, Companies obtaining licenses in future under the conditions now laid down will be required to pay a royalty of 5 per cent., with an additional royalty of 1 per cent. on *ultra-radial* connections.

V.—Good-will. In all future licenses, it will be expressly stipulated in accordance with the English system, that, in case of purchase of the Company's

property by the Government, nothing will be paid for the "good-will" of the business.

VI.—On points not specially dealt with above the licenses will be based on the form already adopted and in force.

ORDER.—Ordered, that this Resolution be published in the Supplement to the *Gazette of India* for public information, and that a copy of it be forwarded to the Director General of Telegraphs for information and guidance.

W. S. TREVOR, *Colonel, R.E.*,
Secy. to the Govt. of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, NOVEMBER 3, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 12th October, 1883, and is hereby promulgated for general information :—

ACT No. XX OF 1883.

THE PANJÁB DISTRICT BOARDS ACT, 1883.

CONTENTS.

CHAPTER I.

PRELIMINARY.

An act to make better provision for Local Self-government in the Districts of the Panjáb.

WHEREAS it is expedient to amend the law in force in the territories administered by the Lieutenant-Governor of the Panjáb for the levy and expenditure of rates on land; and

Whereas it is also expedient to provide for the constitution of district boards and local boards in those territories, and to define and regulate the powers to be exercised by those boards;

It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title.

1. *(1)* This Act may be called the Panjáb District Boards Act, 1883.

Extent.

(2) It shall extend only to the territories for the time being administered by the Lieutenant-Governor of the Panjáb; and

Commencement.

(3) It shall come into force in each district on such date as the Local Government, by notification, directs.

Repeal of Act V of 1878.

2. From the date on which this Act comes into force in any district, the Panjáb Local Rates Act, 1878, shall be repealed throughout that district. But all rates imposed, sums credited to the Local Government, and notifications published under that Act, shall, so far as may be, be deemed to have been respectively imposed, credited and published under this Act.

V of 1878.

Definitions.

3. In this Act, unless there is something repugnant in the subject or context,—

(1) "Land" means land assessed to the land-revenue, and includes land whereof the land-revenue has been wholly, or in part, released, compounded for, redeemed or assigned.

(2) "Land-revenue" includes trini or grazing-dues levied for grazing on Government lands under section 48 of the Panjáb Laws Act, 1872.

IV of 1872.

(3) "Landholder" means any person responsible for the payment of the land-revenue, if any, assessed on land. It also includes the proprietor of land the land-revenue of which has been wholly, or in part, released, compounded for, redeemed or assigned.

(4) "Annual value" means—

(a) double the land-revenue for the time being assessed on any land, whether the assessment is leviable or not; or

(b) where the land-revenue has been permanently assessed, or has been wholly or in part compounded for or redeemed, double the amount which, but for such permanent assessment, composition or redemption, would have been leviable; or

(c) where no land-revenue has been assessed, double the amount which would have been assessed if the average village-rate had been applied:

Provided that, in any tract in which, under the settlement for the time being in force, the improvement of the land due to canal irrigation has been excluded from account in assessing the land-revenue, and a rate has been imposed in respect of such improvement, that rate shall be added to the land-revenue for the purpose of computing the annual value.

(5) "Financial year" means the year commencing on the first day of April.

(6) "Prescribed day" means such day as the Local Government may, from time to time, prescribe.

(7) "Notification" means a notification published in the official Gazette.

Panjáb District Boards Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 4-11.)

(8) "Notified" means notified in the official Gazette.

(9) "Deputy Commissioner" means the Deputy Commissioner of a district, and includes any officer specially appointed by the Local Government to perform the functions of a Deputy Commissioner under this Act.

Powers exercisable from time to time.

4 All powers conferred by this Act may be exercised from time to time as occasion requires.

CHAPTER II.

OF THE LOCAL RATE ON LAND.

The local rate.

5. *(1)* All land shall be subject to the payment of a rate, to be called the local rate, not exceeding one anna for every rupee of its annual value.

(2) The proportion which the local rate shall bear to the annual value of land shall, except as provided in sub-section (3), be fixed for each district by the Local Government by notification.

(3) The Local Government may, by notification, delegate to the district board, subject to such restrictions or conditions as it thinks fit, its powers under sub-section (2), and may, by notification, cancel or vary any such notification.

Road, school and post cesses to merge in the rate.

6. From such date as may be notified in respect of each district by the Local Government, all authorized rates and cesses for the maintenance of roads, schools and the district-post shall merge in and become part of the local rate, and no rate or cess other than the local rate shall be thereafter leviable for those purposes.

Liability for local rate.

7. The landholder shall be liable for the local rate subject to the following provisoes, namely :—

(1) where the landholder pays the land-revenue in kind to any assignee of revenue or any village-headman, the assignee of revenue or village-headman shall be liable for the payment of the local rate instead of the landholder, and no demand shall be made by any such assignee or village-headman on the landholder in respect of the payment of the rate; and

(2) where the Government has, under any lease current at the time when this Act comes into force, paid the local rate on trini, it shall continue to pay the rate during the currency of the lease.

Power to recover a share of the rate from occupancy-tenant.

8. When a local rate is payable by a landholder in respect of lands held by a tenant with a right of occupancy holding at a favourable rent, the landholder may realize from the tenant a share of the rate, bearing the same proportion to the whole rate as the excess of the annual value over the rent paid by the tenant bears to half the annual value.

Appropriation of proceeds of local rate.

9. Four-fifths of the net proceeds of the local rate levied in each district, after deducting the expenses of collection, shall, except as provided in section 68, be allotted to the district board established for that district under this Act.

The remaining one-fifth shall be carried to the credit of the Local Government, and may—

(a) be allotted by that Government to any district board established under this Act; or

(b) be applied by that Government to provide in the territories to which this Act extends, or any part thereof, for any of the matters on which district boards may expend the funds at their disposal under this Act :

Provided that the Local Government may direct that the whole or any portion of the net proceeds of the local rate levied within the limits of any municipality or military cantonment, after deducting the expenses of collection, shall be carried to the credit of the municipal fund, or made available for the purpose of public improvement in the cantonment or for carrying out therein any rules made under section 25 of the Cantonments Act, 1880, as the case may be. III of 1880.

CHAPTER III.

OF DISTRICT AND LOCAL BOARDS.

A.—Constitution of District and Local Boards.

Establishment of district and local boards.

10. *(1)* The Local Government shall, by notification, establish a district board for each district.

(2) The Local Government may, by notification, establish a local board or local boards within the limits of any district, and may cancel or vary any such notification.

(3) A district board shall have authority throughout the district for which it is established, and a local board shall have authority throughout such portion of the district in which it is established, as the Local Government may, by notification, direct :

Provided that a board shall not have authority over any portion of a district which is for the time being included in a military cantonment or a municipality.

Number and appointment or election of members.

11. *(1)* A district board or local board shall consist of such number of members, not less than six, as the Local Government may fix in this behalf.

(2) The members may be appointed by the Local Government either by name or by official designation, or may be elected in accordance with rules made by the Local Government under this Act, or some may be appointed and some elected, as the Local Government directs :

Provided that—

(a) when the Local Government has directed that all or any proportion of the members shall be elected, it shall not thereafter direct that they shall be appointed, unless a majority of the electors declare that they so desire, or the Governor General in Council, for some reason affecting the public interests, sanctions the direction ;

(b) except with the approval of the Governor General in Council, or unless salaried officers of the Government are elected, not less than two-thirds of the members of every board shall be persons other than salaried officers of the Government; and

(c) not less than one-half of the members of the board shall be landholders in the district.

Panjáb District Boards Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 12-20.)

(3) When, under a direction issued under sub-section (2), any places on a board are required to be filled by election, and a sufficient number of members is not elected, the Local Government may fill those places by appointment.

12. (1) A member of a district board or local board, when appointed by virtue of an office, shall, unless and until the Local Government otherwise directs, continue to be a member of the board while he continues to hold that office.

Term of office of members.

(2) The term of office of all other elected and appointed members respectively of a district board or local board shall be fixed by the Local Government by rules made under this Act, and may be so fixed as to provide for the retirement of members by rotation, but shall not exceed three years.

(3) An outgoing member shall, if otherwise qualified, be again eligible for election or appointment.

13. A member of a local board or of a district board may resign by notifying in writing his intention to do so to the Local Government; and, on the acceptance by the Local Government of such resignation, the member shall be deemed to have vacated his office.

Resignation of members.

14. The Local Government may remove any member of a district board or local board—

Powers of the Local Government as to removal of members.

(a) if he refuses to act, or becomes incapable of acting, or is declared insolvent, or is convicted of any such offence, or subjected by a Criminal Court to any such order, as implies, in the opinion of the Local Government, a defect of character which unfits him to be a member;

(b) if he has been declared by notification to be disqualified for employment in the public service;

(c) if he, being a member of a local board, without an excuse sufficient in the opinion of the Local Government, neglects for more than three consecutive months to be present at the meetings of that board, or, being a member of the district board, without such sufficient excuse, neglects for more than six consecutive months to be present at the meetings of that board;

(d) if his continuance in office is, in the opinion of the Local Government, dangerous to the public peace or order; or,

(e) when he is a salaried officer of the Government, if his continuance in office is, in the opinion of the Local Government, unnecessary or undesirable.

15. (1) When the place of an elected member of a local board or district board becomes vacant by the resignation or removal of the member or by his death, a new member shall be chosen in accordance with the rules made by the Local Government under this Act to fill the place:

Filling of casual vacancies.

Provided that the Local Government may direct in any such case that the vacancy shall be left unfilled.

(2) When the place of a member of a local board or district board appointed by name becomes vacant as aforesaid, the Local Government may, if it thinks fit, appoint a new member to fill the place.

(3) A person chosen or appointed under this section to fill a casual vacancy shall hold office until the person whose place he fills would regularly have gone out of office, and shall then go out of office, but shall be again eligible for election or appointment.

16. Every district board shall be a body corporate by the name of the district board of its district, and shall have perpetual succession and a common seal, with power to acquire and hold property, both moveable and immoveable, and, subject to any rules made by the Local Government under this Act, to transfer any such property held by it, and to contract and do all other things necessary for the purposes of its constitution, and may sue and be sued in its corporate name.

Incorporation of district boards.

17. The several district boards and local boards constituted under this Act shall come into existence at such time as the Local Government may, by notification, fix in this behalf.

Time for district and local boards coming into existence.

18. (1) A member of every district board or local board shall be elected or appointed to be chairman of the board, and shall hold office for such term, not exceeding three years, as the Local Government may, by a rule made under this Act, fix.

Chairman.

(2) The Local Government shall determine, as regards each board or as regards any class of boards, whether the chairman shall be a person appointed by virtue of his office or by name or be elected.

19. (1) A district board or local board may elect one of its members to be vice-chairman.

Vice-chairman.

(2) A vice-chairman so elected shall hold office for such term as the board may, by rule, fix.

B.—Duties of District and Local Boards.

20. (1) The following matters shall, subject to such exceptions and conditions as the Local Government may make and impose, be under the control and administration of each district board within the area subject to its authority:—

Duties of district board.

(a) the management of all property vested in the district board;

(b) the construction, repair and maintenance of public roads and other means of communication;

(c) the establishment, management, maintenance and visiting of public hospitals, dispensaries, saráís and schools, and the construction and repair of all buildings connected with these institutions;

(d) the training of teachers and the establishment of scholarships;

(e) the supply, storage and preservation from pollution of water for drinking, cooking and bathing purposes; and

(f) the planting and preservation of trees.

Panjáb District Boards Act, 1883.
(Chapter III.—Of District and Local Boards—Sections 21-26.)

(2) The Local Government may direct that any of the following matters shall, subject to such exceptions and conditions as it may make and impose, be under the control and administration of a district board within the area subject to its authority :—

(g) the management of any property vested in Her Majesty;

(h) the establishment, maintenance, visiting and management of markets, rest-houses, encamping-grounds and other public institutions, and the construction and repair of all buildings connected with these institutions;

(i) the construction and repair of embankments, and the supply, storage and control of water for agricultural purposes;

(j) the preservation and reclamation of soil, and the drainage and reclamation of swamps;

(k) the construction, repair and maintenance of famine preventive works, and the establishment and maintenance of such relief-works, relief-houses and other measures in time of famine or scarcity as may be entrusted to the charge of the board by the Local Government;

(l) the registration of births, marriages and deaths;

(m) fairs and agricultural shows and industrial exhibitions;

(n) the establishment and management of pounds, including, where the Cattle-trespass Act, 1871, is in force, such functions of the Local Government and the Magistrate of the district under that Act as may be transferred to the board by the Local Government; (I of 1871.)

(o) the management of such public ferries as may be entrusted to the charge of the board under section 7 A of the Northern India Ferries Act, 1878, as amended by this Act; (XVII of 1878.)

(p) any other local works or measures likely to promote the health, comfort, convenience and interests of the public or the agricultural or industrial prosperity of the country; and

(q) any other matters which the Local Government may declare to be fit and proper matters to be taken under the control and administration of the board.

(3) The Local Government may cancel or modify any direction given by it under sub-section (2).

(4) A district board shall, so far as the funds at its disposal permit, make due provision for all matters placed under its control or administration by or under this section.

21. (1) The Local Government, or, subject to the control of the Local Government, a district board, may direct that, within the area subject to the authority of a local board, any matter placed under the control and administration of the district board by or under section 20 shall be transferred to the control and administration of the local board.

Duties of local board.

(2) A local board, as the agent of, and subject to the control of, the district board, shall, so far as the funds at its disposal permit, make due provision for all matters transferred to its control and administration under sub-section (1).

(3) It shall be the duty of the district board to enforce the responsibility imposed on a local board by sub-section (2).

22. Except as otherwise provided by this Act, a local board shall not incur expenses or undertake liabilities to any amount exceeding the limit imposed by the district board of its district.

Limits on expenditure of local board.

23. (1) If a local board makes default in the performance of any duty imposed on it by or under this Act, the district board may, by order in writing, fix a period for the performance of the duty.

Power for district board to provide for performance of duty in default of local board.

(2) If the duty is not performed within that period, the district board may appoint some person to perform it, and may provide for the expenses of, and incidental to, its performance out of the funds appropriated to or for the purposes of the local board.

C.—Joint Committees.

24. A district board may concur with any other district board, or with any municipal committee or with any cantonment authority, or with more than one such board, committee or authority, in appointing, out of their respective bodies, a joint committee for any purpose in which they are jointly interested, and for delegating to any such joint committee any power which might be exercised by either or any of the boards, committees or authorities concerned, and in framing or modifying regulations as to the proceedings of any such joint committee, and as to the conduct of correspondence relating to the purpose for which the joint committee is appointed.

Joint committees.

D.—Conduct of Business.

25. (1) Minutes of the proceedings at each meeting of a district or local board shall be drawn up and recorded in a book to be kept for the purpose, and shall be signed by the chairman of the meeting or of the next ensuing meeting, and shall be published in such manner as the Local Government may, from time to time, direct, and shall, at all reasonable times and without charge, be open to the inspection of any inhabitant of the district who pays any rate or tax under this Act.

Record and publication of proceedings.

(2) A copy of every resolution passed by a local board at a meeting shall, within three days from the date of the meeting, be forwarded to the district board and to the Deputy Commissioner.

(3) A copy of every resolution passed by a district board at a meeting shall, within three days from the date of the meeting, be forwarded to the Deputy Commissioner.

26. Every district board, and every local board with the sanction of the district board, may make rules as to—

Power to make rules as to business and affairs.

(a) the time and place of its meetings and the manner in which notice of meetings shall be given;

(b) the conduct of proceedings at meetings and the adjournment of meetings;

(c) the custody of the common seal and the purposes for which it shall be used;

Panjáb District Boards Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 27-32.)

(*d*) the division of duties amongst its members;

(*e*) the powers to be exercised by sub-committees or members to whom particular duties have been assigned;

(*f*) the persons by whom receipts shall be granted for money received under this Act;

(*g*) the duties, appointment, leave, suspension and removal of the officers and servants of the board;

(*h*) the term for which the vice-chairman shall hold office, and

(*i*) other similar matters:

Provided that every rule made under this section must be consistent with this Act and with any rules made by the Local Government under this Act, and shall be published in such manner as the Local Government may direct.

E.—Officers and Servants.

Employment of officers and servants.

27. *(1)* Subject to the provisions of this Act and to any rules which may be made under this Act in this behalf, every district board may employ and pay such officers and servants as may be necessary and proper for the efficient execution of its duties and of the duties of the local boards acting under it:

Provided that if, at any time, in the opinion of the Deputy Commissioner,—

(*a*) the number of persons employed by a board under this section, or the remuneration assigned by the board to those persons, or to any of them, is excessive, or

(*b*) any such person is unfit for his employment,

the board shall, on the requirement of the Deputy Commissioner, reduce the number, or remuneration, of those persons, or, as the case may be, dismiss the unfit person.

(2) The board may appeal against any requirement under this section to the Commissioner of the division, whose decision shall be final.

Pensions of Government officials serving boards.

28. In the case of a Government official, a district board may—

(*1*) if his services are wholly lent to it, contribute to his pension or gratuity and leave-allowances in accordance with the rules of the Government Civil Pension and Leave Codes for the time being in force; and

(*2*) if he devotes only a part of his time to the performance of duties in behalf of the board, contribute to his pension or gratuity and leave-allowances in such proportion as may be determined by the Government.

Pensions of servants of boards.

29. In the case of an officer or servant, not being a Government official referred to in section 28, a district board may—

(*1*) grant him leave-allowances and, if he is employed under the district committee when this Act comes into force and not entitled to pension, or if his monthly pay is less than ten rupees, a gratuity; and

(*2*) if empowered in this behalf by the Local Government—

(*a*) subscribe in his behalf for pension or gratuity and leave-allowances under the rules of the Government Civil Pension and Leave Codes for the time being in force; or

(*b*) purchase for him from the Government or otherwise an annuity on his retirement:

Provided that no pension, gratuity, leave-allowance or annuity shall exceed the sum to which, under the Government Civil Pension and Leave Codes for the time being in force, the servant would be entitled if the service had been service under the Government.

F.—Taxation and Finance.

Powers of taxation conferred on district boards.

30. Subject to any general rules or special orders which the Governor General in Council may make in this behalf, a district board may impose, in manner prescribed by section 31, such taxes as may be approved by the Local Government:

Provided that no such tax shall be imposed in respect of any property subject to the local rate.

Procedure in imposing taxes.

31. (*1*) A district board may resolve, at a meeting, convened and constituted in such manner as the Local Government may prescribe, to propose the imposition of any tax under section 30.

(*2*) When a resolution has been passed under sub-section (*1*), the board shall publish a notice defining the class of persons or description of property proposed to be taxed, the amount or rate of the tax to be imposed and the system of assessment to be adopted.

(*3*) Any person likely to be directly affected by the proposed tax, and objecting to the same, may, within thirty days from the publication of the notice, send his objection in writing to the board; and the board shall, at a meeting convened and constituted as aforesaid, take his objection into consideration.

(*4*) If no objection is sent within the said period of thirty days, or if the objections received, having been considered as aforesaid, are deemed insufficient, the board may submit its proposals to the Local Government, with the objections (if any) which have been sent in and with its decision thereon.

(*5*) The Local Government, on receiving proposals under sub-section (*4*), may sanction the same, or refuse to sanction them, or return them to the board for further consideration.

(*6*) When the proposals of a district board in respect of a tax have been sanctioned by the Local Government, the board may, at a meeting convened and constituted as aforesaid, direct the imposition of the tax in accordance with those proposals:

Provided that, in giving such direction, the board shall fix a date not less than one month from the date of the meeting on which the tax shall come into force.

(*7*) Every direction under sub-section (*6*) shall be notified, and the notification shall be conclusive evidence that the tax has been imposed in accordance with law.

Reduction and abolition of tax.

32. The Local Government may, by notification, and the district board may, with the sanction of the Local Government, by a resolution passed at a meeting

Panjáb District Boards Act, 1883.
(Chapter III.—Of District and Local Boards—Sections 33-39.)

convened and constituted as the Local Government may prescribe, abolish or reduce any tax imposed under sections 30 and 31.

Levy of fees.

33. With the previous sanction of the Local Government, or of such officer as the Local Government may authorize in this behalf, a district board or local board may fix and levy school-fees and fees for the use of, or benefits derived from, any of the works specified in section 20, clauses (*c*), (*e*), (*h*), (*i*) and (*j*), and fees at fairs, agricultural shows and industrial exhibitions held under its authority.

Additional funds to be provided by the Government.

34. When the control and administration of any matter is by or under this Act transferred to a district board, and at the time of the transfer the cost of that control and administration is defrayed from provincial revenue, the Local Government shall, from time to time, allot to the district board such funds, or place at the disposal of the board such sources of income, as may, in the opinion of the Local Government and of the board, be sufficient for maintaining the control and administration of the said matter in the state of efficiency existing at the date of transfer.

District fund.

35. There shall be formed for each district a fund, to be called the district fund, and there shall be placed to the credit thereof—

(*a*) the balance (if any) of the allotments made for the district under section 7 of the Panjáb Local Rates Act, 1878, and of the road and school cesses, which may be available for expenditure in the district on the day on which the district board comes into existence;

V of 1878.

(*b*) all proceeds of rates allotted to the district board under section 9;

(*c*) the proceeds of all taxes imposed in the district under sections 30 and 31;

(*d*) the amount of all fees levied by the district board or by local boards in the district under section 33;

(*e*) all funds allotted to the district board and the income arising from all sources of income placed at its disposal under section 34;

(*f*) all rents and profits accruing from property vested in the district board or managed by the district board or a local board in the district;

(*g*) all sums contributed to the fund by Government or by any committee, board or private person;

(*h*) all sums received by the district board or by a local board in the district in the discharge of functions exercised by it under this Act; and

(*i*) the proceeds of all sources of income which the Local Government may order to be placed at the disposal of the district board:

Provided that the Local Government may revoke any order made under clause (*i*).

Vesting, custody and investment of district fund.

36. (*1*) The district fund shall be vested in the district board, and the balance standing at the credit of the fund shall be kept in the Government treasury or sub-treasury or in the bank to which the Government treasury business has been made over, unless the Local Government in any cases otherwise permits.

(*2*) Subject to such rules as the Governor General in Council may make in this behalf, the district board may, with the previous sanction of the Local Government, invest any portion of the district fund in securities of the Government of India or such other securities as the Governor General in Council may approve in this behalf, and vary such investments for others of the same nature, or dispose of them. The income resulting from the securities, and the proceeds of the sale of the same, shall be credited to the district fund.

Application of district fund.

37. (*1*) The district fund shall be charged with the payment of the expenses of the district-post, the payment of the expenses of pauper lunatics sent to public asylums from the area under the authority of the district board, the expenses incurred in auditing the accounts of the district boards and local boards, and such portion of the cost of the Provincial Departments for education, sanitation, vaccination, medical relief and public works as may be held by the Local Government to be equitably debitable to the district board in return for services rendered to the board by those Departments.

(*2*) Subject to the charges specified in sub-section (1), and to such rules as the Local Government may make with respect to the priority to be given to the several duties of the board or otherwise, the district fund shall be applicable to the payment, in whole or in part, of the charges and expenses incidental to the matters specified in sections 20, 27, 28 and 29, and to the provision of grants-in-aid to educational and medical institutions, within the area subject to the authority of the district board, and, with the sanction of the Commissioner, outside that area when such application of the fund is for the benefit of the inhabitants of that area.

Works or undertakings benefiting several districts.

38. In the case of works or undertakings which benefit more districts than one, when the district boards cannot agree, the Commissioner or Commissioners of the division or divisions, or, when the districts are in different divisions and the Commissioners cannot agree, the Local Government, may determine what proportion of the expenses of the work or undertaking shall be borne by each of the district funds of the districts benefited thereby; and such proportion shall be payable out of the several district funds accordingly.

Annual estimates of income and expenditure of district boards.

39. (*1*) Every district board shall appoint a finance committee consisting of not less than three of its members.

(*2*) Every district board shall, on or before a prescribed day in each year, hold a meeting at which the finance committee shall submit to the board an estimate of the income and expenditure of the board for the next financial year, in such form as the Local Government may, by a rule made under this Act, prescribe.

(*3*) The board shall consider the estimate, and may provisionally approve of it with or without modification.

(*4*) The board shall, on or before a prescribed day, cause copies of the estimate, as provisionally

Panjáb District Boards Act, 1883.
(Chapter III.—Of District and Local Boards—Sections 40-45.)

approved by it, to be sent to the Deputy Commissioner.

(5) The Deputy Commissioner shall, on or before a prescribed day, signify in writing to the board his approval or disapproval of the estimate. When he disapproves of the estimate, he shall state the nature of his objection. The board shall then consider the matter, and either modify the estimate, so as to remove the objection, or refer it through the Deputy Commissioner to the Commissioner of the division. If the Commissioner concurs in the objection, he shall make such modification in the estimate as may, in his judgment, be necessary to remove the objection in whole or in part. If he does not concur in the objection, he shall pass the estimate, and his order shall be final and binding on the board.

(6) When the Deputy Commissioner has signified his approval of an estimate, or the board has modified an estimate so as to remove the Deputy Commissioner's objections, or when the Commissioner has passed orders as provided in sub-section (5), no expenditure which is not provided for in the estimate as approved or modified shall be incurred during the year to which the estimate relates without the previous sanction of the Deputy Commissioner.

(7) When the Deputy Commissioner is a member of the district board, the Commissioner and the Local Government shall take the place of the Deputy Commissioner and the Commissioner respectively for the purposes of this section.

Accounts of district boards.

40. Accounts of the receipts and expenditure of every district board shall be made up periodically to such days and in such form as the Local Government prescribes, and shall be examined and audited as soon as may be after they are so made up by such persons as the Local Government appoints in this behalf.

Estimates and accounts of local boards.

41. (1) Every local board shall submit annually to the district board of its district, on or before such date as the district board may appoint in this behalf, a statement of the requirements, and an estimate of the probable expenditure, of the local board for the coming financial year, and shall submit, as often as the district board may require, accounts of its receipts and expenditure.

(2) The district board shall signify in writing to the local board its approval or disapproval of an estimate submitted under this section, and powers similar to those conferred on the Deputy Commissioner and Commissioner by section 39, clauses (5) and (6), shall be exercised, in regard to the estimate, by the district board and the Deputy Commissioner, or (when the Deputy Commissioner is a member of the district board) the Commissioner, respectively:

Provided that, during the currency of any financial year, the Deputy Commissioner may sanction transfers of provision within the estimate finally approved, when inconvenience or undue delay would be caused by a previous reference to the district board.

(3) The district board shall make arrangements, subject to the approval of the Deputy Commissioner, for the examination and audit of accounts submitted to it under this section, and may arrange for the publication of such accounts.

Inspection of estimates and accounts.

42. Every district board shall cause a copy of every annual estimate provisionally or finally approved under section 39, and of every account made up under section 40, to be kept at its office; and any person paying rates or taxes under this Act may, at all reasonable times, inspect any such estimate or account without payment of any fee.

Publication of abstract of accounts.

43. A statement of the accounts of a district board for each financial year, showing the income of the district fund under each head of receipt, the charges for establishment, the works undertaken, the sums expended on each work, and the balance, if any, of the fund remaining unspent at the end of the year, shall be prepared by the board in such form as the Local Government prescribes; and an abstract of the same shall be published in the English and Vernacular official Gazettes, or in such other manner as the Local Government may direct.

G.—Control.

Control of Commissioner and Deputy Commissioner over boards and joint committees.

44. (1) The Commissioner of the division, or the Deputy Commissioner of the district when he is not a member of the district board, may—

(a) enter on and inspect, or cause to be entered on and inspected, any immoveable property within the limits of the division or district respectively occupied by any local board, district board or joint committee, or any work in progress within those limits under the direction of any such board or committee;

(b) by order in writing call for and inspect any document in the possession or under the control of any such board or committee having authority within those limits;

(c) by order in writing require any such board or committee to furnish such statements, accounts, reports and copies of documents relating to the proceedings or duties of the board or committee, as he may think fit to call for; and

(d) record in writing, for the consideration of any such board or committee, any observations he may think proper in regard to the proceedings or duties of the board or committee.

(2) If any difference of opinion arises between officers exercising the powers conferred by sub-section (1), it shall be referred—

(a) if it arises between two or more Deputy Commissioners in the same division, to the Commissioner; and

(b) if it arises between two or more Deputy Commissioners in different divisions or between two or more Commissioners, to the Local Government;

and the decision thereon of the Commissioner or of the Local Government, as the case may be, shall be final.

Power to suspend action.

45. The Commissioner of the division or the Deputy Commissioner of the district may, by order in writing, suspend, within the division or district respectively, the execution of any resolution or order of a district board or local board or joint committee, or prohibit the

Panjáb District Boards Act, 1883.
(Chapter III.—Of District and Local Boards—Sections 46-54.)

doing of any act within the said limits which is about to be done, or is being done, in pursuance of or under cover of this Act, if, in his opinion, the resolution, order or act is in excess of the powers conferred by law, or the execution of the resolution or order, or the doing of the act, is likely to lead to a breach of the peace, or to cause injury or annoyance to the public or to any class or body of persons.

Extraordinary powers of Deputy Commissioner in case of emergency.

46. *(1)* In cases of emergency, the Deputy Commissioner may provide for the execution of any work, or the doing of any act, which a district board or local board is empowered to execute or do, and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing the work or of doing the act shall be forthwith paid by the district board.

(2) If the expense is not so paid, the Deputy Commissioner may make an order directing the person having the custody of the balance of the district fund to pay the expense, or so much thereof as is, from time to time, possible, from that balance in priority to all other charges against the same.

Power to provide for performance of duties in case of default of board.

47. *(1)* When the Commissioner, after due enquiry, is satisfied that a district board has made default in performing any duty imposed upon it by or under this Act, he may, by an order in writing, fix a period for the performance of that duty, and, if it is not performed within the period so fixed, he may appoint some person to perform it, and may direct that the expense of performing it shall be paid, within such time as he may fix, by the board to that person.

(2) If the expense is not so paid, the Commissioner may make an order directing the person having the custody of the balance of the district fund to pay the expense, or so much thereof as is, from time to time, possible, from that balance in priority to all other charges against the same.

Power to invest other officers with power of control.

48. When the control and administration of any public work is by or under this Act transferred to a district board, and at the time of the transfer the cost of that control and administration is defrayed from provincial revenue, the Local Government may invest any officer with respect to that work with the powers of a Commissioner under section 44 or section 47, or with the powers of a Deputy Commissioner under section 46.

Report of action under preceding sections.

49. When the Commissioner makes any order under section 15 or section 47, he shall forthwith forward to the Local Government, and when the Deputy Commissioner makes any order under section 45 or section 46, or an officer empowered under section 48 makes any order under section 46 or section 47, he shall forthwith forward to the Commissioner, for submission to the Local Government, a copy of the order, with a statement of the reasons for making it, and with such explanation, if any, as the board or committee concerned may wish to offer. The Local Government may thereupon confirm, modify or rescind the order.

Powers of Local Government and its officers over boards.

50. *(1)* It shall be the duty of the Local Government and of all Commissioners and Deputy Commissioners acting under its orders to require that the proceedings of district boards and local boards shall be in conformity with law and with the rules in force thereunder.

(2) The Local Government may exercise all powers necessary for the purpose of sub-section (1), and may, amongst other things, by order in writing, annul any proceeding which it considers not to be in conformity with law and with the said rules.

(3) The Commissioner of the division and the Deputy Commissioner of the district may, within their jurisdiction, for the same purpose, exercise such powers as may be conferred upon them by rules made in this behalf by the Local Government.

Power of Local Government to supersede in case of incompetency, persistent default or abuse of powers.

51 If a district board or local board is not competent to perform, or persistently makes default in the performance of, the duties imposed on it by or under this or any other Act, or exceeds or abuses its powers, the Local Government may, with the previous approval of the Governor General in Council, by notification, in which the reasons for so doing shall be stated, declare the board to be superseded:

Provided that, in case of public emergency, the notification may be issued without the previous approval of the Governor General in Council, but shall be immediately reported to the Governor General in Council and shall be subject to his orders.

Consequences of supersession.

52. When a district board or local board is superseded under section 51, the following consequences shall ensue:—

(a) All members of the board shall from the date of the notification vacate their offices as such members:

(b) All powers and duties of the board may, until the board is re-constituted, be exercised and performed by such person as the Local Government appoints in that behalf:

(c) Where a district board is superseded, all property vested in it shall, until it is re-constituted, vest in Her Majesty.

Constitution of new board, and transfer of functions of superseded local boards.

53. *(1)* When a district board is superseded, the Local Government shall, as soon as in its judgment conveniently may be, constitute another district board in its place.

(2) When a local board is superseded, the Local Government may either constitute another local board in its place, or transfer its functions to the district board or, by a notification under section 10, to any other local board.

Disputes.

54. *(1)* If any dispute, for the decision of which this Act does not otherwise provide, arises between two or more boards constituted under this Act, or between a municipal committee or cantonment authority and any such board, the matter shall be referred—

(a) to the Deputy Commissioner if the local authorities concerned are in the same district;

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(Chapter III.—Of District and Local Boards—Sections 55-59.)

(*b*) to the Commissioner or Commissioners of the division or divisions if the local authorities concerned are in different districts; and

(*c*) to the Local Government if the local authorities concerned are in different divisions and the Commissioners of those divisions cannot agree.

(*2*) The decision of the authority to which any dispute is referred under this section shall be final.

(*3*) If, in the case mentioned in clause (*a*), the Deputy Commissioner is a member of one of the boards or committees concerned, his functions under this section shall be discharged by the Commissioner.

(*4*) "Local authority" in this section means a district board, local board, municipal committee or cantonment authority.

Power of the Governor General in Council and the Local Government to make rules.

55. So far as may be consistent with the provisions of this Act—

(1) the Governor General in Council may—

(*a*) make general rules or special orders for the regulation of taxation under section 30; and

(*b*) make rules regulating the powers of district boards to make, vary and dispose of investments;

(2) the Local Government may, for any district or local board, or any class of such boards, make rules for—

(*c*) dividing boards into classes, and fixing the powers of boards of each class;

(*d*) determining the mode and time of appointment or election of members of boards, the term of office, allowances (if any), and the qualifications and disqualifications of such members, and the qualifications and disqualifications of voters, and generally for regulating all elections under this Act;

(*e*) regulating the powers of boards to transfer property;

(*f*) regulating the powers of boards to contract and do other things necessary for the purposes of their constitution and the mode of executing contracts;

(*g*) determining the intermediate offices, if any, through which correspondence between boards or members of boards and the Local Government or its officers shall pass;

(*h*) determining the language in which business shall be transacted;

(*i*) the employment, payment, suspension and removal of officers and servants under section 27;

(*j*) the apportionment of the district fund between the general purposes of the district and the purposes of particular parts of the district;

(*k*) the application of district funds;

(*l*) the form of estimates of income and expenditure under section 39;

(*m*) the form of accounts and the manner of periodical audit under section 40;

(*n*) the publication of abstracts of accounts under section 43;

(*o*) the preparation of plans and estimates for works which are to be partly or wholly constructed at the expense of boards, and as to the authority by which, and the conditions subject to which, such plans and estimates may be sanctioned;

(*p*) the powers of supervision to be exercised by Commissioners and Deputy Commissioners under section 50;

(*q*) the conduct of proceedings of boards, including the fixing of a quorum, the appointment or election of a chairman, and the term of office of a chairman and vice-chairman;

(*r*) the appointment and payment of auditors of the accounts of boards; and

(*s*) the guidance of district boards when suits or other proceedings are intended to be or have been instituted by or against them in Civil Courts; and

(*t*) generally determining the relations between district boards and local boards, and guiding boards and Government officers in all matters connected with the carrying out of the provisions of this Act.

All such rules and alterations of rules shall be notified, and no rules or alteration of rules under clause (2) (*d*) shall come into operation until three months after they have been notified.

II.—Regulations.

Power to make regulations.

56. (*1*) Every district board or local board empowered in this behalf by the Local Government may make regulations for carrying out all or any of the purposes of this Act.

(*2*) A regulation made under this section shall not have effect until it has been confirmed by the Local Government and published in such manner and for such time as the Local Government may direct.

Penalty for infringement of regulations.

57. (*1*) In making any regulation under section 56, a board may direct that a breach of the same shall be punished with fine which may extend to fifty rupees, and, in the case of a continuing breach, with a further fine which may extend to five rupees for every day during which the breach is continued after he has been convicted of such breach.

(*2*) In default of payment of any fine imposed under this section, the defaulter shall be liable to simple imprisonment for a term which may extend to eight days.

Prosecutions.

58. (*1*) Prosecutions under this Act for breach of regulations may be instituted by any board, or by any person authorized by the board in this behalf.

(*2*) A Judge or Magistrate shall not be deemed to be within the meaning of section 555 of the Code of Criminal Procedure a party to, or personally interested in, any case under this section merely because he is a member of the board.

X of 1882.

I.—Supplemental and Exceptional Provisions.

Liability of members of boards.

59. Every person shall be liable for the loss, waste or misapplication of any money or other property belonging to the district board, if such loss, waste or misapplication is a

Panjáb District Boards Act, 1883.

(Chapter III.—Of District and Local Boards—Sections 60-69.)

direct consequence of his neglect or misconduct while a member of a local board or of the district board, and a suit for compensation for the same may be instituted against him in such Court as the Local Government directs, by the district board with the sanction of the Commissioner, or by the Secretary of State for India in Council.

Procedure for making rules and regulations.

60. (*1*) The Local Government, before making any rules under section 55 or section 67, and a district or local board, before making any regulations under section 56, shall publish, in such manner as the Local Government may deem sufficient for giving information to persons interested, a draft of the proposed rules or regulations, together with a notice specifying a date on or after which the draft will be taken into consideration; and shall, before making the rules or regulations, receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

(*2*) Every such rule or regulation shall be published in the official Gazette in English and in such other language as the Local Government directs, and such publication shall be conclusive evidence that the rule or regulation has been made as required by this section.

Acquisition of land.

61. Where any land is required for the purposes of this Act, the Local Government may, at the request of a district board, proceed to acquire it under the provisions of the Land Acquisition Act, 1870; and, on the payment by the board of the compensation awarded under that Act, and of the charges incurred by the Government in connection with the proceedings, the land shall vest in the board.

X of 1870.

Penalty on member, officer or servant being interested in contracts made with a board or joint committee.

62. (*1*) If any member, officer or servant of a district or local board or joint committee appointed under this Act is, otherwise than with the permission in writing of the Commissioner, directly or indirectly interested in any contract made with that board or joint committee, he shall be deemed to have committed an offence under the Indian Penal Code, section 168.

XLV of 1860.

(*2*) A person shall not, by reason of being a shareholder in, or a member of, any incorporated or registered company, be held to be interested in any contract entered into between the company and a board or committee; but he shall not take part in any proceedings of the board or committee relating to any such contract.

Saving for Act XI of 1879.

63. Nothing in this Act shall affect the Local Authorities Loans Act, 1879.

XI of 1879.

General powers of Local Government and Commissioners.

64. In all matters connected with this Act, the Local Government shall have and exercise over Commissioners and Deputy Commissioners, and Commissioners shall have and exercise over Deputy Commissioners, the same authority and control as they respectively have and exercise over them in the general and revenue administration.

Contracts of local committees.

65. Every contract entered into, whether in its own name or in the name of the Government, by the committee appointed in a district under section 11 of the Panjáb Local Rates Act, 1878, may be enforced by and against the district board constituted for that district under this Act, in like manner as it might have been by and against the committee if this Act had not been passed.

V of 1878.

Government officers serving under committees to continue under board.

66. A Government officer employed under the committee appointed in a district as aforesaid at the time when a district board comes into existence for the district under section 17 of this Act shall be deemed to be similarly employed by the board, and shall not be dismissed from that employment without the sanction of the Local Government.

Power of Local Government to except local area from operation of Act.

67. (*1*) If the circumstances of any district or part of a district are, in the opinion of the Local Government, such that all or any of the provisions of this chapter are unsuited thereto, the Local Government may, by notification in the official Gazette, except the district or part from the operation of those provisions; and thereupon those provisions shall not apply to the excepted district or part until again applied thereto by a like notification.

(*2*) While any notification under this section is in force, the Local Government may make rules to provide for any matter dealt with by the provisions to which the notification applies.

Committee to be constituted for district wholly excepted from Act.

68. When a district is excepted, under section 67, from all the provisions of this chapter, a committee shall, except where the Local Government for special reasons otherwise directs, be constituted for the control and administration in that district of the matters mentioned in section 20, or of such of them as the Local Government may, from time to time, specify; and the Local Government shall, from time to time, determine the manner in which the members of the committee shall be appointed and removed, define the functions and authority of the committee, and place at its disposal, subject to such control as the Local Government thinks fit,—

(*a*) the balance standing at the credit of the district fund at the time when the district is excepted or, as the case may be, the balance of the allotments made for the district under section 7 of the Panjáb Local Rates Act, 1878, and of the road and school cesses, which may be available for expenditure in the district at that time;

V of 1878.

(*b*) all proceeds of rates which but for the district being excepted would be allotted to the district board under section 9 of this Act; and

(*c*) such other sources of income mentioned in section 35 of this Act as the Local Government thinks fit:

Provided that not less than one-half of the members of the committee shall be persons who own landed property or reside or carry on trade or business in the district and are not servants of the Government.

Power to direct that Act XX of 1856 shall cease to be in force.

69. (*1*) When any local area in which Act XX of 1856 (*an Act to make better provision for the appointment and maintenance of Police Chaukídárs in Cities, Towns, Stations,*

Suburbs and Bázárs in the Presidency of Fort William in Bengal) is in force is included in any local area over which a district board established under this Act has authority, the Local Government may, by notification, direct that that Act shall cease to be in force in the local area so included, and that every panchayat constituted under that Act for that local area shall cease to exist.

(2) When a direction is issued under this section in respect of any local area in which the said Act XX of 1856 is in force, the amount, if any, then available under section 36 of that Act for purposes of improvement in that local area shall be expended therein by the Deputy Commissioner for such purposes.

CHAPTER IV.

SUPPLEMENTAL PROVISIONS AS TO TAXATION.

Recovery of rates.

70. All rates and taxes imposed under this Act, and all arrears of such rates and taxes, may be recovered as if they were arrears of land-revenue.

Local rate or tax how to be assessed and collected.

71. (1) The Local Government may, by notification, determine the persons by whom the local rate or any tax imposed under this Act shall be assessed and collected, and make rules for the assessment and collection of the rate or tax, and direct in what manner persons employed in the assessment or collection shall be remunerated.

(2) The provisions of section 60 shall apply to all rules made under this section.

Appeals.

72. (1) In matters connected with the assessment and collection of any rate or tax leviable under this Act, an appeal shall lie from the order of any person authorized under this Act to make assessments or collections to such person as the Local Government appoints:

Provided that the appeal shall be presented within 30 days from the date of the order.

(2) The order passed on an appeal under this section shall be final.

Instalments of rates and taxes.

73. (1) The Local Government may, by notification, prescribe by what instalments and at what times any rate or tax leviable under this Act shall be payable:

Provided that every instalment of the local rate leviable under section 5 shall be payable with an instalment of the land-revenue.

(2) In any local area subject to the authority of a district board the Local Government may, by notification, delegate to the board, subject to such conditions as it thinks fit, its powers under this section.

Power of Local Government to exempt from taxation.

74. The Local Government may, by notification, remit or reduce any rate or tax imposed under this Act, or exempt any person or class of persons, or any description of property, wholly or in any part from liability to any such rate or tax, and cancel any such remission, reduction or exemption.

Power to direct measurements.

75. When measurements are necessary for the assessment of the local rate or of any tax imposed under this Act, the Local Government may, by notification, direct such measurements to be made.

Suits relating to rates and taxes under this Act cognizable by Courts having cognizance of suits for rent.

76. Suits for the recovery from co-sharers, tenants or others of any sum on account of any rate or tax imposed under this Act, and suits on account of illegal exaction of any such rate or tax, or for settlement of accounts connected therewith, shall, unless the Local Government otherwise directs, be cognizable by the Courts which for the time being have cognizance of suits for rent due on land.

Confirmation and recovery of existing rates.

77. All rates or the maintenance of roads, schools or the district-post, for the payment of which provision has been made in any settlement-record previous to the passing of this Act, or which have been habitually levied by Government, shall be deemed to have been and to be legally imposed, and to have been and to be legally recoverable as if they were arrears of land-revenue payable directly to Government and due on the land in respect of which they are payable.

CHAPTER V.

AMENDMENT OF THE NORTHERN INDIA FERRIES ACT, 1878.

Amendment of the Northern India Ferries Act.

78. After section 7 of the Northern India Ferries Act, 1878, the following shall be inserted, namely:— XVII of 1878.

Management of ferries may be vested in committees and boards.

"7A. The Local Government may direct that any public ferry, wholly or partly within the area subject to the authority of a district board or local board in any district in the territories under the administration of the Lieutenant-Governor of the Panjáb, shall be managed by that board, and may further direct that all or any part of the proceeds from such ferry be paid into the district fund; and thereupon such ferry shall be managed, and such proceeds or part thereof shall be paid, accordingly."

Further amendment.

79. In section 6 of the same Act, after the words "section seven," and in section 17 of the same Act, after the words "section seven" where they first occur, the following shall be inserted, namely:—"and section 7A."

D. FITZPATRICK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 30th OCTOBER 1883.

GENERAL REMARKS.—The rainfall has moderated in Southern India, and agricultural prospects are fair in Madras, Mysore, and Bombay, but the river remains low in Sind, and there is a scarcity of water. In Berar cotton has suffered from the late excessive rains, but other crops are doing well. Rain is wanted in parts of Central India and Rajputana for the *rabi*, otherwise prospects are favourable.

Very little rain has fallen in British Burma; some damage has already been done to rice on high lands, and serious fears are entertained for the later sown crop if the break continues.

There has been practically no rain during the week throughout the whole of Northern India. Rain is wanted for rice in Upper Assam, and the prospects of the rice harvest are growing worse in Bengal, where *rabi* operations are also being seriously delayed. In the Central Provinces the weather is seasonable and prospects are excellent. In the North-Western Provinces and Oudh and Punjab the *rabi* sowings are in need of rain, but prospects are on the whole fair.

Harvesting of the *kharif* is still in general progress. In Madras the yield of *cholum*, *ragi*, &c., is reported below the average in several districts, and in the North-Western Provinces the *kharif* crops have suffered from the comparatively deficient rainfall.

Fever is prevalent in parts of Bengal, otherwise the public health is satisfactory.

Prices continue to rise in Bengal, and are steady elsewhere.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Madras—(Oct. 31st)		
Bellary ...	1·22 (average of five stations).	Standing crops generally good. Harvest *cumboo*, yield below average Gingelly good *Ragi* moderate. Eight deaths from cholera in one town.
Kurnool ...	·24 (average of eight stations).	Crops damaged from excessive rain. Harvest *cholum*, *sajja*, *kewa*, and indigo, yield below average.
Ganjam ...	2·69 (average of twelve stations).	Standing crops generally good. Fever and small-pox in parts of one taluk.
Kistna ...	1·16 (average of eleven stations).	Standing crops good. Harvest *cumboo*, *cholum*, *korra*, and maize, yield below half. Cattle-disease and small-pox in parts.
Chingleput (Madras) ...	1·82 (average of eleven stations).	Standing crops good. Harvest *ragi* and *cumboo*, yield half. Small-pox slight in two taluks. Seven deaths from cholera in one village. Cattle-disease slight in two taluks.
Coimbatore ...	1·52 (average of sixteen stations).	Standing crops good. Harvest paddy, *cholum*, *ragi*, and *cumboo*. yield average. Twenty-two deaths from cholera in three taluks. Fever and cattle-disease slight.
Tanjore ...	2·29 (average of thirteen stations).	Standing crops good. Harvest paddy, *cholum*, *ragi*, and *cumboo*, yield below average. Fifteen cases of cholera.
Madura ...	1·23 (average of seven stations).	Standing crops fair. Harvest paddy, yield average. Slight cholera in parts.
Malabar ...	1·76 (average of fourteen stations).	Second crop cultivation progressing. Small-pox slight in eight taluks. Fever slight in three taluks.
Travancore ...	3·816	Sowings nearly over Fever in parts.
		General Remarks.—General prospects good.
Bombay—(Oct. 31st)		
Kurrachee ...	No rain	Weather sultry. River at Kotri on 27th, 6 feet 9 inches against 8 feet 5 inches on same date last year. Want of water much felt. Small-pox in two villages in Sehwan taluka, 8 fresh cases, 1 death, 3 remaining sick. Fever generally prevalent. Cattle-decease in four talukas. Harvesting operations in progress. Wheat, red rice, and *bajri* in Kurrachee 24, 28 and 36, in Sehwan 32 and 36, in Ghorabari 20, 30 and 40, and in Shahbandar 20, 32 and 40 lbs. per rupee, respectively.
Hyderabad ...	......	*Kharif* harvesting continues. *Rabi* operations in progress. Small-pox in three, fever in seven, and cattle-disease in five talukas. Wheat 25, *Bajri* 38, *juari* 44, red rice 26, and white rice 22 lbs. per rupee.
Ahmedabad ...	......	*Kharif* harvest continues. Standing crops thriving. Slight fever in some talukas. Cattle-disease in Viramgaum taluka. *Bajri* 28¾ and wheat 25 lbs. per rupee.
Baroda ...	......	Cholera in Attarsumba mahal of Kadi division, and in Gandevi. Harvesting of *kharif* and sowing of *rabi* commenced. Sugarcane and cotton in good condition. *Bajri* 28 and rice 22 lbs. per rupee.
Surat ...	......	Cutting operations continue. Fever in Olphad, Pardi, and Mandir. Locusts in Chorasi, no damage. Cholera in Jalalpur 31 cases, 15 deaths, in Bulsar 12 cases, 7 deaths, in Pardi 16 cases, 5 deaths, and in Surat 1 death. *Juari* 39 and *nagli* 41½ lbs. per rupee.
Nasik ...	......	Rain ceased. *Rabi* sowing commenced. Heavy rain damaged *bajri* and cotton crops. Locusts throughout the district, damaging crops in a few villages of Kalwan and Baglan and in rare cases elsewhere. Cattle-disease in Shirwadi and Wani, Niphad taluka. Cholera in Nasik 3 attacks, 1 death. Fever in Chandor taluka. *Bajri* 31, wheat 28, and rice 22 lbs. per rupee.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Bombay—*contd.*		
Colaba (Bombay) ...	No rain	Abnormal temperature 1° warm to 1° cool. Abnormal wind north-easterly and dry from 27th to 30th.
Poona ...	......	Cold season set in. *Rabi* sowing progressing. *Bajri* 43 and *juari* 50 lbs ; in Poona *bajri* 31 and *juari* 43 lbs. per rupee.
Ahmednagar ...	Jamkhed, 1·69 ; Parner, ·51 ; Karjat, ·20 ; Shrigonda, ·15 ; none in the rest.	Average total rainfall in the district up to date 35·72. Reaping of *bajri* in progress and sowing of *rabi* continued throughout the district. Cholera 6 attacks, 2 deaths. *Bajri*—maximum 54 lbs. in Jamkhed, minimum 39 in Akola ; *juari*—maximum 78 lbs. in Shrigonda, minimum 48 in Akola.
Sholapur ...	No rain	*Kharif* crops in good condition. *Rabi* sowing in progress. *Bajri* 54 and *juari* 65 lbs. per rupee.
Dharwar ..	General rain throughout the district, heaviest being at Naigund, 3·35 ; Hangal and Karajgi above 2·00 ; Dharwar and five other stations above 1·0 ; Mundargi none and elsewhere less that 1·0.	Rice being harvested in western talukas. *Juari* crop coming into ear, all crops including cotton fairly good. Ague in two and cattle-disease in three places. *Juari* 49 to 88 lbs. and rice 26 to 41 per rupee.
Kanara ...	Karwar, ·22 ; Kumpta, ·31 ; Sirsi, 2·80 ; Hallial, 1·63.	Total rainfall 143·71. Small-pox continues in Siddapur. Fever in Akola and Yellapur. Rice harvest continues. Common rice at Karwar 12½, in district average 15¼ seers per rupee. Weather fair.
Rajkot ...	......	Weather fair. General health feverish. Earthquake in Songad on the 20th. *Bajri* 30 and *juari* 35 lbs. per rupee.
		General Remarks.—River still low in Sind. Want of water much felt in Kurrachee. Rain in a few districts. *Kharif* being harvested and *rabi* sown. Injury by locusts in parts of Tanna, Colaba, Nasik, and Satara. Cholera abated. Fever and cattle-disease continue.
Bengal—(Oct. 31st)		
Chittagong ...	*Nil*	Weather fine, with misty mornings at times. Prospects of crops favourable. Prices stationary. Cattle-disease continues. General health good.
Dacca ..	*Nil*	*Ashoo* paddy being harvested. Injury to *amun* paddy apprehended for want of rain. Prospects of winter crops good.
24-Pergunnahs (Calcutta)	*Nil*	Prospects of late paddy crops continue unfavourable. Cultivation of winter crop somewhat retarded by early cessation of the rains. Price of cotton and rice varies from 14 to 21¼ seers per rupee. Health of people generally good.
Moorshedabad ...	*Nil*	Bright cool weather. Strenuous efforts being made to save late rice by irrigation, which are likely to be partially successful. Sowings for cold weather harvest being vigorously pushed forward in spite of the drought. Prices rising. Public health good.
Rajshahye ...	*Nil*	Light clouds. *Ropa* paddy on high ground fast drying. Paddy on low lands fair in parts. *Rabi* sowings delayed for want of rain. Prices on the increase.
Burdwan ...	*Nil*	No prospect of rain, and no alteration can now be expected in the state of the crops. A 4-anna outturn may be expected.
Rungpore ...	......	No report received.
Bhagalpur ...	*Nil*	Prospects not favourable. High land paddy will yield nothing ; low land paddy where irrigation is possible will yield from 8 to 12 annas, but the general average will not exceed 8 annas. Preceding week's rain not enough for *rabi* sowings.
Purneah ...	*Nil*	Prospects of crops unfavourable. Rain wanted for *rabi* sowings Rice will probably average from 8 to 10 annas. Much fever. A little cholera spreading from Caragola.
Patna ...	*Nil*	The little rain of preceding week has done no good to paddy crops. Sowing of *rabi* crops in progress.
Durbhunga ...	*Nil*	Owing to early cessation of the rains, there will scarcely be an 8-anna rice crop in the district. *Rabi* sowings are also injuriously affected. Prices steadily rising.
Hazaribagh ...	*Nil*	Weather dry and growing cool. Paddy crops materially injured by the dry weather. *Rabi* crops sown in places are also perishing for want of moisture in the ground. Prices rising rapidly. General health good.
Cuttack ...	*Nil*	Weather seasonable. Cutting of early rice completed with indifferent outturn. Late rice on high lands suffering from drought. Rain urgently wanted. Public health generally good.
		General Remarks.—The rains have apparently ceased, and the cold weather is setting in. No rain fell in any of the reporting districts during the week. The rain of the preceding week in Behar and in certain other parts was very slight, and did no appreciable good to the withering rice crops ; on the other hand, it somewhat improved the prospects of the *rabi* cultivation in Behar. The *rabi* cultivation is also being seriously affected by the drought. Prices are steadily rising in most districts owing to the bad prospects of the rice harvest. The reports from the eastern districts and from Julpaigoorie and Cooch Behar are favourable. In these parts only the rice harvest is expected to turn out pretty fair. Fever is prevalent in some districts ; elsewhere the general health is reported to be satisfactory.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
N. W. Provinces and Oudh—		
Benares (Oct. 30th)	No rain	The crops lately sown have sprouted from last week's rain. The rice crop is almost entirely lost, and sugarcane will only be an 8-anna outturn. Slight fluctuation in prices. Bazaars well supplied.
Allahabad (" 31st)	No rain	Much rain is wanted in tracts where none fell last week; but prospects are good on the whole. *Rabi* sowings in progress, and *kharif* crops being harvested. Health good. Prices nearly stationary.
Gorakhpur (" 28th)	No rain	Rain wanted. *Rabi* ploughings well on. Cholera disappearing. Prices steady.
Jhansi (" 29th)	·8 in pargana Man	The rainfall was most beneficial to the crops in pargana Man. Cutting of *kharif* commenced. Sowing of *rabi* in progress; seed already sown is germinating. Prices stationary. Health of people and cattle good.
Agra (" 30th)	No rain	*Kharif* crops are suffering much from drought. *Rabi* sowings going on. Well irrigation continues. Slight fever in four parganas. General health good. Prices steady.
Bareilly (" ")	No rain	Harvest proceeding. Prices stationary. Common rice has fallen. Fever increasing with slight sporadic cholera
Meerut (" ")	No rain	Weather cool. Health good. *Kharif* crops are being harvested. Supplies sufficient. Prices steady
Kumaun (" ")	No rain	Sky sometimes cloudy. *Rabi* sowings begun. General health good. Cattle-disease continues. Prices unchanged.
Lucknow (" ")	No rain	Cool at night. *Rabi* sowing nearly finished. *Hewat* crops doing well; but rain is wanted Condition of people and cattle good. Markets well supplied. Prices steady,
Partabgarh (" ")	......	Prices almost stationary. *Rabi* sowings in full swing, where the water is available to moisten the soil. *Bajra* outturn a fair one. *Jarhan* is drying up in places. General health good.
Sitapur (" ")	......	Rain much wanted. Health good. Prices again somewhat fluctuating.
Fyzabad (" ")	No rain	Wheat, gram, and barley are being sown. *Mash* and *jarhan* dying for want of rain. Public health good. Condition of cattle fair
Rae Bareli (" 29th)	No rain	*Kharif* is being cut, outturn of unirrigated lands very poor. *Rabi* sowings in progress General health good. Supplies sufficient. Prices almost stationary.
Cawnpore (" 30th)	......	*Rabi* sowings in progress. The outturn of *kharif* will be small owing to early cessation of rains. Health of people good and no sickness among cattle. Prices steady.
Farukhabad (" ")	......	Weather seasonable. Fever abating. Crops fair on the whole, but poor in the Kaimganj tashil and parganas Muhammadabad and east Shamsabad of the Sadr tashil *Rabi* sowings going on.
		General Remarks.—The *rabi* sowings are in progress and prospects are fair, the *kharif* crops have suffered in most districts from the comparative want of rain The markets are sufficiently supplied and prices generally steady. The health of the people and cattle is good. There is some cattle-disease in Kumaun.
Punjab—(Oct. 31st)		
Delhi ...	......	Health good. Price of barley risen. Prices of other food-grains stationary.
Hissar ...	......	Health good. Prices stationary.
Umballa ...	......	Health good. *Kharif* crops harvested, yield below the average. Prices steady.
Jullundur ...	......	Health good. *Rabi* sowings in progress. Prices falling.
Amritsar ...	......	Health good. *Kharif* being harvested. Prices falling.
Sialkot ...	......	Health and crop prospects good Prices stationary.
Ferozepore ...	......	Health and crop prospects good. Prices stationary.
Lahore ...	......	Health and condition of crops good. Slight fall in price of wheat. Prices of other food-grains stationary.
Rawalpindi ...	·20	Seasonal fever in the Attock and Kahuta tahsils. Health elsewhere good. *Kharif* harvest average. *Rabi* under cultivation. Prices falling.
Mooltan ...	......	Health good. *Kharif* nearly harvested. Prices steady.
Dera Ismail Khan ...	......	Health good. *Rabi* sowings in progress. Prices steady.
Peshawar ...	......	Slight fever still prevalent. Prices falling.
		General Remarks.—Slight rain in the Rawalpindi district, none elsewhere. Health and *kharif* prospects are generally good, but rain is needed throughout the province for the *rabi* sowings.
Central Provinces—(Oct. 31st)		
Nagpur ...	......	Weather cloudy. Wheat sowing progressing. Health good. Prices steady.
Jubbulpore ...	......	Weather cloudy at times. Rice being reaped. *Kharif* outturn expected to be a little below average. Cotton good, picking commenced in places. *Rabi* sowing in progress. Prices stationary. Health good.
Saugor ...	......	*Rabi* sowings in progress. Crops favourable. Health fair. Prices steady.
Seoni ...	......	Weather cloudy. Reaping progressing. *Rabi* sowing in hand. Fever prevalent. Wheat 23 and rice 17 seers per rupee.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Central Provinces—*contd.*		
Hoshangabad ...	......	Weather seasonable. Prospects good. *Rabi* sowings in progress. Fever prevalent. Wheat 15 and rice 10 seers per rupee.
Khandwa ...	......	Weather clear and cool. Prospects good. *Rabi* sowing in progress. 20 deaths from cholera. Prices steady.
Raipur ...	......	Prospects fair. Sowing in progress. Health good. Prices steady.
Sambalpur (Oct. 27th)	......	Weather clear and cool. Prospects good. Health good. Common rice 35 seers per rupee.
		General Remarks.—*Rabi* sowing in progress under exceedingly favourable circumstances. The late rain having placed the ground in excellent order; the cotton crop has however sustained some injury.
British Burma— (Oct. 29th)		
Akyab ...	*Nil*	Total rainfall 179·57. Public health good. 11 buffaloes died in Minbye township, elsewhere health of plough-cattle good. General appearance of crops good at present, but much rain wanted. *Lumphru* crops ripe in Naaf. If no rain falls soon, crops on high lands in Minbya will be destroyed. Crops near Akyab town appear good, but require more rain. Slight damage from insects in Koladan township.
Rangoon ...	0·66	Total rainfall 77·05. One death from small-pox, otherwise public health good. Price of paddy from Rs. 85 to 103 per 100 baskets.
Bassein ...	3·10	Total rainfall 89·58. One death from cholera and 1 death from small-pox in Myaungmya township. Cattle-disease slight in Bassein, Yegyi, and Lemyethna townships; 38 deaths in Myaungmya township. Crops promising, except in parts of Thabaung, Bassein, Ngapataw, and Yegyi townships. Floods have subsided later than usual in Thabaung and unprotected parts of Yegyi. Rain is required for recent plants. Slight damage from insects in four circles computing roughly about ⅛th of the paddy in affected circles is injured. Price of paddy from Rs. 90 to 100 per 100 baskets.
Amherst (Moulmein) ...	0·29	Total rainfall 164·34. Public health and health of cattle good. Slight damage to crops by insects in two circles. Rain much wanted. No actual damage yet, but cultivators anxious; about 10 or 12 per cent. of crops may be lost by continual drought. In Moulmein town public health and health of cattle good. Crops have suffered from insects and on elevated lands from want of rain. Prospects at present not bad. Price of paddy from Rs. 90 to 100 per 100 baskets.
Toungoo ...	0·02	Total rainfall 77·16. Public health and health of cattle good. General appearance of crops good. Damage of crops in some parts suffering from drought, anticipated.
Kyoukphyoo ...	*Nil*	Total rainfall 156·98. Two deaths from cholera in Raori township, otherwise public health good. Health of cattle good.
Sandoway ...	*Nil*	Total rainfall 206·49. Public health good. Early sowings ripening. More rain wanted for later sowings.
Hanthawaddy ...	......	Public health and health of cattle good. Ploughing and sowing completed. Rain wanted in Tamanaing township. Paddy in higher lands with little water beginning to suffer. General appearance of crops good. Price of paddy from Rs. 90 to 120 per 100 baskets.
Pegu	0·35	Total rainfall 119·18. Public health generally good. Cattle-disease lighter than usual at this season and not fatal. Rain has fallen during the week and prospects greatly improved altogether; crop prospects most favourable in low lands. Price of paddy from Rs. 95 to 100 per 100 baskets.
Tharrawaddy (Oct. 20th)	*Nil*	Total rainfall 98·97. Public health and health of cattle good. Ploughing finished and planting progressing. Crops reported in good condition. Reaping commenced, about 141 acres have been reaped in Sangwey township. Price of paddy from Rs. 95 to 125 per 100 baskets.
Do („ 27th)	......	No report received.
Prome ...	Rain has fallen during the week in Mahathaman township, 0·07.	Total rainfall 45·69. Public health and health of cattle good. Two deaths of cattle from small-pox reported from Mahathaman township only. Crops are reported to be in excellent condition. No rain has fallen elsewhere and although as yet no damage has been done, another week of drought is viewed with grave apprehension, as far as the later plantings are concerned. If no rain falls there will be considerable failures in the high-lying lands. A thunderstorm is now impending. Price of paddy Rs. 85 per 100 baskets.
Thonegwa ...	0·22	Total rainfall 83·03. Public health and health of cattle good. Re-planting progressing in Shweyloung township, but without success. Slight damage to crops in Pyapaw and Thonegwa townships. Price of paddy from Rs. 80 to 100 per 100 baskets.
Henzada ...	Good fall of rain at Okpa township on 26th.	Total rainfall 80·28. Public health and health of cattle good. Crops look healthy, but it is anticipated that unless rain falls soon, there will be a light yield of grain, perhaps 30 per cent. below average.
Thayetmyo ...	0·06	Total rainfall 39·73. Public health good. Three deaths from cattle-disease. Rice crop not yet all in ear. In Myede there will be five-sixths of full crops. Rain of three weeks ago would have increased cultivated area, but river floods have done damage in two circles. There may be two-thirds of full crop in Kama. Drought still doing damage there to an extent impossible at present to estimate. In Thayetmyo only one-third of culturable area is planted, a small fraction of this will yield nothing; in Mindon only half or three-fifths of full crops expected. Prices of paddy Rs. 100 per 100 baskets.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
British Burma—*contd.*		
Shwaygyin ...	*Nil*	Total rainfall 137·46. Public health and health of cattle good. Crops progressing favourably. No damage yet reported from want of rain, but owing to subsidence of floods, submerged crops have partly revived. Price of paddy Rs 80 per 100 baskets
Tavoy ...	Some rain fell in district, although none registered in town, 1·46.	Total rainfall 191·82. Public health and health of cattle good. The prospects of crops are reported to be in very good conditon.
Mergui (Oct. 13th)	......	No report received.
		General Remarks.—Public health good. Mortality of cattle very slight. Decided deficiency in the rainfall during the week, compared with last year; total rainfall up to date much less than last year over nearly the entire province The drought has done some injury to crops already and in most districts a continuance of drought seems likely to result in partial destruction of crops on the higher and lighter lands, and serious injury to the later transplanted paddy. Prices keeping up.
Assam— (Oct 31st)		
Gauhati ...	No rain	Weather seasonable. Mornings cool and foggy. *Sali* paddy in Barpetta doing well, but not in Sadr sub-division. Rain much wanted. Public health fair.
Sylhet ...	*Nil*	Crop prospects favourable. Public health generally good.
Silchar ...	*Nil*	Cold weather set in. Outturn of *aus* crops about 10 annas owing to the late floods. Prospects of *sali* crops good. Common rice 17¾ seers per rupee. Sowing of winter crops commenced. Six deaths from small-pox reported from Lakhimpur and 3 from Sadr.
Dibrugarh ...	*Nil*	Weather cold. Prospects of crops good. Cattle-disease reported. Public health good.
Mysore and Coorg— (Oct. 30th)		
Bangalore ...	·17	Standing crops and prospects of season good.
Mysore ...	·57	Crops in fair condition. Prospects continue favourable.
Mercara ...	1·31	Picking of coffee has commenced in some parts. Cardamom crop picked. An average outturn and prices fair. Prospects of rice crop good.
		General Remarks.—Standing crops in all districts reported in good condition. Agricultural operations continue active. Harvesting of paddy, *ragi* crops, gram, and other grains in progress. Public health good generally. Fever prevalent in parts. Prices steady.
Berar & Hyderabad— (Oct. 30th)		
Amraoti ...	.. ...	General prospects good. Some damage has been done by excessive rain to cotton plants. Wheat 16 and *juari* 26 seers per rupee.
Akola ...	......	Standing crops generally good, except cotton which suffered from excessive rain.
Hyderabad ...	·48	Total from 1st January 30·31. *Abi* crops in good condition. Reaping of *kharif* and sowing of *abi* and *tabi* crops continue. Cholera continues in one taluk. Cattle-disease broken out in another. Prices of wheat 15½, coarse rice 11, white *juari* 22½, yellow *juari* 27, and *tur* 22½ seers per current sicca rupee.
Central India States— (Oct. 31st)		
Indore ...	*Nil*	Weather seasonable. Nights cold. Agricultural prospects and health good. Prices steady.
Morar (Gwalior) ...	*Nil*	Health good. Rain wanted in northern districts for *rabi*.
Sutna ...	......	Health and prospects good.
Rutlam ...	... ..	No report received.
Neemuch ...	*Nil*	Weather seasonable. Prices of grain stationary. Public health good.
Goona ...	......	Health fair. Crops good.
Bhopal ...	......	No report received.
Agar ...	*Nil*	Weather seasonable. Health and prospects good.
Sehore ...	*Nil*	Weather clear. Health and prospects good.
Nowgong ...	·68	Rain wanted. *Kharif* prospects fair. Health good. Prices steady.
Manpur (Bhopawar) ...	*Nil*	Prospects good.

Presidency or Province and District.		Rainfall for week under report.	State of agricultural prospects.
Rajputana—			
Abu	(Oct. 31st)	No rain .	Weather seasonable.
Sirohi	(„ 28th)	No rain	Tanks and wells full. Health good. Crop prospects good. Fine mornings and nights. Weather cold.
Marwar	(„ 26th)	No rain	Eight months' water in Jodhpore city. Tanks and wells almost full. Health good. Crop prospects good. Prices steady. Weather cloudy. Nights close and warm.
Meywar	...	......	No report received.
Harowti	(Oct. 27th)	No rain	*Kharif* crops being harvested. Weather clear. Health good.
Jhallawar	(„ 26th)	......	Weather seasonable. Health and prospects good.
Ajmere	(„ 30th)	No rain	Weather seasonable. Ruddy sunsets continue. Sowing for *rabi* proceeds. Health good.
Jeypore	(„ „)	No rain	*Rabi* sowings completed. Weather seasonable. Health good.
Bhurtpore	..	.... .	No report received.
Ulwur	(Oct. 30th)	......	Wells failing. Rain wanted. Slight fever.

ABSTRACT SHOWING THE RESULT OF EMIGRATION FROM THE PORT OF CALCUTTA DURING THE MONTH OF JULY 1883.

No. I.—As to age and sex.

	TRINIDAD.				TOTAL.		Grand Total.
	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	
Under 2 years	9	9	18	44·11 women to every 100 men.	9	9	18
From 2 to 10 years	22	17	39		22	17	39
„ 10 „ 20 „	98	33	131		98	33	131
„ 20 „ 30 „	220	97	317		220	97	317
„ 30 „ 40 „	15	5	20		15	5	20
„ 40 „ 50 „	1	...	1		1	...	1
Above 50	...	..	...		...	...	...
GRAND TOTAL	365	161	526	...	365	161	526

No. II.—As to places whence emigrants come to Calcutta for embarkation.

	TRINIDAD.			TOTAL.		
Orissa	...	...	...	...	...	...
Western Bengal	2	...	2	2	.	2
Central ditto	1	5	6	1	5	6
Eastern ditto	1	...	1	1	...	1
Behar	59	25	84	59	25	84
North-Western Provinces	137	60	197	137	60	197
Oudh	120	60	180	120	60	180
Central India	4	6	10	4	6	10
Punjab	37	3	40	37	3	40
Nepal	1	1	2	1	1	2
Mixed, Madras & Bombay, &c.	3	1	4	3	1	4
GRAND TOTAL ...	365	161	526	365	161	526

No. III.—As to caste and religion.

		Trinidad.			Total.	
Brahmins, high caste	103	41	144	103	41	144
Agriculturist ... } Hindoos ...	104	51	155	104	51	155
Artisans ... } Hindoos ...	16	1	17	16	1	17
Low castes ... } Hindoos ...	91	25	116	91	25	116
Musulmans	51	43	94	51	43	94
Christians	..	.	. .	..		.
Grand Total ...	365	161	526	365	161	526

Memo.

	Male.	Female.	Total.
1. Hindoos ..	314	118	432
2. Musulmans ...	51	43	94
3. Christians .	...	..	...
Total ...	365	161	526

E. C. BUCK,
Secy. to the Govt. of India.

Printed and Published for the Government of India *at the Govt. Central Branch Press, Simla.*





The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 3, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 27th October 1883.

From the 24th of November next, till f[illegible] notice, the complete [illegible] *India* will be published [illegible] After the 17th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurrumtollah Street Calcutta.

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Subscription for *Gazette* and Supplement per annum	15	0	0
Postage	5	8	0
Subscription for Supplement only	6	0	0
Postage	3	0	0
For a single copy of the *Gazette*	0	8	0
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E. J. DEAN,

Publisher, Gazette of India.

SURVEY OF INDIA.

NOTIFICATION.

Simla, the 15th October 1853.

No. 387.—Mr. D. Campbell, Assistant Surveyor, 3rd Grade, is granted privilege leave for [illegible] under Section 136, Chapter X, of the Civil Leave Code, with effect from the 14th October 1883.

G. C. DEPREE, *Colonel.*

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 25th October 1883.

No. 4041 *G.*—Lieutenant J. A. Bell, Officiating Adjutant, Deolee Irregular Force, returned to duty, on the 20th October 1883, from the privilege leave granted him in this Office Notification No. 2620 G., dated 31st July 1883.

The 29th October 1883.

No. 4127 *G.*—Captain W. Loch, Assistant to the Resident, Western Rajputana States, and Boundary Settlement Officer in Marwar, returned to duty, on the afternoon of the 19th October 1883, from the privilege leave granted him in this Office Notification No. 1521 G., dated 17th May 1883.

By Order,

E. A. FRASER,

1st Asst. Agent to the Govr. Genl.

MILITARY WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 23rd October 1883.

No. 29.—Lieutenant W. G. Bowyer, R.E., Assistant Engineer, 1st Grade, on return from

furlough, is posted to the Head-Quarters Staff of the Inspector General, Military Works.

J. J. McLEOD INNES, *Colonel, R.E.*,
Inspr. Genl. of Military Works.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Simla, the 29th October 1883.

No. 53.—With reference to Public Works Department Notification No. 232, dated the 16th October 1883, the following Students of the Royal Indian Engineering College are posted as follows for the purpose of undergoing a course of practical training for one year:—

Mr. H. S. Jones to the Rewari-Ferozepore State Railway.

Mr. H. McMillan to the Jhansi-Manickpore Railway Survey.

Mr. J. N. A. Eaton to the Indus Valley and Kandahar State Railway.

H. F. HANCOCK, *Col., R.E.*,
Offg. Director General of Railways.

Report of a Deserter from the Royal Regiment of Artillery, dated at Rawalpindi, the [illegible] day of October 1883.

[illegible] Head Dress,— [illegible]

Age,—16 years 2 months.
Size,—5 feet 6½ inches.
Colour of—
Complexion, fair; Hair, dark brown; Eyes, brown.
Parish and County in which Born,—Bath.
Marks,—Two vaccination marks on each arm. Two superficial cicatrices under inner malleolens.

Breeches or Trowsers,—Khaki.
Date of Desertion,—21st October 1883.
Place of Desertion,—Rawalpindi.
Date of Enlistment,—9th August 1883.
Place of Enlistment,—Lahore.
REMARKS,—
Under 6 months' service.

E. BLAKSLEY, *Capt., R.H.A.*,
Comdg. D-A, R.H.A.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1883.	R	R	R	R	R	R
Oct. 22	2,09,668	...	...	7,07,369	54,97,589	40,93,777
" 23	...	...	...	7,07,369	54,97,589	40,93,777
" 24	...	...	8,13,493	4,13,114	58,28,927	44,13,994
" 25	...	...	2,16,679	2,10,872	60,49,500	46,34,198
" 26	...	...	24	2,10,349	60,49,525	46,34,223
" 27	...	...	...	2,10,349	60,49,525	46,34,223

J. F. TENNANT, *Major-Genl., R.E.*,
Mint Master.

CALCUTTA MINT,
The 29th October 1883.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		R	
211	P 39—38477	50	Babu Sagore Dutt.
212	" —08477	50	Babu Sagore Dutt.
213	P 47—87771	1,000	Shaik Dit Kad Ally.
216	P 47—86771	1,000	Shaik Eta Kad Ally.

CALCUTTA,
The 2nd November 1883.

J. TAYLOR,
Asstt. Comptlr. Genl., in charge, Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Unclaimed Letters held in the Calcutta General Post Office on 1st November 1883.

Bruce, Miss L. J.
Churchill, J. F.
Craven, D. H.
D'Ascali, Gelsomina.
Esselstyn, J. B.
Graham, W. W.
Hardman, Miss.
Hartnett, Mrs. A.
Kriz, Franz.
Munham, A. C.
Peach, R. A.
Ranken, H. E.
Rimmer, A.
Watson, J. O.
White, Charles.
Williamese & Co.

Letters marked "Care of Post Office."

A. B., No. 100.
A. M.
Ashton, C. J.
Barber, R. J.
Battersby, Leslie C.
Bayas, J. W.
Berry, J.
Bradley, Walter.
Brown, D.
Brown, John.
Campbell, Dr. R. N.
Clendening, G.
Chase, J.
Chieppelli, Ferdinando.
Cottrell, William.
Coutt, P. S.
Crispini, C. Umberta.
Croose, Richard Victoria.
Crowe, A. B.
Dean, William Edward.
DeCruz, Mr.
Dyett, W. H. R.
Edden, Sergeant J.
Krler, Frau. Merrie.
Erler, Albert.
Fometzko, Gustose.
Fouht, F. D.
Fraser, Mrs. F.
Gompertz, Capt. R. L.
Gompertz, Captn.
Goodfellow, Mrs. A. T.
Griesback, C.
Hall, Mrs. P.
Hallett, W. O.
Hallewell, J. A.
H. R. A.
Henderson, Col. P. D.
Hillard, Mrs.
Hogg, Walter Scott.
Hughes, Pringle.
Hughes, R. J.
Ingels, H. V.
Karoly, S
Kimmins, W. J.
King, Edward.
Kirkbride, J
Langley, Manly G.
Lee, Frederick.
Lemport, Sigr. S.
Lowe, Rev. Hubert.
Lynam, R.
MacDonnell, Capt. R. J.
McKay, James B.
[illegible] Adam.
Mifsud, George.
Muir, John C.
Murphy, T.
Nordt, Miss Minnie.
Paige, D. B.
Parker, G. E.
Pescod, J. J.
Rachel.
Rathergurd, R. C.
Reilly, J. H.
Ross, C. Henry.
Ryan, J. H.
Ryckman, E. H.
Sandland, T. S.
Schaeffler, F. B.
Scott, Montagu Hill.
Sheppard, S. G.
Swainson, Mrs. George.
Tancovici, Mendel.
Thomson, C. W.
Tuck, Serjeant J.
VansAgnew, Lieut. P. A.
Wallace, Col. R.
Watson, G.
Williams, Mrs. F. A.

Registered Letters.

Fernandez, Sam Ferns.
Koffen, Ignatz.
Merrick, E. C
Petachi, Antonino.
Thomson & Co., P. J.

Calcutta, the 3rd November 1883.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date.	Per Steamer
	1883.	
Persian Gulf	3rd Nov.	From Bombay.
Persian Gulf	10th "	From Bombay.
Madras, Ceylon, and Intermediate Ports	9th "	Str. Rancoora.
Madras and Ceylon	3rd "	P. & O. Str. Malwa.
Foreign Mails *viâ* Bombay	6th "	From Bombay.*
Do. Book Post and Pattern Packets	5th "	From Bombay.
Rangoon and Moulmein	8th "	Str. Chanda.
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	8th "	Str. Mahratta.
Madras, Ceylon, Batavia, Singapore, and China	9th "	Fr. Str. Tibre.

* Also for South Africa *viâ* England can be forwarded.

N.B.—The letter-box will close at 7 P.M. precisely; after which hour, foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

Statement of the Affairs of the Bank of Bengal for the week ending 29th October 1883.

LIABILITIES.	R	a.	p.	R	a.	p.
Capital paid-up				2,00,00,000	0	0
Reserve Fund				35,10,581	4	4
Public Deposits at Head Office .	90,32,869	11	9	2,52,69,664	8	3
Public Deposits at Branches .	1,62,36,794	12	6			
Other Deposits at Head Office and Branches				2,01,67,304	6	10
Bank Post Bills, &c.				4,33,619	8	4
Sundries				13,39,481	11	0
RUPEES				7,07,20,651	6	9

ASSETS.	R	a.	p.	R	a.	p.
Government Securities . . .				54,06,056	4	0
Other authorized Investments . .				53,41,610	0	0
Loans on Government and other authorized Securities . . .				1,40.97,077	3	9
Accounts of Credit on Government and other authorized Securities . .				55,05.474	15	8
Bills discounted and purchased . .				1,85.12,857	6	6
Balances with other Banks . . .				6,00,826	10	11
Bullion				49,412	13	0
Dead Stock				12,06.561	10	5
Stamps				7.474	7	0
Sundries				5.72,439	6	7
				5,12,99,790	13	10
Cash and Currency Notes at Head Office .	70,35.392	2	11	1,94,20.860	8	11
Cash and Currency Notes at Branches .	1,23.85,538	6	0			
RUPEES				7,07,20,651	6	9

By order of the Directors,

BANK OF BENGAL,
Calcutta, 1st November 1883.

J. GORDON.
Chief Acctt. & Depy. Secretary.

R. HARDIE.
Secy. & Treasurer.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that on or about the 16th August 1883, treasure, consisting of 18 star pagodas, *i.e.*, 14 "Varahalu" and 4 "Madalu," valued in the aggregate at R64, were discovered by certain persons ploughing Imam field No. 983, belonging to one Bhupanapaud Seethayya of Parriem village in the Nandyal Taluq, Kurnool District, in the Madras Presidency.

Any person or persons claiming the said treasure, or any part thereof, are hereby required to appear personally or by agent before the Collector of Kurnool, at Kurnool, on April 1st 1884, in order to the matter being inquired into and determined in accordance with the provisions of the law.

W. H. GLENNY,
Collector.

BOARD OF REVENUE.

NOTIFICATION.

Calcutta, the 27th September 1883.

No. 1135½ B.—The following rules have been made under section 9 of Act VIII of 1878 by the Board of Revenue, Lower Provinces, with the sanction of the Local Government, and are under Section 204 of the same Act notified for general information:—

CALCUTTA INTERNATIONAL EXHIBITION, 1883-84.
Custom House Arrangements.

1. All entries of goods for the Exhibition must be passed at the Custom House in accordance with the arrangements made by the Collector of Customs.
2. In respect of dutiable goods the Exhibition building is appointed a public warehouse under the provisions of section 15 of Act VIII of 1878, of which Mr. Jules Joubert shall be deemed to be the keeper for the purposes of section 96 of that Act.
3. Packages containing dutiable goods, upon which duty has not been paid, must be entered for bond and appraised and taken in charge of an officer to the Exhibition building in the usual manner. Pending appraisement and removal to the Exhibition building, all such packages will be allowed to remain rent-free in a portion of the Custom House premises set apart for the purpose.
4. At the close of the Exhibition, exhibitors will have to account to the Custom House authorities for all dutiable goods admitted into the Exhibition in accordance with the bond bill of entry. Goods intended for delivery in Calcutta on sale or otherwise will on payment of duty be cleared from bond, and goods intended for re-exportation will be re-shipped from bond in the usual manner.
5. The charges mentioned in the schedule attached to these rules are remitted in respect of goods intended for the Exhibition.
6. No duty will be payable for wines, spirits, or other liquors consumed in the Exhibition for tasting or judging purposes, and a certificate of the amount thus consumed must be obtained from the Secretary to the Executive Committee of the Exhibition and presented by exhibitors to the Custom House officer when accounting for the dutiable goods admitted into the Exhibition. Without such certificate duty will be assessed on all dutiable goods shown by the bills of entry as having been admitted into the Exhibition and which are not forthcoming at its close.
7. The Custom House officers will not have custody of, or be in any way responsible for, goods in the Exhibition building, the custody of which as a public warehouse will rest with Mr. Jules Joubert.
8. These rules apply only to goods intended *boná fide* for Exhibition.

SCHEDULE.

Entry.

	R	a.	p.
1. Wharf rent for any time over four days during which they lie at the Custom House .	...		
2. Form of bond	1	0	0
3. Two warehousing chalans . .	0	1	0
4. Peon's fee	0	4	0
5. Officer's fee	4	0	0
Clearance.			
6. Two clearance chalans . .	0	1	0
7. Officer's fee	4	0	0
8. Re-gauging fee (if in cask) .	1	0	0
Re-shipment.			
9. Preventive Officer's fee . .	4	0	0

C. E. BUCKLAND,
Offg. Secy. to the Board of Revenue.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin *R4-8*; per eight ounce tin, *R8-8*; per pound tin, *R16-8*. The general public can be supplied by the Superintendent, Botanical Gardens, *for cash only*, at the under-noted rates:—per four ounce tin *R5-8*; per eight ounce tin *R10-8*, per pound tin, *R20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنت سنکونا فبري فيوج

يهه دوا كونينائين كا خوب قائم مقام هى اور كلكته كے بوٹانكل گاردن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے هرايك ملازم سركاري واسطے سركاري كام اور خيرات كے اور سيواے اونكے جو كوئي ايك مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس كے ٹين كا چار روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا آٹهه روپيه آٹهه آنه ; يك پونڈ كے ٹين كا سوله روپيه آٹهه آنه'

اور عوام‌الناس بوٹانكل گاردن يعنے كمپني با كے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس ٹين كا پانچ روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا دس روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا بيس روپيه

يهه دوا كلكته كے بڑے بڑے ولايتي اور ديسي دوا خانونمين كتي هى ماسيواے قيمت مذكورۀ بالا كے محصول ڈاك چار ور آٹهه اونس كے ٹين كا آٹهه آنه ; اور ايك پونڈ كے ٹين كا باره آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them:—

	R	a.	p.
Report on the Meteorology of India, in 1875, 4to, 89 pages text, 297 pages tables, 3 charts .	8	0	0
Report on the Meteorology of India, in 1876, 4to, 97 pages text, 340 pages tables, 3 charts . . .	8	0	0
Report on the Meteorology of India in 1877, 4to, 173 pages text, 375 pages tables, 3 charts . . .	8	0	0
Report on the Meteorology of India, in 1878, 4to, 149 pages text, 380 pages tables, 3 plates, 4 charts .	8	0	0
Report on the Meteorology of India in 1879, 4to, 164 pages text, 273 pages tables, 4 plates, 4 charts .	8	0	0
Report on the Meteorology of India in 1880, 4to, 174 pages text, 286 pages tables, 6 plates, 4 charts .	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to, 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to, 63 pages, 4 plates .	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to, 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to, 62 pages, 8 plates .	1	8	0
Indian Meteorological Memoirs, Vol. I, Part V, 4to, 57 pages, 10 plates .	1	8	0
Indian Meteorological Memoirs, Vol. I, Part VI, 4to, 62 pages . .	1	8	0
Indian Meteorological Memoirs, Vol. I, cloth bound, 4to, 438 pages, 33 plates	10	0	0
Indian Meteorological Memoirs, Vol. II, Part I, 4to, 78 pages, 9 plates .	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors) . . .	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to, 87 pages, 4 plates .	2	0	0
Report on the Madras Cyclone, May 1877, 4to, 117 pages text, 97 pages tables, 4 plates . .	2	8	0
Register of Original Observations of six stations in India, in 1879, corrected and reduced . . .	2	0	0
Register of Original Observations of six stations in India, in 1880, corrected and reduced . . .	2	0	0
Register of Original Observations of six stations in India, in 1881, corrected and reduced . . .	2	0	0

HENRY F. BLANFORD,
Meteorological Reporter to the Government of India.

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PUBLISHED UNDER AUTHORITY.

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Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at R375 a set.

List of Books for sale at the Library of the Asiatic Society of Bengal,

No. 57, PARK STREET, CALCUTTA,

AND OBTAINABLE FROM THE SOCIETY'S LONDON AGENTS, MESSRS. TRÜBNER & CO., 57 AND 59, LUDGATE HILL, LONDON, E. C.

BIBLIOTHECA INDICA.

SANSKRIT SERIES.

New publication.

	R	a.
Susruta Samhita, (Eng.) fasci. I	1	0
1. Átharvaṇa Upanishads, (Sans.) fasci. I—V, at annas 10 each	3	2
2. As'valáyana Gṛihya Sútra, (Sans.) fasci. I—IV, at annas 10 each	2	8
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4. Aitareya Aranyaka of the Rig Veda, (Sans.) fasci. I—V, at annas 10 each	3	2
5. Aphorisms of S'áṇḍilya, (Eng.) fasci. I	0	10
6. Aphorisms of the Vedánta, (Sans.) fasci. III—XIII, at annas 10 each	6	14
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	R	a.
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5. Bádsháhnámah, with Index, (text) fasci. I—XIX, at annas 10 each	11	14
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E. N. BAKER,
Offg. Under-Secy. to the Govt. of Bengal.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 3, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

RESULT OF VOTES.

On Circular No. 2, dated 22nd June 1883.

Subject.	Yes. Wholly.	Yes. Partly	No.
1. Whether Mrs. Niderbaim shall be allowed the pension applied for on payment of arrear subscription, with interest, up to date of her husband's death.	416	35	647

By order of the Directors,

W. H. RYLAND,
Secretary.

UNCOVENANTED S. F. P. FUND;
CALCUTTA,
The 18th October 1883.

PROMISSORY NOTES.

Lost.

The Government Promissory Note, No. 021728, of the 4 per cent. Loan of 1879, for R700, originally standing in the name of the Dewan of Mysore, the proprietor, by whom it was never endorsed to any one, but bearing an unsigned endorsement for renewal. Interest has been drawn on the Note up to the 15th July 1883. Payment of the Note and of the interest thereupon have been stopped at the Public Debt Offices, Banks of Bengal, Madras and Bombay, and application is about to be made for the issue of duplicate in favor of the proprietor.

T. SRINIVASSIENGAR,
Under-Secy. to the Dewan of Mysore

BANGALORE,
The 22nd October 1883



SUPPLEMENT TO

The Gazette of India.

No. 44.} CALCUTTA, SATURDAY, NOVEMBER 3, 1883.

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GOVERNMENT OF

PUBLIC WORKS

COMPARATIVE STATEMENT OF IRRIGATION AND RAINFALL FOR THE

Works.	Items.	Area of the Districts in Acres.	Cultivable Area in Acres.	Cultivated Area in Acres.	Sown from April to November 1882, i.e., 1st Crop.		
					Total Acres.	In comparison with 1881-82.	
						Increase.	Decrease.
1	2	3	4	5	6	7	8
		Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
	1. GANJAM.						
	Government Land	528,350	357,002	325,703	140,728	2,160	. .
	Inam Land	142,668	133,503	117,021	49,064	. .	8,566
	Zemindari	1,070,160	847,040	60,180	38,600	18,687	. .
	TOTAL	1,741,178	1,337,545	502,904	228,392	12,281	. .
	2. VIZAGAPATAM.						
	Government Land	176,850	131,942	132,386	44,069	2,293	. .
	Inam Land	42,195	41,869	24,450	13,593	. .	4,226
	Zemindari	. .	. .	. .	. .	. .	. .
	TOTAL	219,045	173,811	166,836	57,662	. .	1,933
	3. GODAVARI.						
GODAVARI ANICUT	Government Land	. .	. .	. .	244,269	. .	5,747
	Inam Land	. .	. .	. .	137,334	1,400	. .
	Zemindari	. .	. .	. .	108,043	. .	989
	TOTAL	. .	. .	. .	489,646	. .	5,336
ALL OTHER WORKS	Government Land	. .	. .	. .	35,791	. .	13,685
	Inam Land	. .	. .	. .	16,976	. .	5,392
	Zemindari	. .	. .	. .	531	74	. .
	TOTAL	. .	. .	. .	53,298	. .	19,003
TOTAL	Government Land	1,865,867	1,069,279	627,525	280,060	. .	19,432
	Inam Land	448,178	449,899	335,016	154,310	. .	3,992
	Zemindari	1,545,600	750,720	559,360	108,574	. .	915
	TOTAL	3,859,645	2,269,898	1,521,901	542,944	. .	24,339
	4. KISTNA.						
KISTNA ANICUT	Government Land	. .	. .	. .	172,246	. .	4,167
	Inam Land	. .	. .	. .	43,899	. .	940
	Zemindari	. .	. .	. .	51,168	. .	5,763
	TOTAL	. .	. .	. .	267,313	. .	10,870
ALL OTHER WORKS	Government Land	. .	. .	. .	23,113	5,234	. .
	Inam Land	. .	. .	. .	2,443	. .	486
	Zemindari	. .	. .	. .	3,840	3,840	. .
	TOTAL	. .	. .	. .	29,396	8,588	. .
TOTAL	Government Land	3,426,022	2,206,791	1,161,964	195,359	1,067	. .
	Inam Land	667,696	637,362	424,100	46,342	. .	1,426
	Zemindari	952,942	. .	. .	55,008	. .	1,923
	TOTAL	5,046,660	2,844,153	1,886,064	296,709	. .	2,282
	5. NELLORE.						
PENNER ANICUT	Government Land	162,558	111,544	43,905	29,403	2,283	. .
	Inam Land	39,413	31,705	22,788	9,322	. .	2,606
	Zemindari	. .	. .	. .	. .	. .	. .
	TOTAL	201,971	146,249	66,693	38,725	. .	323
ALL OTHER WORKS	Government Land	2,161,480	1,385,943	704,590	78,337	8,119	. .
	Inam Land	687,429	524,128	303,277	24,929	5,891	. .
	Zemindari	1,660,160	1,052,160	. .	. .	. .	. .
	TOTAL	4,509,069	2,962,231	1,007,867	103,266	14,010	. .
TOTAL	Government Land	2,324,038	1,497,487	748,495	107,740	10,402	. .
	Inam Land	726,842	558,833	326,065	34,251	3,285	. .
	Zemindari	1,660,160	1,052,160	. .	. .	. .	. .
	TOTAL	4,711,040	3,108,480	1,074,560	141,991	13,687	. .

INDIA.

DEPARTMENT.

YEARS 1881-82 AND 1882-83 IN THE MADRAS PRESIDENCY.

AREAS IRRIGATED.							RAINFALL.			
SOWN FROM DECEMBER 1882 TO MARCH 1883, *i. e.*, 2ND CROP.			WHOLE YEAR, 1882-83.			Percentage of Increase or Decrease in 1882-83.	1881-82.	1882-83.	Percentage of Increase or Decrease in 1882-83.	Remarks as to the causes of Increase or Decrease.
Total Acres.	In comparison with 1881-82.		Total Acres.	In comparison with 1881-82.						
	Increase.	Decrease.		Increase.	Decrease.					
9	10	11	12	13	14	15	16	17	18	19
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.		Inches.	Inches.		
18,933	15,945	. .	159,661	18,105	. .	+ 12·70	. .	. .	. .	
14,324	10,326	. .	63,388	1,760	. .	+ 2·86	. .	. .	. .	
223	223	. .	38,823	18,910	. .	+ 95·02	. .	. .	. .	
33,480	26,494	. .	261,872	38,775	. .	+ 17·38	39 45	40·63	+ 2·99	
10,402	298	. .	54,471	2,591	. .	+ 5 00	. .	. .	. .	
1,211	481	. .	14,804	. .	3,745	— 18·78	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. . .	. .	. .	. .	
11,613	779	. .	69,275	. .	1,154	— 1·64	42·09	51 93	+ 22·94	
5,157	. .	3,240	249,426	. .	8,987	— 3·47	. .	. .	. .	
3,297	. .	1,916	140,631	. .	516	— 0·36	. .	. .	. .	
5,342	1,253	. .	113,385	264	. .	+ 0·23	. .	. .	. .	
13,796	. .	3,903	503,442	. .	9,239	— 1·82	. .	. .	. .	
2,852	1,040	. .	38,643	. .	12,645	— 24·65	. .	. .	. .	
2,385	1,235	. .	19,361	. .	4,157	— 17·69	. .	. .	. .	
. .	. .	. .	531	74	. .	+ 16·17	. .	. .	. .	
5,237	2,275	. .	58,535	. .	16,728	— 22 30	. .	. .	. .	
8,009	. .	2,200	288,069	. .	21,632	— 6·99	. .	. .	. .	
5,682	. .	681	159,992	. .	4,673	— 2 81	. .	. .	. .	
5,342	1,253	. .	113,916	338	. .	+ 0·29	. .	. .	. .	
19,033	. .	1,628	561,977	. .	25,967	— 4·42	26·59	39·65	+ 49·12	
295	. .	908	172,541	. .	5,075	— 2·86	. .	. .	. .	
509	274	. .	44,408	. .	666	— 1·48	. .	. .	. .	
3	. .	8	51,171	. .	5,771	— 10·14	. .	. .	. .	
807	. .	642	268,120	. .	11,512	— 4·12	. .	. .	. .	
2,642	1,232	. .	25,755	6,466	. .	+ 33·30	. .	. .	. .	
245	209	. .	2,688	. .	277	— 9 23	. .	. .	. .	
634	634	. .	4,474	4,474	. .	+ 100·00	. .	. .	. .	
3,521	2,075	. .	32,917	10,663	. .	+ 47·81	. .	. .	. .	
2,937	324	. .	198,296	1,391	. .	+ 0 70	. .	. .	. .	
754	483	. .	47,096	. .	943	— 1·97	. .	. .	. .	
637	626	. .	55,645	. .	1,297	— 2·28	. .	. .	. .	
4,328	1,433	. .	301,037	. .	849	— 0 28	29 22	40·07	+ 37·13	
9,392	. .	2,872	38,795	. .	581	— 1·49	. .	. .	. .	
5,847	. .	2,476	15,169	. .	5,082	— 25·03	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. . .	. .	. .	. .	
15,239	. .	5,348	53,964	. .	5,671	— 9·52	. .	. .	. .	
54,564	. .	1,436	132,901	6,683	. .	+ 5·29	. .	. .	. .	
14,319	395	. .	39,248	6,286	. .	+ 19 05	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. . .	. .	. .	. .	
68,883	. .	1,041	172,149	12,969	. .	+ 8·15	. .	. .	. .	
63,956	. .	4,308	171,696	6,094	. .	+ 3·68	. .	. .	. .	
20,166	. .	2,081	54,417	1,204	. .	+ 2·26	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. . .	. .	. .	. .	
84,122	. .	6,389	226,113	7,298	. .	+ 3·34	27·01	33·62	+ 24·47	

Works.	Items.	Area of the Districts in Acres.	Cultivable Area in Acres.	Cultivated Area in Acres.	Sown from April to November 1882, i.e., 1st Crop.		
					Total Acres.	In comparison with 1881-82.	
						Increase.	Decrease.
1	2	3	4	5	6	7	8
		Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
	6. Cuddapah.						
	Government Land	4,794,648	2,749,621	1,067,993	104,295	9,459	...
	Inam Land	775,438	772,753	440,816	55,536	672	...
	Zemindari	...	...	...	...	...	...
	Total	5,570,086	3,522,374	1,508,809	159,831	10,131	...
	7. Bellary.						
	Government Land	2,946,986	2,750,158	1,113,940	29,027	4,553	...
	Inam Land	815,300	815,300	491,380	11,367	338	...
	Zemindari	...	...	...	...	...	...
	Total	3,762,286	3,565,458	1,605,320	40,394	4,891	...
	8. Anantapur.						
	Government Land	2,674 804	2,035,440	821,317	42,297	...	4,342
	Inam Land	613,504	603,455	330,826	21,420	2,746	...
	Zemindari	...	...	...	...	...	...
	Total	3,288,308	2,638,895	1,152,143	63,717	...	1,596
	9. Kurnool.						
	Government Land	3,505,539	1,612,494	962,484	25,759	837	...
	Inam Land	991,472	991,472	672,994	16,770	976	...
	Zemindari	...	...	...	...	...	...
	Total	4,497,011	2,603,966	1,635,478	42,529	1,813	...
	10. Chingleput.						
Chembrambakam Tank.	Government Land	...	...	14,258	8,560	...	1,793
	Inam Land	...	...	4,192	2,590	...	1,448
	Zemindari	...	...	...	...	...	...
	Total	...	...	18,450	11,150	...	3,241
All other works	Government Land	...	...	469,161	214,672	...	19,500
	Inam Land	...	...	1,04,443	39,497	...	1,694
	Zemindari	...	...	34,163	4,631	1,448	...
	Total	...	...	6,07,767	258,800	...	19,746
Total	Government Land	...	...	483,419	223,232	...	21,393
	Inam Land	...	...	108,635	42,087	...	3,142
	Zemindari	...	...	34,163	4,631	1,448	...
	Total	...	...	626,217	269,950	...	22,987
	11. North Arcot.						
Palar Anicut	Government Land	...	...	...	42,461	12,047	...
	Inam Land	...	...	...	4,176	...	1,579
	Zemindari	...	...	...	...	...	...
	Total	...	...	...	46,637	10,468	...
All other works	Government Land	...	...	...	127,699	...	4,543
	Inam Land	...	...	...	28,975	3,079	...
	Zemindari	...	...	...	...	...	...
	Total	...	...	...	156,674	...	1,464
Total	Government Land	2,430,798	1,186,165	588,939	170,160	7,504	...
	Inam Land	211,570	183,299	98,615	33,151	1,500	...
	Zemindari	...	...	...	...	...	...
	Total	2,642,368	1,369,464	687,554	203,311	9,004	...

AREAS IRRIGATED.							RAINFALL.			
Sown from December 1882 to March 1883, i.e., 2nd Crop.			Whole Year, 1882-83.			Percentage of Increase or Decrease in 1882-83.	1881-82.	1882-83.	Percentage of Increase or Decrease in 1882-83.	Remarks as to the causes of Increase or Decrease.
Total Acres.	In comparison with 1881-82. Increase.	Decrease.	Total Acres.	In comparison with 1881-82. Increase.	Decrease.					
9	10	11	12	13	14	15	16	17	18	19
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.		Inches.	Inches.		
19,602	. .	1,870	123,897	7,589	. .	+ 6·53	. .	. .	. .	The increase is due to favorable season.
7,210	. .	152	62,746	520	. .	+ 0·83	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. . .	. .	. .	. .	
26,812	. .	2,022	186,643	8,109	. .	+ 4·54	27 79	28·82	+ 3·04	
1,442	. .	3,059	30,469	1,494	. .	+ 5·15	. .	. .	. .	
344	. .	1,747	11,711	. .	1,409	— 10·76	. .	. .	. .	
. .	. .	. .	.	. .	. .	. . .	. .	. .	.	
1,786	. .	4,806	42,180	85	. .	+ 0·20	17·02	25·04	+ 47·12	
29,630	5,5[illegible]9	. .	71,927	1,167	. .	+ 1·65	. .	. .	. .	The increase in the area cultivated is due to the gradual restoration of the agricultural capital and live stock reduced in the famine.
11,713	3,229	. .	33,133	5,975	. .	+ 21·97	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. . .	. .	. .	. .	
41,343	8,738	. .	105,060	7,142	. .	+ 7·29	. .	21·96	. .	
3,493	1,137	. .	29,252	1,974	. .	+ 7·23	. .	. .	. .	
1,613	461	. .	18,383	1,437	. .	+ 8 50	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. . .	. .	. .	. .	
5,106	1,598	. .	47,635	3,411	. .	+ 7·72	20·17	24·56	+ 21·77	
3,586	68	. .	12,146	. .	1,725	— 12·41	. .	. .	. .	
. .	. .	. .	2,590	. .	1,448	— 36·20	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. . .	. .	. .	. .	
3,586	68	. .	14,736	. .	3,173	— 17·73	. .	. .	. .	
89,899	25,328	. .	304,570	5,828	. .	+ 1·95	. .	. .	. .	
27,523	9,905	. .	67,020	8,211	. .	+ 13·96	. .	. .	. .	
2,377	1,280	. .	7,008	2,728	. .	+ 63 74	. .	. .	. .	
119,798	36,513	. .	378,598	16,767	. .	+ 4·63	. .	. .	. .	
93,484	25,396	. .	316,716	4,103	. .	+ 1·31	. .	. .	. .	
27,523	9,9 5	. .	69,610	6,763	. .	+ 10·77	. .	. .	. .	
2,377	1,280	. .	7,008	2,728	. .	+ 63·74	. .	. .	. .	
123,384	36,581	. .	393,334	13,594	. .	+ 3 58	34·14	44·63	+ 30·73	
9,623	. .	4,641	52,084	7,406	. .	+ 16·58	. .	. .	. .	
4,652	2,684	. .	8,828	1,105	. .	+ 14·89	. .	. .	. .	
. .	. .	. .	. .	.	. .	. . .	. .	. .	. .	
14,275	. .	1,957	60,912	8,511	. .	+ 16·24	. .	. .	. .	
84,011	24,444	. .	211,710	19,901	. .	+ 10 37	. .	. .	. .	
16,811	684	. .	45,786	3,763	. .	+ 8·96	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. . .	. .	. .	. .	
100,822	25,128	. .	257,496	23,664	. .	+ 10·12	. .	. .	. .	
93,634	19,808	. .	263,794	27,307	. .	+ 11 55	. .	. .	. .	
21,463	3,368	. .	54,614	4,868	. .	+ 9·78	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. . .	. .	. .	. .	
115,097	23,171	. .	318,408	32,175	. .	+ 10·00	36·84	40·50	+ 9·93	

Works.	Items.	Area of the Districts in Acres.	Cultivable Area in Acres.	Cultivated Area in Acres.	Sown from April to November 1882, i.e., 1st Crop.		
					Total Acres.	In comparison with 1881-82.	
						Increase.	Decrease.
1	2	3	4	5	6	7	8
		Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
	12. South Arcot.						
Pelandorai Anicut.	Government land	18,474	13,520	10,200	2,761	59	. .
	Inam land	3,582	3,438	3,404	288	. .	118
	Zemindari	. . .	. . .	. . .	. .	. .	. .
	Total	22,056	16,958	13,604	3,049	. .	59
All other Works	Government land	2,947,038	2,226,433	1,154,978	257,581	. .	1,649
	Inam land	156,547	142,251	80,435	19,446	. .	4,970
	Zemindari	23,680	14,587	8,482	1,278	. .	82
	Total	3,127,265	2,383,271	1,243,895	278,305	. .	6,701
Total	Government land	2,965,512	2,239,953	1,165,178	260,342	. .	1,590
	Inam land	160,129	145,689	83,839	19,734	. .	5,088
	Zemindari	23,680	14,587	8,482	1,278	. .	82
	Total	3,149,321	2,400,229	1,257,499	281,354	. .	6,760
	13. Tanjore.						
Upper Anicut	Government land	1,229,714	910,925	825,617	728,902	45,399	. .
	Inam land	217,603	178,860	140,473	105,619	7,840	. .
	Zemindari	. . .	. . .	. . .	. .	. .	. .
	Total	1,447,317	1,089,785	966,090	834,521	53,239	. .
All other Works	Government land	341,986	243,233	167,680	53,402	. .	27,002
	Inam land	412,098	287,067	4,123,044	38,726	. .	1,591
	Zemindari	. . .	. . .	. . .	. .	. .	. .
	Total	754,084	530,300	4,290,724	92,128	. .	28,593
Total	Government land	1,571,700	1,154,158	993,297	782,304	18,397	. .
	Inam land	629,701	465,927	263,517	144,345	6,249	. .
	Zemindari	191,633	147,466	43,853	. .	. .	. .
	Total	2,393,034	1,767,551	1,300,667	926,649	24,646	. .
	14. Trichinopoly.						
	Government land	1,627,738	1,288,299	880,340	111,775	7,704	. .
	Inam land	233,187	190,092	123,841	15,817	. .	1,474
	Zemindari	410,200	308,245	. . .	. .	. .	. .
	Total	2,271,125	1,786,635	1,004,181	127,592	6,230	. .
	15. Madura.						
	Government land	1,729,758	1,321,620	791,347	111,184	7,697	. .
	Inam land	217,941	199,774	115,628	9,659	1,267	.
	Zemindari	590,197	213,273	4,200	20	4	. .
	Total	2,537,896	1,734,667	911,175	120,863	8,968	. .
	16. Tinnevelly.						
Srivaikuntham Anicut.	Government land	97,331	71,815	52,613	(a)16,677	9,956	. .
	Inam land	6,969	5,863	3,883	693	413	. .
	Zemindari	5,227	3,457	2,203	509	509	. .
	Total	109,527	81,135	58,699	17,879	10,878	. .
All other Works	Government land	1,801,058	1,461,313	1,123,199	96,125	31,271	. .
	Inam land	263,078	231,075	181,977	6,111	1,158	. .
	Zemindari	921,120	744,831	628,986	5,909	1,972	. .
	Total	2,985,256	2,437,219	1,934,162	108,145	34,401	. .
Total	Government land	1,898,389	1,533,128	1,175,812	112,802	41,227	. .
	Inam land	270,047	236,938	185,860	6,804	1,571	. .
	Zemindari	926,347	748,288	631,189	6,418	2,481	. .
	Total	3,094,788	2,518,354	1,992,861	126,024	45,279	. .

AREAS IRRIGATED.							RAINFALL.			
SOWN FROM DECEMBER 1882 TO MARCH 1883, *i.e.*, 2ND CROP.			WHOLE YEAR, 1882-83.			Percentage of Increase or Decrease in 1882-83.	1881-82.	1882-83.	Percentage of Increase or Decrease in 1882-83.	Remarks as to the causes of Increase or Decrease.
Total Acres.	In comparison with 1881-82.		Total Acres.	In comparison with 1881-82.						
	Increase.	Decrease.		Increase.	Decrease.					
9	10	11	12	13	14	15	16	17	18	19
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.		Inches.	Inches.		
613	274	. .	3,374	333	. .	+10·95	. .	. .	. .	
136	. .	12	424	. .	130	—23·29	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	
749	262	. .	3,798	203	. .	+ 5·65	. .	. .	. .	
108,118	32,221	. .	365,699	30,572	. .	+ 9·12	. .	. .	. .	
12,330	. .	697	31,776	. .	5,667	—15·15	. .	. .	. .	
725	58	.	2,003	. .	24	— 1·20	. .	. .	. .	
121,173	31,582	. .	399,478	24,881	. .	+ 6·64	. .	. .	. .	
108,731	32,495	. .	369,073	30,905	. .	+ 9·15	. .	. .	. .	
12,466	. .	709	32,200	. .	5,797	—15·25	. .	. .	. .	
725	58	. .	2,003	. .	24	— 1·20	. .	. .	. .	
121,922	31,844	. .	403,276	25,084	. .	+ 6·63	28·31	33·90	+19·74	
62,207	. .	8,567	791,109	36,832	. .	+ 4·88	. .	. .	. .	
9,170	. .	906	114,789	6,934	. .	+ 6·42	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	
71,377	. .	9,473	905,898	43,766	. .	+ 5·08	. .	. .	. .	
10,686	. .	2,693	64,088	. .	29,695	—31·61	. .	. .	. .	
18,012	. .	2,023	56,738	. .	3,614	— 6·00	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	
28,698	. .	4,716	120,826	. .	33,309	—27·61	. .	. .	. .	
72,893	. .	11,260	855,197	7,137	. .	+ 0·84	. .	. .	. .	
27,182	. .	2,929	171,527	3,320	. .	+ 1·98	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	
100,075	. .	14,189	1,026,724	10,457	. .	+ 1·03	39·57	42·79	+ 8·14	
50,203	. .	5,286	161,978	2,418	. .	+ 1·52	. .	. .	. .	
5,632	893	. .	21,449	. .	581	— 2·64	. .	. .	. .	
. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	
55,835	. .	4,393	183,427	1,837	. .	+ 1·01	32·90	33·69	+ 2·40	
34,802	2,592	. .	145,986	10,289	. .	+ 7·59	. .	. .	. .	
3,900	. .	7	13,559	1,260	. .	+10·24	. .	. .	. .	
. .	. .	. .	20	4	. .	+25·00	. .	. .	. .	
38,702	2,585	. .	159,565	11,553	. .	+ 7·81	25·85	29·91	+15·71	
(b) 18,119	712	. .	34,796	10,668	. .	+44·21	. .	. .	. .	(a) Second crop in this district. (b) First do. The increase in the total irrigated area is due to the more favorable character of the season in this than in the preceding year.
831	28	. .	1,524	441	. .	+40·72	. .	. .	. .	
568	. .	31	1,077	478	. .	+79·80	. .	. .	. .	
19,518	709	. .	37,397	11,587	. .	+44·89	. .	. .	. .	
162,268	. .	2,963	258,393	28,308	. .	+12·30	. .	. .	. .	
13,767	407	. .	19,878	1,565	. .	+ 8·54	. .	. .	. .	
13,412	. .	248	19,321	1,724	. .	+ 9·79	. .	. .	. .	
189,447	. .	2,804	297,592	31,597	. .	+11·87	. .	. .	. .	
180,887	. .	2,251	293,189	38,976	. .	+15·33	. .	. .	. .	
14,598	435	. .	21,402	2,006	. .	+10·34	. .	. .	. .	
13,980	. .	279	20,398	2,202	. .	+12·10	. .	. .	. .	
208,965	. .	2,095	334,989	43,184	. .	+14·79	23·01	28·64	+24·42	

Works.	Items.	Area of the District in Acres.	Cultivable Area in Acres.	Cultivated Area in Acres.	Sown from April to November 1882, i.e., 1st Crop.		
					Total Acres.	In comparison with 1881-82.	
						Increase.	Decrease.
1	2	3	4	5	6	7	8
	17. Coimbatore.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
	Government land	3,869,840	2,702,191	2,029,697	75,170	3,091	. .
	Inam land	324,889	288,076	239,997	8,581	. .	135
	Zemindari	94,090	80,502	78,563	133	. .	3
	Total	4,288,819	3,070,769	2,348,257	83,884	2,953	. .
	18. Salem.						
	Government land	3,655,271	1,814,709	1,126,516	90,810	14,392	. .
	Inam land	259,793	154,635	94,163	7,395	. .	545
	Zemindari	1,124,781	. .	. .	449	. .	. .
	Total	5,039,845	1,969,344	1,220,679	98,654	13,847	. .
Total Anicut	Government land	. .	. .	. .	1,245,279	58,037	. .
	Inam land	. .	. .	. .	303,921	2,962	. .
	Zemindari	. .	. .	. .	159,720	. .	6,243
	Total	. .	. .	. .	1,708,920	51,756	. .
Total of other Works	Government land	. .	. .	. .	1,661,834	26,089	. .
	Inam land	. .	. .	. .	386,305	. .	12,952
	Zemindari	. .	. .	. .	55,391	25,940	. .
	Total	. .	. .	. .	2,103,530	39,077	. .
Grand Total including Anicuts and other Works	Government land	41,992,110	27,650,437	16,496,352	2,907,113	84,126	. .
	Inam land	7,318,980	6,685,577	4,418,148	690,226	.	9,990
	Zemindari	8,589,720	4,162,281	[illegible],419,990	215,111	19,697	. .
	Total	57,900 810	38,498,295	22,334,490	[illegible],812,450	93,833	. .

Camp Chinnammanur,
4th August 1883.

AREAS IRRIGATED.							RAINFALL.			
SOWN FROM DECEMBER 1882 TO MARCH 1883, i.e., 2ND CROP.			WHOLE YEAR, 1882-83.			Percentage of Increase or Decrease in 1882-83.	1881-82.	1882-83.	Percentage of Increase or Decrease in 1882-83.	Remarks as to the causes of Increase or Decrease.
Total Acres.	In comparison with 1881-82.		Total Acres.	In comparison with 1881-82.						
	Increase.	Decrease.		Increase.	Decrease.					
9	10	11	12	13	14	15	16	17	18	19
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.		Inches.	Inches		
19,278	. .	1,326	94,448	1,765	. .	+ 1·90	. .	. .	. .	Cultivation is on its increase on account of sufficient fall of rain.
2,628	7	. .	11,209	. .	128	— 1·04	. .	. .	. .	
. .	. .	. .	133	. .	3	— 2·20	. .	. .	. .	
21,906	. .	1,319	105,790	1,634	. .	+ 1·57	20·38	30·83	+51·27	
18,910	. .	1,679	109,720	12,713	. .	+ 13·10	. .	. .	. .	The increase in wet cultivation is due to the favourable character of the season with more copious and timely rainfall in the year.
1,807	833	. .	9,202	288	. .	+ 3·23	. .	. .	. .	
233	. .	. .	682	. .	. .	. .	. .	. .	. .	
20,950	. .	846	119,601	13,001	. .	+ 12·19	27·04	38·30	+41·64	
108,992	. .	19,174	1,354,271	38,863	. .	+ 2·95	.	. .	. .	
24,442	. .	2,324	328,363	638	. .	+ 0·19	. .	. .	. .	
5,913	1,214	. .	165,633	. .	5,029	— 4·03	. .	. .	. .	
139,347	. .	20,284	1,848,267	34,472	. .	+ 1·95	. .	. .	. .	
721,734	89,434	. .	2,383,568	115,523	. .	+ 5·09	. .	. .	. .	
155,774	24,439	. .	542,079	11,487	. .	+ 2·16	. .	. .	. .	
17,604	1,947	.	72,995	27,887	. .	+ 61·82	. .	. .	.	
895,112	115,820	.	2,998,642	154,897	. .	+ 5·44	. .	. .	. .	
830,726	70,260	. .	3,737,839	154,386	.	+ 4·31	. .	. .	. .	
180,216	22,115	. .	870,442	12,125	. .	+ 1·41	. .	. .		
23,517	3,161	.	238,628	22,858	. .	+ 14·06	. .	. .	. .	
1,034,459	95,536	. .	4,846,909	189,369	. .	+ 4·06	29·31	34·97	+19·31	

W. WILSON,

Director of Revenue Settlement and Agriculture.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

IRRIGATION OPERATIONS OF FASL KHARIF IN THE NORTH-WESTERN PROVINCES, 1883, UP TO 31st AUGUST 1883.

Canal Division		Water distributed during August, 1883: Depth in canal at regulating gauge in feet — Full supply	Actual average throughout	Gross consumption, cubic feet per second — Allotted discharge	Actual average throughout	Total area of irrigation during current fasl	Total area for the corresponding period of last year
Upper Ganges	Northern	10·00	8·98	950	360	48,319	48,282
	Anúpshahr	7·00	5·93	1,100	834	54,089	54,434
	Meerut	8·10	7·07	925	1,682	69,452	68,937
	Bulandshahr	7·20	5·93	925	603	78,303	64,750
	Aligarh	5 50	4·64	1,300	763	82,952	72,327
Lower Ganges	Narora	9·00	5·02	975	223	14,592	13,497
	Mainpuri	7·00	3·00	600	265	32,531	31,124
	Cawnpore	8·20	6·06	825	506	47,768	49,193
	Etáwah	5·80	2 8	975	451	63,836	63 870
	Bhognipur	7·00	3·18	950	135	25,759	21,672
Total Upper and Lower Ganges Canals		...	...	9,525	5,822	517,601	490,486
Eastern Jumna Canal		4·74	5·02	1,300	1,424	93,302	95,380
Agra Canal		8·50	7·77	1,300	627	50,392	43,123
Rohilkhand		...	...	...	..	26,096	21,731
Bijnor		...	...	...	...	1,516	1,471
Dún		...	...	...	...	4,585	4,668
Jhánsi		...	...	...	...	36	23
Hamírpur		...	...	...	...	51	27
Total		...	...	...	...	693,579	656,909

Zila	Land irrigated (approximate): Sugarcane	Indigo	Rice	Cotton	Other food-grains	Fodder crops	Miscellaneous	Total	Rainfall: Total from 1st April to end of August, 1883	Average of ten previous years for the same period
Sahúranpur	16,801	1,794	26,462	693	2,628	521	1,243	50,142	10·1	25·9
Muzaffarnagar	41,999	4,615	21,091	2,762	4,322	2,215	3,825	80,829	13·4	21 7
Meerut	63,308	17,628	7,717	11,189	15,413	3,825	2,573	121,653	7 7	20 6
Bulandshahr	6,095	53,110	46	11,648	12,051	3,901	1,721	88,572	11·5	19 0
Aligarh	588	45,561	245	4,835	8,581	422	1,558	6 ,790	16·3	17·8
Muttra	1,111	10,007	...	10,382	1,133	204	1,262	24,099	12·3	18 2
Agra	1,278	4,453	7	1,138	677	105	479	8,137	12 8	19 7
Etah	1,306	26,267	324	1,404	3,907	81	1,135	34,427	12·1	20·5
Mainpuri	2,895	34,417	959	1,132	5,634	844	1,789	47,670	10·5	22 9
Fatehgarh	2,234	14,842	642	602	2,293	270	88	20,971	11·4	22·1
Etáwah	5,273	42,189	891	314	2,111	649	1,073	52,800	12 2	19 8
Cawnpore	4,846	41,190	1,490	24	1,577	21	1,712	51,070	14·7	19·8
Delhi	.	30	...	22	...	2	32	86	8·1	18 8
Gurgaon	1,134	4,797	14	11,315	249	1,259	281	19,049	9 5	18·3
Dehra Dún	768	...	3,516	...	...	...	301	4,585	29·3	57·2
Bijnor	1,480		36	...	...	...	...	1,516	16 6	27·9
Tarái	1,270		4,232	...	...	...	.	5,502	27·2	34·9
Pilibhit	813	.	2,214	...	...	...	...	3,057	22·6	33·8
Bareilly	4,668	..	12,869	...	...	...	...	17,537	12·2	29·4
Jhánsi	23	...	2	7	..	...	4	36	11·3	24 5
Hamírpur	10	..	4	...	...	...	37	51	18·1	22·0
Total	157,900	301,410	82,791	57,467	60,576	14,322	19,113	693,579	...	..
Total for the same period last year	191,133	304,394	73,769	44,549	21,050	5,936	16,078	656,909	...	...
Increase	...	...	9,022	12,918	39,526	8,386	3,035	36,670	...	...
Decrease	33,233	2,984	...	...	...	...	...	...	...	...

Remarks.

			Cubic feet per second.
Supply—			
Entering head of Ganges Canal			5,804
" Lower Ganges Canal			1,780
			7,584
Expended—			
Ganges Canal	4,243		
Lower Ganges Canal	1,5-0		
		5,822	
Escaped—			
Anúpshahr Branch, Ganges Canal	89		
Meerut Division, ditto	79		
Bulandshahr ditto ditto	7		
Narora ditto, Lower Ganges Canal	393		
Mainpuri ditto ditto	56		
Cawnpore ditto ditto	5-0		
Etawah ditto ditto	314		
Bhognipur ditto ditto	205		
Percolation from the Narora Division	32		
Ditto ditto Mainpuri "	54		
		1,858	
			7,680
Deduct drainage water			96
			7,584

Executive Engineer, Northern Division, Ganges Canal, reports that there was severe drought during the first three weeks of the month, after which there were scattered showers, which sufficed for miscellaneous crops. A heavy flood in the Ganges on the 6th checked supply in canal for three days.

Executive Engineer, Anúpshahr Branch, Ganges Canal, reports that there has been a great demand since the 10th August, but, owing to small areas of cane and indigo, the area irrigated does not exceed that of last year.

Executive Engineer, Meerut Division, Ganges Canal, reports that demand was full in the upper half of the Division during the whole month, and began about August 5th. The canal was maintained to full supply, and the very greatest difficulty was experienced in getting water equally distributed owing to the great gul clearance.

Executive Engineer, Bulandshahr Division, Ganges Canal, reports that the increase in irrigated area is due to the drought which commenced about the 4th August. More might have been done, if so large an area of old irrigation had not required water at the same time. The indigo stood the drought well, but got water about the end of August.

Executive Engineer, A[illegible] Division, Ganges Canal, reports that the long break in the rains [illegible]tated the opening of all distributaries between the 6th and 11th instant. The demand for water was very great till the 21st, when a general fall of rain was registered in the Division, varying from half an inch to three inches; this had the effect of stopping irrigation on some channels and reducing the demand for canal water.

Executive Engineer, Mainpuri Division, Lower Ganges Canal, reports a strong general demand for water from the 10th to the 20th; after that date demand limited to the central portion of the division. The increased area irrigated during the month is due entirely to the failure of the rains, and, it will be seen, is mainly under food grains. Average rainfall during the month over the whole Division 3 1 inch, but over the central portion only 1·3 inches.

Executive Engineer, Cawnpore Division, Lower Ganges Canal, reports that the decrease is due to the reasons noted in the return for May.

Executive Engineer, Bhognipur Division, Lower Ganges Canal, reports that hot west winds during the first half of the month caused general demand for irrigation, so distributaries were re-opened from the 15th, but heavy general rain falling from the 20th to the 23rd stopped all further demand during the month.

Executive Engineer, Eastern Jumna Canal, reports that the decrease in sugarcane and rice was explained in previous reports. The extended irrigation of other crops was mainly practised during the last few days of the month, and very little of it has come into this month's return. There was a serious stoppage of rain from the 17th July to the 27th August.

Executive Engineer, Agra Canal, reports that the dryness of the season caused some 5,000 acres of cotton and juar, &c., to be watered in August, chiefly in the Gurgaon and Muttra districts, but water was chiefly given to canal crops.

Executive Engineer, Rohilkhand Canals, reports that there was general light rain on the 4th, except at Bareilly and Nawabganj, and occasional showers until general rain fell on the 21st, and again still heavier rain from the 26th to the 28th, up to which date water was in steady demand for rice and kharif grain crops. Demand has temporarily ceased now in the 2nd sub-division, but more rain is wanted for rice in the 1st sub-division. All the earthen dams have been breached again. All the water was being utilized during the month, except in Dehra, where dams were broken and the river in flood.

Executive Engineer, Dún Canals, reports light but sufficient rain during the month, and a considerable falling-off in area of sugarcane, owing to little profit being realized from it last year.

No remarks from the other Divisions.

ALLAHABAD,
The 26th September 1883.

W. P. V. HÖRST,
Offg. Asst. Secy. to Govt., N.-W. P. and Oudh,
P. W. D., Irrigation Branch.

STATEMENT OF TRAFFIC ON THE AGRA CANAL FOR THE MONTH OF AUGUST 1883.

Nature of Traffic.	AGRA CANAL. Principal items of Traffic. Up. Mds.	Up. No.	Down. Mds.	Down. No.	Total up and down. Mds.	Total up and down. No.
Grains—						
Wheat	...	...	2,675	...	2,675	...
Gram	...	...	850	..	850	...
Rice	...	...	...	...	...	...
Paddy or dhán	...	...	..	...	...	...
Bejhar or mixed grain	...	...	1,250	.	1,250	...
Dál—						
Urd	...	...	...	...	...	...
Múng	...	...	...	...	...	...
Arhar	...	...	...	...	...	...
Masúri	...	...	...	...	...	...
Juár	...	...	...	...	...	...
Bájra	...	...	...	...	...	...
Maize or Indian-corn	...	...	...	...	...	...
Barley	...	...	75	...	75	...
Total	...	...	4,850	...	4.850	...
Cotton	...	...	...	...	.	...
Oil-seeds	...	..	150	. .	150	...
Salt	...	...	...	...	..	...
Metals	...	...	...	...	...	...
Building materials	2,900	...	..	...	2,900	...
Miscellaneous goods	...	...	20	...	20	...
Firewood	. .	...	...	...	...	...
Bamboos	...	...	...	...	...	...
Timber—						
Poles and unsquared timber	...	...	...	...	...	...
Karis and squared timber	...	...	...	...	...	...
Logs	...	...	...	...	...	...
Miscellaneous timber	...	...	650	...	650	...
Live-stock	...	...	...	...	...	...
Grand Total	2,900	...	5,670	...	8,570	...
Total during corresponding period of last year	...	...	25	...	25	...
Increase	2,900	...	5,645	...	8,545	...
Decrease	...	...	...	...	...	...

Remarks.

Particulars.	Agra Canal. 1883.	Agra Canal. 1882.
Tonnage, including weight of timber and bamboos	315	1
Ton mileage	31,339	23
Value of goods	R 13,500	R 8
Number of passengers	...	..

Allahabad,
The 26th September 1883.

W. P. V. HÖRST,
Offg. Asst. Secy. to Govt., N.-W. P. and Oudh,

STATEMENT OF TRAFFIC ON UPPER AND LOWER GANGES CANALS FOR THE MONTH OF AUGUST 1883.

	UPPER GANGES CANAL. Principal items of Local Traffic.						LOWER GANGES CANAL. Principal items of Local Traffic.					
	Up.		Down.		Total up and down.		Up.		Down.		Total up and down.	
	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.
Grains.												
Wheat	123	...	6,355	...	6,478	...	...	...	3,126	...	3,126	...
Grain	...	...	40	...	40	...	255	...	...	...	255	...
Rice	...	...	...	...	...	...	...	...	...	...	...	...
Paddy or dhán	...	...	...	...	...	...	...	...	...	...	...	...
Bèjhar or mixed grain	...	...	...	...	...	...	...	...	...	...	...	...
Dál — Urd	...	...	500	...	500	...	...	...	...	...	...	...
Dál — Múng	37	...	50	...	87	...	...	...	...	...	...	...
Dál — Arhar	1,358	...	...	...	1,358	...	1,325	...	...	...	1,325	...
Dál — Masúri	...	...	...	...	...	...	...	...	...	...	...	...
Juár	...	...	...	...	...	...	...	...	...	...	...	...
Bájra	...	...	...	...	...	...	...	...	...	...	...	...
Maize or Indian-corn	...	...	...	...	...	...	...	...	...	...	...	...
Barley	...	...	...	...	...	...	...	...	...	...	...	...
Total	1,518	...	6,945	...	8,463	...	1,580	...	3,126	...	4,706	...
Cotton	...	...	...	...	...	...	...	...	333	...	333	...
Oil-seeds	...	...	6	...	6	...	...	...	1,127	...	1,127	...
Salt	...	...	...	...	...	...	126	...	...	...	126	...
Metals	56	...	175	...	231	...	25	...	300	...	325	...
Building materials	7,569	...	4,473	...	12,042	...	4,550	...	58,821	...	63,371	...
Miscellaneous goods	111	...	556	...	667	...	25	...	379	...	404	...
Firewood	3,725	...	3,550	...	7,275	...	9,660	...	13,075	...	22,735	...
Bamboos	...	...	140	2,800	140	2,800	20	400	...	...	20	400
Timber — Poles and unsquared timber.	...	...	2,364	2,125	2,364	2,125	90	180	...	...	90	180
Timber — Karis and squared timber.	...	...	3,722	4,363	3,722	4,363	275	280	...	...	275	280
Timber — Logs	200	10	...	..	200	10	...	...	...	...	...	...
Miscellaneous timber	...	...	540	1,080	540	1,080	288	576	...	...	288	576
Live-stock	...	...	...	...	...	...	...	...	...	...	...	...
Grand Total	13,179	10	22,471	10,368	35,650	10,378	16,639	1,436	77,161	...	93,800	1,436
Total during corresponding period of last year.	125	...	1,280	...	1,405	...	9,644	102	36,099	250	45,743	352
Increase	13,054	10	21,191	10,368	34,245	10,378	6,995	1,334	41,062	...	48,057	1,084
Decrease	...	...	...	...	...	...	...	...	...	250	...	...

	UPPER AND LOWER GANGES CANALS. Principal items of Through Traffic.						UPPER AND LOWER GANGES CANALS. Principal items of Local and Through Traffic.						Remarks.
	Up.		Down.		Total up and down.		Up.		Down.		Total up and down.		
	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	
Grains.													
Wheat	...	...	3,220	...	3,220	...	123	...	12,701	...	12,824	...	
Grain	312	...	...	...	312	...	567	...	40	...	607	...	
Rice	...	...	...	...	...	...	...	...	...	...	...	...	
Paddy or dhán	...	...	...	...	...	...	...	...	...	...	...	...	
Bèjhar or mixed grain	...	...	...	...	...	...	...	...	...	...	...	...	
Dál — Urd	...	...	...	...	...	...	...	...	500	...	500	...	
Dál — Múng	...	...	...	...	...	...	37	...	50	...	87	...	
Dál — Arhar	1,085	...	...	...	1,085	...	3,768	...	...	...	3,768	...	
Dál — Masúri	...	...	...	...	...	...	...	...	...	...	...	...	
Juár	...	...	...	...	...	...	...	...	...	...	...	...	
Bájra	...	...	...	...	...	...	...	...	...	...	...	...	
Maize or Indian-corn	...	...	...	...	...	...	...	...	...	...	...	...	
Barley	...	...	...	...	...	...	...	...	...	...	...	...	
Total	1,397	...	3,220	...	4,617	...	4,495	...	13,291	...	17,786	...	
Cotton	...	...	2[illegible]	...	23	...	...	...	356	...	356	...	
Oil-seeds	...	...	235	...	235	...	...	...	1,368	...	1,368	...	
Salt	...	...	1,461	...	1,461	...	126	...	1,461	...	1,587	...	
Metals	36	...	...	...	36	...	117	...	475	...	592	...	
Building materials	...	...	2,053	...	2,053	...	12,119	...	65,347	...	77,466	...	
Miscellaneous goods	...	...	4,350	...	4,350	...	136	...	5,285	...	5,421	...	
Firewood	...	...	...	...	...	...	13,385	...	16,625	...	30,010	...	
Bamboos	...	...	...	...	...	...	20	400	140	2,800	160	3,200	
Timber — Poles and unsquared timber.	...	...	...	...	...	...	90	180	2,364	2,125	2,454	2,305	
Timber — Karis and squared timber.	...	...	...	...	...	...	275	280	3,722	4,363	3,997	4,643	
Timber — Logs	60	3	...	...	60	3	260	13	...	...	260	13	
Miscellaneous timber	...	...	25	50	25	50	288	576	565	1,130	853	1,706	
Live-stock	...	...	...	...	...	...	...	...	...	...	...	...	
Grand Total	1,493	3	11,367	50	12,8[illegible]0	53	31,311	1,449	110,999	10,418	142,310	11,867	
Total during corresponding period of last year.	...	...	2,886	...	2,886	...	9,769	102	40,265	250	50,034	352	
Increase	1,493	3	8,481	50	9,974	53	21,542	1,347	70,734	10,168	92,276	11,515	
Decrease	...	...	...	...	...	...	...	...	...	...	...	...	

Particulars.	Upper Ganges Canal (local). 1882.	Upper Ganges Canal (local). 1883.	Lower Ganges Canal (local). 1882.	Lower Ganges Canal (local). 1883.	Upper and Lower Ganges Canals (through). 1882.	Upper and Lower Ganges Canals (through). 1883.	Total, Upper and Lower Ganges Canals. 1882.	Total, Upper and Lower Ganges Canals. 1883.
Tonnage, including weight of timber and bamboos	51	1,310	1,680	3,445	106	473	1,837	5,228
Ton mileage	2,763	58,558	167,122	92,011	29,992	92,385	199,877	242,954
Value of goods . . . R	4,161	39,471	67,416	34,856	11,456	23,256	83,033	97,583
Number of passengers	...	64	...	106	...	1	...	171

ALLAHABAD,
The 26th September 1883.

W. P. V. HORST,
Offg. Asst. Secy. to Govt., N.-W. P. & Oudh, P. W. D., Irrigation Branch.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

IRRIGATION OPERATIONS OF FASL KHARIF IN THE PUNJAB FOR 1883-84. UP TO 31st AUGUST 1883.

Canal Division.	Water distributed during August 1883. Depth in canal at regulating gauge. Full supply.	Actual throughout.	Gross consumption, cubic feet per second. Estimated full supply.	Actual average throughout.	Navigation, Return Canal. Principal items of traffic. Up.	Down.	Land irrigated (approximate). Zila.	Acres.	Rainfall. Average.	During month.	Chief crops (approximate). Name.	Area in acres.	Remarks.
Bári Doáb Canal. 1st Division	4·9	5·3	3,073·6	1,612	...	...	Gurdáspur	17,781	8·18	4·1	Cotton	21,921	The Bári Doáb Canal was closed for 17 hours on the 12th August for the repair of rapid No. 7. There is an increase of 21,147 acres, as compared with the corresponding month of last year; this is due to the partial failure of the rains which has necessitated the irrigation of much Jowár, Chari, and other fodder crops usually dependant on the rainfall. There has been heavy and general rain in September, so that the demand has since fallen off; but this Kharif promises to be the largest on record. The increase of irrigation during the month was 38,578 acres.
2nd Division, Main Branch, Lower	4 6	4·0		1,219	...	...	Amritsar	54,833	8·16	3·25	Rice	20,650	
2nd do., Lahore Branch	3·35	3·7		850	...	...	Lahore	67,334	4·04	1·20	Sugarcane	9,249	
Passed out of Escapes	...	...	...	39	..	..	... ...	...	...	...	Others	88,128	
Total Bári Doáb Canal	...	...	3,073·6	3,720	...	...	... ...	139,948	...	...	... ...	139,948	
Corresponding period of last year	...	...	3,073·6	2,765	...	...	... ...	118,801	...	...	... ...	118,801	
Western Jumna Canal. Karnál Division	4·33	4·70	2,546	327	...	642,712 kurries, bullies, &c., 46,068 cubic feet wood, and 12,479 mds. firewood.	Umballa	1,980	10 85	6·24	Cotton	35,211	The operations of the month on the Western Jumna Canal show an increase of area irrigated of 28,726 acres, and of 15,247 acres, as compared with last year. The scanty rainfall has strained the resources of the canal to the utmost.
Delhi do.	5·70	5·30		737	...		Karnál	37,709	4·73	0 60	Rice	46,547	
Hánsi do.	9·00	8·66		1,183	...		Delhi	32,932	5·80	...	Sugarcane	65,485	
Do. Bulla Head	8·80	8·10		310	..		Rohtak	36,023	3·60	0·30	Others	28,491	
Passed out of Escapes	...	...	...	287	...		Hissár	36,829	3·60	...	... ...	...	
							Jhínd	29,144	3·50	...	... ...	...	
							Bíkaner	201	...	...	... ...	...	
							Kalsia State	916	...	...	... ...	...	
Total Western Jumna Canal	...	...	2,546	2,844	...	642,712	... ...	175,734	...	...	... ...	175,734	
Corresponding period of last year	...	...	2,546	2,057	...	191,144	... ...	160,487	...	...	... ...	160,487	
Inundation Canals. Upper Sutlej Division	...	...	...	...	...	...	Lahore	12,168	...	...	Detail not obtainable for want of establishment.	...	On the Inundation Canals there is a decrease of 84,877 acres, as compared with last year, which is due to the short supply in the canals, owing to the low state of the rivers.
Lower Sutlej and Chenab Division	...	...	...	...	...	...	Montgomery	28,000	...	...		...	
Indus Canals	...	...	...	...	...	...	Mooltan	170,255	1·09	...		...	
Muzaffargarh Canals	...	...	...	...	...	...	Dera Ghází Khan	108,981	2·07	...	... ...	...	
							Muzaffargarh	159,072	...	...	... ..	...	
Total Inundation Canals	...	...	...	...	...	...	... ...	478,476	...	...	... ...	478,476	There is an increase of 36,394 acres on the Perennial Canals, as compared with the corresponding period of the preceding year.
Corresponding period of last year	...	...	...	...	...	...	... ...	563,353	...	...	... ...	563,353	
Perennial Canals, Grand Total	...	...	...	...	...	...	... ...	315,682	...	...	... ...	315,682	
Do. corresponding period of last year	...	...	...	...	...	...	... ...	279,288	...	...	... ...	279,288	

J. E. CATTON.

D

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY TRAFFIC.

No. XXXIX OF 1883.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Latest return received.	Railways.	Total mean length open.	Receipts for week ending 7th October 1882.		Total mean length open.	Receipts for week ending 6th October 1883.		Total Receipts from 1st April to 7th October 1882.		Total Receipts from 1st April to 6th October 1883.		Total Increase in 1883-84.	Total Decrease in 1883-84.
			Total.	Per mile open		Total.	Per mile open.	Total.	Per mile open per week.	Total.	Per mile open per week		
			R	R		R	R	R	R	R	R	R	R
	Guaranteed.												
29th Sept. 1883	Eastern Bengal	172	2,03,191	1,181	...	(a)	...	(b)26,78,526	596	(c)22,86,617	511	...	3,91,909
6th Oct. 1883	Oudh and Rohilkhand	547	67,379	123	547	94,716	173	25,12,834	169	29,78,854	202	4,66,020	...
6th ditto	Sind, Punjab & Delhi	676	1,54,174	228	749	1,96,478	262	47,39,829	258	59,69,211	297	12,29,382	...
6th ditto	Madras	861	1,21,607	141	861	1,17,508	136	37,08,404	159	34,57,564	149	...	2,50,840
6th ditto	South Indian	655	65,584	100	655	74,136	113	20,24,233	114	21,03,400	119	79,167	...
13th ditto	Great Indian Peninsula	1,458	4,46,690	306	1,451	3,94,332	272	1,61,34,897	410	1,69,32,503	432	7,97,606	...
6th ditto	Bombay, Baroda and Central India	461	1,41,810	308	461	1,74,093	378	49,41,909	395	57,28,643	460	7,86,734	...
	TOTAL	4,830	12,00,435	249	d4,724	10,51,263	223	3,67,40,632	281	3,94,56,792	299	27,16,160	...
	State.												
13th Oct. 1883	East Indian	1,507	7,36,155	488	1,509	8,51,614	564	2,21,85,095	543	2,62,23,677	644	40,38,582	...
6th ditto	Calcutta and South-Eastern	33	2,860	87	56	5,610	101	1,01,166	120	1,54,619	106	53,453	...
6th ditto	Nalhati	27	1,552	57	27	1,447	54	35,551	48	42,772	59	7,221	...
6th ditto	Northern Bengal	230	49,425	215	239	50,000	209	9,98,326	158	10,71,559	169	73,233	...
6th ditto	Tirhoot	75	10,097	135	166	16,162	97	3,28,033	149	4,48,151	101	1,20,118	...
25th Aug. 1883	Patna-Gya	57	17,479	307	...	(a)	...	(e)1,82,944	152	(f)1,63,758	137	...	19,186
6th Oct. 1883	Cawnpore-Achnera	138	8,312	60	138	10,555	76	2,67,849	72	2,83,197	76	15,348	...
13th ditto	Dildarnagar-Ghazipur	12	587	49	12	708	59	23,239	71	24,140	75	901	...
13th ditto	Rajputana-Malwa	1,116	1,47,521	132	1,117	1,93,640	173	51,28,231	169	61,89,154	205	10,60,923	...
13th ditto	Wardha Coal	45	9,793	218	45	11,110	247	2,67,481	219	3,56,904	294	89,423	...
13th ditto	Nagpur & Chhattisgarh	98	4,455	45	149	11,084	74	2,70,384	102	6,50,003	162	3,79,619	...
6th ditto	Rangoon and Irrawaddy Valley	161	21,673	135	161	23,868	148	6,95,132	159	6,98,915	161	3,783	...
13th ditto	Sindia	75	4,280	57	75	4,834	64	1,56,647	77	1,54,927	77	...	1,720
6th ditto	Punjab Northern	409	53,859	132	420	47,312	113	14,93,893	137	15,87,832	140	93,939	...
6th ditto	Indus Valley and Kandahar	660	89,497	136	660	94,166	143	21,52,541	120	38,05,508	214	16,52,967	...
6th ditto	Kaunia-Dhurla	32	2,075	65	32	2,656	83	40,673	47	52,873	61	12,200	...
13th ditto	Rewari-Ferozepore	...	...	...	89	8,540	96	...	..	2,15,644	90	2,15,644	...
	TOTAL	3,168	4,23,465	134	g3,386	4,81,722	142	1,21,42,090	141	1,58,99,956	171	37,57,866	...
	Assisted Company.												
29th Sept. 1883	Bengal Central	...	...	...	...	(a)	...	...	...	(h) 54,660	60	54,660	...
	Native States.												
6th Oct. 1883	Bhavnagar-Gondal	193	11,758	61	193	11,495	60	4,62,604	88	5,02,057	96	39,453	...
6th ditto	Nizam's	121	19,021	157	121	15,554	129	4,51,048	137	4,12,981	126	...	38,067
6th ditto	Mysore	86	5,141	60	86	8,765	102	1,46,571	63	1,40,668	61	...	5,903
13th ditto	Jodhpore	19	399	21	19	380	20	(i)7,939	27	19,701	39	11,762	...
	TOTAL	419	36,319	87	419	36,194	86	10,68,162	95	10,75,407	95	7,245	...
	GRAND TOTAL	9,924	23,96,374	241	j10,038	24,20,793	241	7,21,35,979	268	8,27,10,492	298	1,05,74,513	...
	GROSS ESTIMATED EXPENSES	...	...	...	...	...	...	3,78,06,223	141	4,26,83,911	154	...	...
	NET RECEIPTS	...	...	...	...	...	...	3,43,29,756	127	4,00,26,581	144	56,96,825	...

(a) Return not received.
(b) Total receipts from 1st April to 30th September 1882.
(c) Total receipts from 1st April to 29th September 1883, inclusive of the Company's share of the earnings of the Bengal Central Railway.
(d) Excludes mileage of Eastern Bengal Railway (172).
(e) Total receipts from 1st April to 25th August 1882.
(f) Total receipts from 1st April to 25th August 1883.
(g) Excludes mileage of Patna-Gya State Railway (57).
(h) Total receipts from 1st April to 29th September 1883.
(i) Total receipts from 24th June to 7th October 1882.
(j) Excludes mileages of E. B., P.-G. and Bengal Central Rys. (172+57+35).

R. A. SARGEAUNT, *Major, R.E.,*
Offg. Under-Secretary.

SIMLA,
The 29th October 1883.

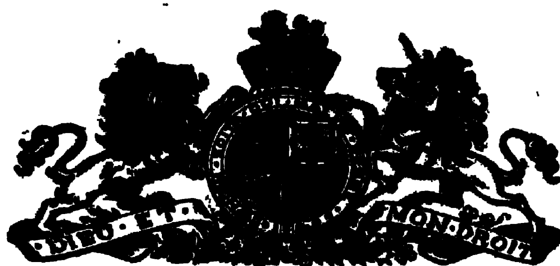
GOVERNMENT OF INDIA.

DEPARTMENT OF FINANCE AND COMMERCE.

SUPPLEMENT TO THE STATEMENTS OF PRICES CURRENT OF FOOD-GRAINS FOR THE 1st AND 2nd HALVES OF SEPTEMBER 1883 PUBLISHED IN PAGES 1662, 1663, 2102, 2103, 2104, 2105, 2106 AND 2107 OF THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED 13th AND 27th OCTOBER 1883.

QUANTITIES PER RUPEE IN SEERS OF 80 TOLAHS.

Provinces.	Districts	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of last year.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of last year.	Rice. Best sort. Present fortnight.	Rice. Best sort. Past fortnight.	Rice. Best sort. Corresponding fortnight of last year.	Rice. Common. Present fortnight.	Rice. Common. Past fortnight.	Rice. Common. Corresponding fortnight of last year.	Great Millet (Cholum, Jowar), *Holcus Sorghum*. Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of last year.	Bulrush Millet (Cumboo, Bajra), *Pencillaria Spicata*. Present fortnight.	Bulrush Millet. Past fortnight.	Bulrush Millet. Corresponding fortnight of last year.	Lesser Millets, Ragi, &c. (Kavaro, Varagoo, Sawee, Cheena Coraloo, Murhwa, Nuglee, &c.), *Panicum Miliaceum*, *Eleusine Coracana*, &c. Present fortnight.	Lesser Millets. Past fortnight.	Lesser Millets. Corresponding fortnight of last year.	Gram. Present fortnight.	Gram. Past fortnight.	Gram. Corresponding fortnight of last year.	Firewood. Present fortnight.	Firewood. Past fortnight.	Firewood. Corresponding fortnight of last year.	Salt. Wholesale. Present fortnight.	Salt. Wholesale. Past fortnight.	Salt. Wholesale. Corresponding fortnight of last year.	Salt. Retail. Present fortnight.	Salt. Retail. Past fortnight.	Salt. Retail. Corresponding fortnight of last year.
		S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.
	1st half of September 1883.																																	
Mysore.	Bangalore	10 11	10 13	10 11	11 11	12 0	12 5	9 10	9 8	9 15	10 10	10 8	11 1	31 4	28 2	27 14	...	...	..	29 7	28 8	26 12	29 12	29 1	30 5	96 0	96 0	96 0	12 4	12 8	13 8	12 0	12 0	13 0
Mysore.	Kolar	...	...	...	12 0	12 0	11 1	12 0	12 0	13 15	14 0	14 0	15 3	...	..	...	...	...	.	35 0	34 0	32 2	28 0	28 0	34 3	172 6	172 6	172 6	12 4	12 4	13 8	12 0	12 0	13 3
Mysore.	Túmkúr	14 8	14 0	14 0	11 8	12 0	12 8	13 0	13 0	12 0	13 8	13 8	13 0	...	..	...	...	...	..	41 0	40 0	35 0	36 0	34 0	39 0	340 0	340 0	340 0	11 0	11 0	12 8	10 8	10 8	12 0
Mysore.	Mysore	11 12	11 12	12 0	..	...	.	10 4	10 8	10 12	1 12	12 0	11 4	..		24 0	...	...	..	28 0	30 0	21 0	32 0	36 0	30 0	75 0	75 0	72 0	8 12	8 12	8 8	8 8	8 8	8 4
Mysore.	Shimoga	14 11	14 11	13 10	15 12	15 12	14 11	13 10	13 10	11 9	18 14	16 13	13 10	37 14	37 13	29 6	...	...		37 4	37 0	29 15	34 10	33 9	30 7	480 0	480 0	480 0	10 8	10 8	11 0	10 8	10 8	10 8
Mysore.	Kadur	14 0	14 0	15 0	15 0	15 0	14 0	15 0	17 0	11 0	17 0	19 0	14 0		...	...	...		..	38 0	38 0	25 0	32 0	32 0	23 0	64 0	64 0	64 0	...	...	...	10 0	10 0	11 0
	2nd half of September 1883.																												*R a.* per	*R a.* maun	*R a.* d.			
Assam.	Sylhet	11 4	10 0	10 8	...	...	..	12 8	10 0	14 0	17 8	15 0	31 8		..		..	.	...	.	...	...	16 4	15 0	16 0	108 0	108 0	108 0	3 4	3 4	3 2	12 8	11 0	12 12
Assam.	Cachar	10 0	10 0	9 6	12 13	12 13	16 0	15 0	14 8	20 0	17 12	16 13	24 10	...	...	...	...	...	.	..	...	...	12 13	12 13	16 13	80 0	80 0	80 0	3 6	3 8	3 4	10 10	10 10	11 13
Assam.	Goálpárá	20 0	20 0	22 0	..	...	...	13 0	13 5	13 0	20 0	22 0	22 0		...	...	..	..	.	..	...	...	14 0	14 8	14 0	80 0	64 0	120 0	3 4	3 6	3 4	11 0	12 4	12 0
Assam.	Gáro Hills	4 0	4 0	4 0	...	...	..	5 0	5 0	5 0	20 0	18 0	18 0		...	...	..	..	..	..	...	...	8 0	8 0	8 0	160 0	160 0	160 0	5 0	5 6	5 6	8 0	6 6	6 6
Assam.	Kámrúp	15 8	18 0	20 0	...	...	..	12 4	12 4	13 0	20 0	17 0	18 0		..	..	..	...	...	...	.	...	13 4	13 4	13 0	200 0	200 0	160 0	3 8	3 8	3 6	11 0	11 0	11 8
Assam.	Darrang	...	...	...		...	.	12 0	8 0	10 0	16 0	13 0	12 0	...		...	..			.	...	..	9 12	9 13	8 12	160 0	160 0	160 0	4 8	4 8	4 8	8 0	8 0	8 0
Assam.	Nowgong	..	...	.	..	...	...	8 0	8 0	13 8	16 0	16 0	16 0		...	..	.	..	...	.	...	...	8 0	8 0	8 0	100 0	120 0	100 0	4 0	4 0	3 12	9 0	8 0	9 0
Assam.	Sibságar	..	...	...	.	...	..	6 8	6 8	6 8	14 0	16 0	16 0	..	...	...	...	..	...	..	...	..	10 0	10 0	10 0	80 0	80 0	80 0	4 8	4 8	4 8	8 0	8 0	8 8
Assam.	Lakhimpur	8 0	8 0	8 0	9 0	8 0	10 0	8 0	7 8	8 0	13 0	13 0	16 0				...		...		...	...	11 0	11 0	10 0	160 0	160 0	200 0	4 0	4 8	5 0	9 0	9 0	8 0
Assam.	Khási and Jaintiá Hills	...	6 10	8 0		.	...	9 8	9 8	10 0	10 0	10 0	11 0	...		..	...	...	...	..	...	...		...	10 0	...	...	...	4 12	5 0	5 0	8 0	8 0	8 0
Assam.	Nága Hills	...	..	...		...	...	4 0	4 0	6 0	5 0	5 0	8 0	.	...	..	...	...	...	...	..	...	2 0	2 0	2 0	120 0	120 0	120 0	16 0	16 0	13 0	2 8	2 8	3 0
																													S. C.	S. C.	S. C.			
H. A. Districts.	Secunderabad	16 5	16 9	17 12	...	..	...	7 14	7 8	7 14	10 3	10 3	9 13	22 3	22 3	25 14	27 0	27 0	...	28 4	28 4	...	16 5	17 8	18 4	125 0	125 0	125 0	10 14	10 14	10 14	10 6	10 6	10 6
H. A. Districts.	Bolarum	18 3	18 3	19 7	...	...	...	8 1	8 1	7 6	9 10	9 10	9 8	26 6	26 6	29 9	..	..	...	..	...	...	19 7	19 7	20 9	116 14	116 14	116 14	...	...	...	10 12	10 12	10 12
H. A. Districts.	Chudderghat	13 8	13 8	13 8	.	...	..	7 0	7 0	7 0	9 0	9 0	9 8	23 0	27 0	27 0	28 0	28 0	33 0	...	.	..	15 0	17 0	19 0	80 0	80 0	80 0	..	...	...	9 8	9 0	9 8
																													R a. per	*R a.* maun	*R a.* d.			
Rajpootana.	Bánswára (Meywar Agency)	21 4	21 0	21 14	...	...	...	10 0	10 0	8 12	15 0	17 8	18 12	..	...	...	...	...	...	...	...	...	37 8	35 0	35 0	...	...	...	3 13	...	...	10 10	10 10	11 4



The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 45.] SIMLA, SATURDAY, NOVEMBER 10, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 8th November 1883.

No. 217.—The following extract paragraph 1 from a despatch received from Her Majesty's Secretary of State for India, No. 107 (Public), dated 27th September 1883, is published for general information:—

Para. 1.—The undermentioned gentlemen have been appointed members of the Bengal Civil Service in the following order and to the divisions of your Government placed against their names:—

Mr. William Reginald Partridge, North-Western Provinces, Punjab and Oudh.

Mr. Michael William Fenton, North-Western Provinces, Punjab and Oudh.

Mr. John Mitchell Holms, North-Western Provinces, Punjab and Oudh.

Mr. Henry Sulivan Hartnoll, Burma.

Mr. William Teunon, Bengal (Lower Provinces).

Mr. George Forrest Greenlaw Forbes, North-Western Provinces, Punjab and Oudh.

Mr. Thomas Corby Wilson, North-Western Provinces, Punjab and Oudh.

Mr. Herbert William Cameron Carnduff, Bengal (Lower Provinces).

Mr. Arthur Trevor Ambrose Shaw, Bengal (Lower Provinces).

Mr. Hugh Cecil Cookson, North-Western Provinces, Punjab and Oudh.

Mr. William Hey Cobb, North-Western Provinces, Punjab and Oudh.

Mr. Percy Comyn Lyon, Bengal (Lower Provinces).

Mr. Norman Goodford Cholmeley, Burma.

Mr. Walter Maude, Bengal (Lower Provinces).

Mr. Arthur William Rees Cadell, Bengal (Lower Provinces).

Mr. John Lumgair Herald, Bengal (Lower Provinces).

Mr. John Stratheden Campbell, North-Western Provinces, Punjab and Oudh.

Mr. James Henry Monahan, Bengal (Lower Provinces).

MEDICAL.

The 3rd November 1883.

No. 396.—The services of Surgeon W. Deane are replaced at the disposal of the Military Department, with effect from the forenoon of the 2nd October 1883.

The 8th November 1883.

No. 399.—The services of Surgeon G. A. Dundas are replaced at the disposal of the Military Department, with effect from the afternoon of the 4th August 1883.

A. MACKENZIE,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 6th November, 1883.

No. 2568 *G.*—With reference to Foreign Department Notification, No. 1427 G., dated the 16th May, 1883, Monsieur J. Gallian, Consul-General for Italy, at Calcutta, resumed charge of his office on the 25th October, 1883.

The 8th November 1883.

No. 2587 *G.*—Subject to the confirmation of Her Majesty's Government, the Governor General in Council is pleased to recognize Mr. James Duncan as in charge of the Netherlands Consulate, at Rangoon, during the absence of Mr. J. E. Borland.

No. 2589 *G.*—With the sanction of Her Majesty's Government, the Governor-General in Council is pleased to recognize the appointment of Mr. G. Buhmeyer as Consul for Austria, at Rangoon.

GENERAL.

The 1st November, 1883.

No. 2454 *A.G.*—Mr. H. S. Barnes, C.S., Officiating Political Assistant of the 1st Class, and Political Agent in Pishin, is appointed to be a Political Agent of the 3rd Class, and is posted as Political Agent in Quetta and Pishin, with effect from the 8th June, 1883.

No. 2454 *C.G.*—Subject to the sanction of Her Majesty's Secretary of State for India, Mr. J. A. Crawford, Bombay Civil Service, is appointed to be a Political Assistant of the 3rd Class, and is posted as an Attaché in the Foreign Department.

Mr. Crawford is appointed to officiate as a Political Assistant of the 1st Class.

The 6th November, 1883.

No. 2571 *G.*—Captain W. H. C. Wyllie, C.I.E., Political Agent of the 3rd Class, is posted as Assistant Commissioner of Ajmere, with effect from the date of assuming charge.

The 8th November, 1883.

No. 2581 *G.*—Surgeon G. H. D. Gimlette, M.D., Indian Medical Service, is appointed to be Residency Surgeon at Katmandhu, with effect from the date of assuming charge, *vice* Brigade-Surgeon J. Browne, M.D.

No. 2583 *G.*—The services of Brigade-Surgeon J. Browne, M.D., are replaced at the disposal of the Military Department.

No. 2585 *G.*—Surgeon-Major O. T. Duke, M.B., Indian Medical Service, is appointed to officiate as a Political Agent of the 3rd Class, and is posted for special duty under the orders of the Governor-General's Agent in Biluchistan, with effect from the date of assuming charge.

No. 2595 *G.*—Captain J. H. Newill, Political Assistant of the 1st Class, is posted as an Assistant to the Governor-General's Agent in Rajputana, with effect from the date of assuming charge.

JUDICIAL.

No. 2597 *G.*—Captain J. H. Newill, Assistant to the Agent to the Governor-General in Rajputana, is appointed to be Magistrate of Abu and Assistant to the General Superintendent of Operations for the Suppression of Thuggee and Dacoity in Lower Rajputana, with effect from the date of assuming charge.

While acting in the capacity of Magistrate at Abu, Captain Newill will exercise the powers of a Magistrate of the District as described in the Code of Criminal Procedure.

Captain Newill will also, during the same period, exercise the powers of a District Court for hearing original suits, whatever be the amount or value of the subject-matter, at Abu.

C. GRANT,

Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 6th November 1883.

No. 4196.—Privilege leave for two months, beginning on the 22nd November 1883, is granted to Mr. D. M. Barbour, B.C.S., Secretary to the Government of India in the Department of Finance and Commerce.

Mr. J. Westland, B.C.S., is appointed to officiate as Secretary to the Government of India in the Department of Finance and Commerce, during the absence on leave of Mr. Barbour.

Mr. E. F. T. Atkinson, B.C.S., is appointed to officiate as Comptroller General and Head Commissioner of Paper Currency, *vice* Mr. Westland.

J. F. FINLAY,

Offg. Under-Secy. to the Govt. of India.

The following Addenda and Corrigenda to the Codes of the Financial Department are published for general information :—

The 8th November 1883.

No. 4265.

C. P. C.

Page 31.

Section 70.

Insert the following as Rule 4A. under this Section :—

4A. In the State Railway Revenue Establishment, the different classes of service are as follows :—

(*a*) *Permanent pensionable,* that is—

Service in all permanent appointments made before the 1st September 1881, and service of officers, such as Civil Engineers and members of the Engineer and Upper Subordinate Establishment, who may be transferred to the Revenue Establishment as Managers, &c., even after 31st August 1881.

(*b*) *Permanent non-pensionable,* that is—

Service in all permanent appointments made after 31st August 1881, except as allowed for in clause (*a*).

(*c*) *Temporary,* that is—

Service in appointments made from time to time for periods not exceeding six months, according to the requirements of traffic.

(*d*) *Special service,* that is—

Service of engine drivers, firemen, and mechanics, &c., under covenant with the Secretary of State.

C. L. C.

Page 181.

Section 125.

Insert the following Note under this Section :—

[NOTE.—Members, Superior and Subordinate, of the State Railway Revenue Establishment, whose service is classed under clauses (*a*) and (*b*) in Rule 4A. under Section 70 of the Civil Pension Code, are entitled to leave under the Rules in this Chapter.]

Page 186.

Section 126.

Substitute the following for Exception (5) under this Section :—

(5) Leave on medical certificate, with half pay to the extent of 60 days in any calendar year, may, in addition to any leave admissible under the Rules in this chapter, be granted, at the discretion of the Manager, to drivers and other subordinate employés of the State Railway Revenue Establishment, whose service is classed under clauses (*a*) and (*b*) in Rule 4A. under Section 70 of the Civil Pension Code, and who are employed exclusively on out-door work, provided the illness has not been caused by the man's misconduct. The leave thus granted is included in the leave to which the limit of three years prescribed in Section 127 applies.

Insert the following as Exception (6) under this Section :—

(6) Members, subordinate, of the State Railway Revenue Establishment, whose service is classed under clause (*d*) in Rule 4A. under Section 70 of the Civil Pension Code, may, at the discretion of the Manager, be allowed privilege leave on full pay to the extent of one month in twelve, and also leave on medical certificate on half pay to the extent of 60 days in one calendar year, provided the illness has not been caused by misconduct. In the case of deserving men, the Manager may extend the leave on medical certificate admissible under this rule to a maximum of six months in one calendar year.

Pages 186 and 187.

Section 126, Rule 7.

Strike out the words in italics in the passage within parenthesis in this Rule.

Insert the following Note under the Rule:—

[NOTE.—This Rule does not apply to officers whose service is classed under clauses (c) and (d) in Rule 4A. under Section 70 of the Civil Pension Code.]

Page 187.

Section 127, Rule 1.

Strike out the passage within parenthesis.

Insert the following Note under this Rule:—

[NOTE.—See Note under Rule 7, Section 126.]

Pages 189 and 190.

Section 136, Rule 2.

Insert the following Note under this Rule:—

[NOTE.—See Note under Rule 7, Section 126.]

Page 190.

Section 136.

Cancel Rule 3.

Rule 4.

For the words "a subordinate" at the end of the Rule, substitute the following:—

"Officers whose case forms Exceptions (5) and (6) under Section 126."

Rule 5.

Substitute the following for this Rule:—

5. In applying Rule 1 under Section 73 to officers whose case forms *Exceptions (5) and (6)* under Section 126, the words "otherwise than as provided by *Exceptions (5) and (6)* under Section 126 should be added after certificate."

The 9th November 1883.

No. 4318.—Mr. E. J. Sinkinson, Officiating Accountant General and Deputy Commissioner of the Department of Issue of Paper Currency, North-Western Provinces and Oudh, having returned from privilege leave, resumed charge of his duties before noon on the 1st November 1883.

Privilege leave for three months having been granted to Mr. R. Logan, Officiating Accountant General and Deputy Commissioner of the Department of Issue of Paper Currency, North-Western Provinces and Oudh, Mr. Logan made over charge of his duties after noon on the 31st October 1883, and availed himself of leave, with effect from the 1st November 1883.

D. M. BARBOUR,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 9th November, 1883.

APPOINTMENTS.

No. 588.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Secretary of State for India:—

Lieutenant John Walter Graham Tulloch, Royal West Surrey Regiment, Wing Officer, 38th Native Infantry,—11th October, 1882.

No. 589.—Lieutenant H. Daly, Gloucestershire Regiment, has been appointed on probation to the Bengal Staff Corps, with effect from the 4th October, 1883, and has been posted to a Corps under the Government of India.

FURLOUGH AND LEAVE.

No. 590.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Major J. B. Hutchinson, Bengal S. C., Assistant Commissioner, 1st class, Officiating Deputy Commissioner, Punjab, (p. a.) for one year and 113 days, under rule IX of the regulations of 1868.

Conductor J. Chapman, Sub-Engineer, 3rd grade, Public Works Department, Punjab, (m. c.) for one year, under rule VI of the regulations of 1875.

LONDON GAZETTE.

No. 591.—The following extract is published for general information:—

"*London Gazette" dated the 5th October, 1883, page 4791.*

"INDIA OFFICE;
5th October, 1883.

The Queen has approved of the transfer of the undermentioned Officer to the Half-Pay List of the Staff Corps:—

BENGAL STAFF CORPS.

Lieutenant Charles Blenheim Porter. Dated 7th October, 1883."

PENSIONS.

No. 592.—Conductor James William Watson, Ordnance Department, is transferred to the pension establishment.

PROMOTIONS.

No. 593.—The following promotions are made, subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonel.

Major (Brevet Lieutenant-Colonel) Alexander George Ross,—4th November, 1883.

To be Major.

Captain Frank Barrow,—6th November, 1883.

BREVET.

To be Colonel.

Lieutenant-Colonel George William Cox, Madras Infantry,—20th February, 1883.

No. 594.—The names of the following officers of the Indian Staff Corps are moved up on the Indian Gradation List from the 16th July, 1883, where not otherwise specified, under the terms of the Royal Warrant of the 10th November, 1881:—

Placed on the list of Lieutenant-Generals.

Major-General Sir C. H. Brownlow, K.C.B., Bengal,—1st August, 1883.

Placed on the list of Major-Generals.

Colonel C. F. Hicks, Bengal.
Colonel A. Carnegy, Bombay.
Colonel W. R. Houghton, Bombay.
Colonel L. W. Buck, Madras.
Colonel A. B. Marsack, Madras,—20th July, 1883.
Colonel C. S. Elliot, Madras,—1st August, 1883.
Colonel H. C. Anderson, Bengal,—1st August, 1883,

in consequence of the transfer to the Unemployed Supernumerary List of the undermentioned officers on the dates specified:—

Lieutenant-General F. C. Maisey, Bengal Infantry,—16th July, 1883.
Major-General H B Stevens, Bengal Infantry,—16th July, 1883.
Major General J. Buchanan, Madras Cavalry,—16th July, 1883.
Major-General W. M. Cafe, V.C., Bengal Infantry,—16th July, 1883.
Colonel (Major-General on the Indian Gradation List) H. S Obbard, Bengal Staff Corps,—20th July, 1883.
Lieutenant-General W. H. Watts, Madras Infantry,—1st August, 1883.
Major-General G. T. Radcliffe, Madras Cavalry,—1st August, 1883.

No. 595.—MILITARY SECRETARIAT—

Captain J. E. Broadbent, R.E., Assistant Secretary to the Government of India in the Military Department, is promoted from Executive Engineer, 2nd grade, to Executive Engineer, 1st grade. Dated 23rd July, 1883.

No. 596.—NATIVE ARMY—

6th Native Infantry.

Jemadar Sibdial Sing to be Subadar, *vice* Soonder Misser, deceased; Havildar Soonder Sing to be Jemadar, *vice* Sibdial Sing, promoted,—9th August, 1883.

MILITARY WORKS DEPARTMENT.

PROMOTIONS.

No. 597.—The following promotions, *sub. pro tem.*, are made in the Engineering Establishment, with effect from the 23rd July, 1883:—

Captain S. C. Turner, R.E., Executive Engineer, 2nd grade, to the 1st grade.

Captain C. H. Brookes, R.E., Executive Engineer, 3rd grade, to the 2nd grade.

Captain S Grant, R.E., Executive Engineer, 4th grade, to the 3rd grade.

Captain A. C. Bruce, R.E., Assistant Engineer, 1st grade, to Executive Engineer, 4th grade.

G. CHESNEY,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 7th November 1883.

No. 271.—During the absence of the Accountant General, Public Works Department, from Simla, Mr. J. C. Ledger, Executive Engineer, 1st grade, sub. *pro tem.*, attached to the Office of the Director General of Railways, will have charge of the Office of Deputy Examiner, State Railway Stores.

The 8th November 1883.

No. 272.—Mr. A. Morton, Class III, State Railway Revenue Establishment, Locomotive Department, is appointed to officiate, in addition to his own duties, as Manager of His Highness the Nizam's State Railway during the absence on privilege leave of Mr. H. W. Warden, or until further orders.

No. 273.—With reference to Military Works Department Notification No. 587, dated 2nd November 1883, the services of Colonel J. Browne, C.B., C.S.I., R.E., Superintending Engineer, Class II, sub. *pro tem.*, are placed temporarily at the disposal of the Director General of Railways.

No. 274.—With reference to Public Works Department Notification No. 232, dated 16th October 1883, the services of the following Assistant Engineers, 2nd Grade, State Railways, are placed at the disposal of the Director General of Railways :—

Mr. H. S. Jones.
" H. McMillan.
" J. N. A. Eaton.

The 9th November 1883.

No. 275.—Mr. J. F. H. Collet, Assistant Engineer, 2nd Grade, Railway Branch, is transferred from the Establishment under the Director General of Railways to that under the Government of Bengal.

Mr. H. E. Haddon, Assistant Engineer, 1st Grade, Railway Branch, is transferred from the Establishment under the Government of Bengal to that under the Director General of Railways.

W. S. TREVOR, *Colonel, R.E.*,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

DESTRUCTION OF WILD ANIMALS AND VENOMOUS SNAKES IN BRITISH INDIA.

No. $\frac{48}{1618-1628}$.

Extract from the Proceedings of the Government of India in the Home Department (Public),— dated Simla, the 3rd November 1883.

Read—

Resolution of the Home Department, No. 48—1780-90, dated 8th November 1882, reviewing the reports on the results of the measures adopted for exterminating wild animals and poisonous snakes in British India during the year 1881.

Read also the following letters from the Local Governments and Administrations submitting returns for the year 1882, and reports of special measures adopted in some cases:—

From the Government of Madras, No. 738A., dated 11th June 1883.
" " Bombay, No. 3052, dated 21st August 1883.
" " Bengal, No. 2531, dated 18th September 1883.
" " North-Western Provinces and Oudh, No. 2725, dated 1st August 1883.
" " Punjab, No. 1512, dated 29th June 1883.
" Chief Commissioner, Central Provinces, No. 1508-81, dated 12th April 1883.
" " British Burma, No. 482-66N., dated 19th March 1883.
" " Coorg, No. 2-1, dated 2nd April 1883.
" " Assam, No. 712, dated 25th May 1883.
" Resident at Hyderabad, No. 258, dated 27th June 1883.
" Chief Commissioner, Ajmere and Mhairwarra, No. 399, dated 16th May 1883.

RESOLUTION.

The Statement appended to this Resolution shows in detail for each Province the number of persons and cattle killed by wild animals and snakes, and the number of wild animals and snakes destroyed, with the rewards paid for their destruction during the year 1882, as compared with the previous year.

2. The following tables compare the general results of the year under report with those of the previous year:—

Number of human beings and cattle reported killed.

	Persons killed.						Cattle killed.					
	By wild animals.		By snakes.		Total.		By wild animals.		By snakes.		Total.	
	1881.	1882.	1881.	1883.	1881.	1882.	1881.	1883.	1881.	1882.	1881.	1882.
Madras	238	275	1,064	920	1,302	1,195	8,668	9,374	270	329	8,938	9,703
Bombay	141	75	1,024	1,190	1,165	1,265	2,398	2,967	191	131	2,589	3,098
Bengal	1,367	1,267	9,268	9,191	10,635	10,458	8,123	8,332	154	228	8,577	8,560
North-Western Provinces and Oudh	470	393	5,010	5,680	5,480	6,073	7,971	8,286	317	318	8,288	8,604
Punjab	27	26	744	939	771	965	4,083	2,793	69	126	4,152	2,919
Central Provinces	248	285	985	1,058	1,233	1,343	2,929	3,835	26	54	2,955	[illegible],889
British Burma	34	37	135	145	169	182	898	969	150	360	1,048	1,329
Coorg	*Nil*	*Nil*	*Nil*	*Nil*	*Nil*	*Nil*	191	288	*Nil*	*Nil*	191	288
Assam	211	214	189	167	400	381	2,802	3,972	16	30	2,818	4,002
Hyderabad Assigned Districts ...	18	25	197	190	215	215	3,013	3,170	836	569	3,849	3,739
Ajmere and Mhairwarra ...	3	9	54	39	57	48	264	554	*Nil*	22	264	576
Total ...	2,757	2,606	18,670	19,519	21,427	22,125	41,040	44,540	2,029	2,169	43,069	46,707

Number of wild animals and snakes reported destroyed, and amount of rewards paid.

	Wild Animals.								Snakes.							
	Destroyed.	Rewards.			Destroyed	Rewards.			Destroyed.	Rewards.			Destroyed.	Rewards.		
	1881.				1882.				1881.				1882.			
		Rs.	A.	P.		Rs.	A.	P.		Rs.	A.	P.		Rs.	A.	P.
Madras ...	1,429	20,251	5	0	2,055	44,111	9	0	Nil	Nil			Nil	Nil		
Bombay ..	1,807	4,965	13	0	1,824	4,882	15	0	207,113	6,214	0	0	262,348	5,125	2	0
Bengal ..	4,213	23,316	3	0	5,867	20,036	1	0	10,282	3,430	5	0	32,187	6,417	13	0
North-Western Provinces and Oudh.	3,037	8,434	14	0	2,032	8,235	12	0	1,142	56	5	3	16,389	2,022	14	4
Punjab ...	1,411	4,856	5	0	1,540	5,083	6	0	22,279	1,587	4	0	6,065	534	9	6
Central Provinces...	1,351	15,842	0	0	1,608	19,161	8	0	1,403	862	8	0	1,858	681	11	0
British Burma ...	1,059	4,260	8	0	1,379	8,836	0	0	2,990	27	0	0	2,681	1	0	0
Coorg ...	15	215	0	0	27	240	0	0	16	4	0	0	114	11	4	0
Assam ...	1,176	7,552	2	0	1,003	7,853	8	0	300	34	0	0	313	83	10	0
Hyderabad Assigned Districts.	216	2,156	0	0	253	2,320	8	0	332	45	8	0	353	44	14	0
Ajmere and Mhairwarra.	5	Nil			5	20	0	0	81	Nil			110	Nil		
Total ...	15,279	99,850	0	0	18,601	1,20,781	3	0	254,968	11,960	14	3	322,421	14,872	13	10

3. These figures show that the number of human beings killed has risen from 21,427 to 22,125, and of cattle from 43,669 to 46,707. If the cattle be valued at Rs. 20 per head, the actual money loss to the cultivators was Rs. 9,34,140. The largest mortality, as in the previous year, occurred in Bengal and in the North-Western Provinces and Oudh, in which Provinces 16,531 persons were returned as killed :—

	Bengal.	N. W. P. & Oudh.
By wild animals	1,267	393
„ snakes	9,191	5,680
	10,458	6,073

Snake-bite caused 19,519 of the total number of deaths. Of the remaining deaths, 895 were caused by tigers, 278 by wolves, and 207 by leopards. Under the head caused by " other animals " 1,037 deaths are shown, of which 661 occurred in Bengal and 143 in the North-Western Provinces and Oudh. Of the 661 deaths in Bengal, 359 were by jackals and 202 by alligators. No details are given in the North-Western Provinces and Oudh returns of the " other animals " which caused 143 deaths in those Provinces. Nor are the details under this head given in the returns of the Provinces of Madras, Punjab, Central Provinces, and British Burma.

It is noticed that in some cases deaths caused by domesticated animals and by hornets, bees, wasps, poisonous lizards, scorpions, and the like, are entered. Such deaths should not be shown in these returns.

4. The loss of cattle by wild animals and snakes amounted to 46,707 head, an increase of 3,038 over the figures of last year. The heaviest loss is reported from the Madras Presidency, *viz.*, 9,703 head. Bengal and the North-Western Provinces and Oudh were the next heaviest sufferers in this respect, the loss in these Provinces having amounted to 8,560 and 8,601 respectively. Tigers, leopards, and wolves were most destructive and account for 40,788 deaths, as under—

Tigers	16,157
Leopards	15,970
Wolves	8,661

Tigers and leopards were particularly destructive to cattle in the Central Provinces, the North-Western Provinces and Oudh, and wolves in the North-Western Provinces and Oudh and the Hyderabad Assigned Districts.

It is noticed that the Government of the North-Western Provinces and Oudh has directed the inclusion in the returns of sheep and goats under the heading " cattle." The attention of that Government is invited to paragraph 2 of the Resolution of this Department No. 48—1585-95, dated the 4th October 1881, which ordered the exclusion of sheep and goats from these returns.

5. The number of wild animals destroyed has increased from 15,279 to 18,591. The most satisfactory increase occurred in the Madras Presidency, where under the orders of the Local Government the full amount of the sanctioned reward is now given in every case, the practice hitherto having been to pay the full amount only in special cases. The number of wild animals destroyed in Bengal was 5,867 against 4,213 in the previous year; but the figures for the year under report erroneously include 879 dogs killed at Barrackpore, and also apparently a number of jackal cubs, for which rewards were paid in the belief that they were wolf cubs. The increase in this respect in the Central Provinces from 1,351 to 1,608 and in British Burma from 1,059 to 1,378 is satisfactory. In the North-Western Provinces and Oudh and Assam there was a decline in the number of wild animals destroyed, while the rise in the Bombay Presidency from 1,367 to 1,824 in the year under review was chiefly due to 870 animals being shown under the head "other animals" against the Thar and Parkur districts. No details of how this number is composed are given. In the other Provinces no appreciable increase has taken place.

6. The only Provinces which show a large destruction of snakes are Bombay, Bengal, the North-Western Provinces and Oudh, and the Punjab. The first mentioned Province returns 262,348 out of a total of 322,421 shown as destroyed throughout British India. In the other three Provinces the figures respectively stand at 32,187, 16,389, and 6,065. The large number of snakes killed in the Patna Division is explained to be mainly due to the prompt payment of rewards. Under the system sanctioned by the Local Governments last year, rewards are paid on the authority of certificates granted by selected indigo-planters, who not only grant certificates, but are also generally empowered to pay the rewards, and recoup themselves by bills, supported by the certificates as vouchers. This system meets with the entire approval of the Government of India. The Governor General in Council trusts that Municipalities will continue to pay attention to this matter, as it is chiefly in such places that measures of extermination are likely to prove most successful. At the same time Local Authorities should not fail to remember that one of the most effectual practical means of diminishing the danger to human life from venomous snakes is the removal from town or village sites or their vicinity of aloe, cactus or thorn hedges, ruined houses and walls, and the like, which harbour and afford cover to these reptiles.

7. The total amount paid in rewards compared with the preceding year was as follows:—

	For the destruction of—		
	Wild animals.	Snakes.	Total.
	Rs.	Rs.	Rs.
1881 ...	90,850	... 11,961	... 1,02,811
1882 ...	1,26,781	... 14,873	... 1,41,654
Increase ...	35,931	... 2,912	... 38,813

There was thus an increase of Rs. 35,931 in the expenditure incurred in the destruction of wild beasts and Rs. 2,912 in killing snakes. This result is principally due to increased rates of rewards given in Madras and British Burma, as well as to the larger number of animals destroyed in these Provinces.

8. The special measures adopted in the North-Western Provinces and Oudh, to which reference was made in paragraphs 6 and 7 in the Home Department Resolution of the 8th November 1882, have not proved satisfactory. In place of those measures the Local Government has sanctioned the grant of more liberal rewards in the divisions and districts which have been specially exposed to the ravages of wolves; and of a reward of 2 annas per head for all venomous snakes killed outside of municipal limits.

9. The results are, on the whole, slightly more satisfactory than in the previous year, so far as the returns relate to persons killed by wild animals; but cattle deaths and the mortality caused by snake-bites are considerably in advance of the previous year's figures. The Government of India again desire to express an earnest hope that practical measures to reduce the lamentable loss of life caused by wild animals and snakes will be energetically prosecuted by all Local Governments and Administrations.

Order.—Ordered, that this Resolution, with the appended Table, be forwarded to Local Governments and Administrations for information and guidance, and that it be published in the Supplement to the *Gazette of India*.

Statement showing the results of the measures adopted in British India with the

1		2									3												
		Number of persons killed by									Number of cattle killed by												
Province.		Elephants.	Tigers.	Leopards.	Bears.	Wolves.	Hyenas.	Other animals.	Snakes.	Total number of persons killed.	Elephants.	Tigers.	Leopards.	Bears.	Wolves.	Hyenas.	Other animals.	Snakes.	Total number of cattle killed.	Elephants.	Amount of reward.	Tigers.	Amount of reward.
																					Rs. A. P.		Rs. A. P.
dras ...	1881	3	135	47	1	.	.	52	1,064	1,302		3,328	3,214	65	1,709	149	203	270	8,938	...	......	189	5,965 3 0
	1882	5	206	28	11	..		25	920	1,195	...	3,271	3,839	23	1,714	167	360	329	9,703	3	200 0 0	278	13,349 1 0
nbay ...	1881	...	11	23	...	12		95	1,024	1,165	.	731	479	...	928	98	162	101	2,589	...	......	61	1,249 0 0
	1882	...	10	7	3	3	.	52	1,190	1,265	...	1,277	595	.	1,020	69	6	131	3,098	...	......	71	1,326 0 0
ngal ...	1881	20	378	137	40	41	4	747	9,268	10,635	87	3,791	2,906	85	428	258	778	154	8,577	...	......	640	11,211 13 0
	1882	21	335	111	47	62	10	661*	9,191	10,458	5	4,071	3,370	45	467	134	220	228	8,500	1	......	574	11,084 0 0
rth-Western Provinces and Oudh.	1881	8	45	8	7	102	2	208	5,010	5,180	..	1,244	4,381	150	1,375	130	682	317	8,288	...	......	82	846 0 0
	1882	4	23	13	14	193	2	143	5,680	6,073	7	1,307	3,487	122	2,092	369	902	318	8,604	...	......	92	875 0 0
njab ...	1881	.	3	..	3	4	1	16	744	771	..	24	1,092	9	1,787	265	6	69	4,152	..	......	1	15 0 0
	1882	1			1	5	..	19	939	965	.	41	1,797	83	766	103	3	126	2,919	.	.....	24	200 0 0
ntral Provinces	1881	2	166	15	10	2	1	52	985	1,233		1,602	1,018	15	33	38	223	26	2,955	..	......	195	9,370 0 0
	1882	...	150	30	8	6	...	85	1,058	1,343	..	2,068	1,170	6	82	24	485	54	3,889	...	......	256	11,400 0 0
itish Burma ...	1881	3	13	1	..	...	.	17	135	169	1	720	129	..	18	...	30	150	1,048	2	200 0 0	81	1,380 0 0
	1882	1	10	12	2		...	12	145	182	.	731	195	2	6	...	35	300	1,329	3	......	93	3,035 0 0
oorg ...	1881	..	..	.		...		...	...	...	...	37	154	..	...	...	...	...	191	...	......	6	155 0 0
	1882	...	...		...	..		.	..	..	...	68	220	...	...	..	.	..	288	...	......	8	195 0 0
ssam ..	1881	22	131	4	13	3	...	38	189	400		2,274	408	...	8	4	108	16	2,818		......	280	6,021 0 0
	1882	28	129	5	22			30	167	381	5	3,033	730	11	116	38	30	30	4,002	2	150 0 0	316	6,375 0 0
yderabad Assigned Districts.	1881	...	7	4	1	2		4	197	215	...	700	386	18	1,689	126	85	836	3,849	...	......	12	210 0 0
	1882	...	6	1	6	9	2	1	190	215	...	484	481	3	2,008	103	1	569	3,739	...	......	14	270 0 0
Ajmere-Merwarra	1881	...	...	..		.	.	3	54	57	...	36	124	...	101	1	2	...	264	...	......	1	......
	1882	..	...	...	..	..	...	9	30	48	...	166	86	.	280	...	25	22	576	...	......	...	......
Total for	1882	60	805	207	114	278	14	1,037	10,519	22,125	17	16,517	15,970	295	8,661	1,007	2,076	2,167	46,707	8	350 0 0	1,726	48,009 1 0
Total for	1881	58	889	239	75	256	8	1,232	18,670	21,427	88	14,496	15,281	342	8,076	1,078	2,370	2,029	48,669	2	200 0 0	1,587	36,481 15 0

* 359 by jackals.
204 by alligators.

view of exterminating wild animals and venomous snakes during the year 1882.

4														5
NUMBER OF ANIMALS AND SNAKES DESTROYED AND AMOUNT OF REWARD PAID FOR THEIR DESTRUCTION.														
Leopards.	Amount of reward.	Bears.	Amount of reward.	Wolves.	Amount of reward.	Hyenas.	Amount of reward.	Other animals.	Amount of reward.	Snakes.	Amount of reward.	Total number, excluding snakes destroyed.	Total amount of reward, including snakes.	REMARKS.
C.	Rs. A. P.		Rs. A. P.		Rs. A. P.		Rs. A. P.		Rs. A. P.		Rs. A. P.		Rs. A. P.	
837	12,766 15 0	149	802 12 0	26	90 0 0	166	621 0 0	62	5 8 0	...	......	1,429	20,251 5 0	
1,205	27,931 8 0	215	1,358 8 0	24	110 0 0	289	1,256 0 0	41	6 8 0	...	......	2,055	44,111 9 0	
244	2,450 0 0	21	156 0 0	243	1,046 0 0	11	......	787	65 13 0	207,113	6,214 0 0	1,367	11,179 13 0	Bombay.
220	1,905 0 0	16	132 0 0	394	1,381 0 0	31	72 0 0	1,002	66 15 0	202,348	5,125 2 0	1,824	10,008 1 0	
981	3,776 4 0	147	323 12 0	898	5,960 12 0	278	525 0 0	1,209	518 10 0	19,282	3,430 5 0	4,213	25,714 8 0	Bengal.
890	3,559 0 0	258	593 4 0	1,231	9,320 8 0	419	896 8 0	2,404	582 13 0	32,187	6,417 13 0	5,867	32,453 14 0	
374	1,702 8 0	348	975 0 0	1,820	4,311 6 0	258	472 8 0	118	37 8 0	1,142	56 5 3	3,037	8,491 3 3	North-Western Provinces and Oudh.
327	1,551 0 0	420	1,103 8 0	1,708	4,107 8 0	254	459 12 0	32	40 0 0	16,380	2,022 14 4	2,932	10,258 10 4	
138	840 8 0	5	.....	1,238	3,072 3 0	3	....	20	28 8 0	22,279	1,587 4 0	1,411	6,443 7 0	Punjab.
171	1,022 8 0	22	......	1,285	3,822 8 0	3	......	44	38 6 0	6,065	534 9 6	1,540	5,617 15 6	
445	4,002 0 0	197	892 0 0	259	1,088 0 0	254	488 0 0	1	2 0 0	1,493	562 8 0	1,351	16,404 8 0	Central Provinces.
517	4,800 0 0	216	972 0 0	206	1,309 0 0	323	620 8 0	...	......	1,853	681 11 0	1,608	19,843 3 0	
63	599 0 0	46	305 0 0	..	......	...	......	867	1,776 8 0	2,990	27 0 0	1,059	4,287 8 0	British Burma.
122	1,865 0 0	90	635 0 0	...	......	.	......	1,062	3,081 0 0	2,681	1 0 0	1,379	8,837 0 0	
7	60 0 0	...	......	2	......		.....	..	......	16	4 0 0	15	219 0 0	Coorg.
19	45 0 0	...	......	...	.....	.	......	...	......	114	11 4 0	27	251 4 0	
192	913 8 0	76	556 8 0	...	.....	...	......	619†	61 2 0	300	34 0 0	1,176	7,586 2 0	Assam.
187	725 0 0	73	553 8 0	...	......	...	......	545	51 0 0	313	33 10 0	1,093	7,887 2 0	
116	1,533 8 0	1	5 0 0	43	198 8 0	44	220 0 0	...	.....	332	45 8 0	216	2,201 8 0	Hyderabad.
104	1,377 8 0	1	5 0 0	91	453 0 0	43	215 0 0	...	......	353	44 14 0	253	2,365 6 0	
2	......	1	......	...	......	...	......	1	......	21	......	5	......	Ajmere.
4	20 0 0	...	......	...	......	1	......	...	......	118	......		20 0 0	
3,736	44,881 8 0	1,329	5,641 12 0	5,119	20,503 8 0	1,393	3,519 12 0	5,280	3,875 10 0	323,421	14,872 13 10	18,891	1,41,654 0 10	
3,397	38,698 8 0	991	4,016 0 0	4,538	16,696 13 0	1,014	2,336 8 0	3,780	2,495 9 0	254,968	11,980 14 3	15,279	1,08,810 14 3	

† 555 Boars. 64 Other animals. } 1881.
523 Boars. 20 Buffaloes. 2 Rhinoceros. } 1882.

B

IMPORTATION OF PETROLEUM INTO INDIA.

No. 934, dated Calcutta, the 16th July 1883.

From—C. MACAULAY, Esq., Secretary to the Government of Bengal,
To—The Secretary to the Government of India, Home Department.

With your letter No. 891, dated the 26th June 1882, were forwarded two sets of rules framed by the Government of India under sections 7 and 9 of the Petroleum Act, VIII of 1881, and it was stated that if the Lieutenant-Governor found them sufficient for the purpose of controlling the petroleum trade in Bengal, and was prepared to accept them as they stood, they might be taken as sanctioned by the Government of India, and published under section 18 of the Act. If, on the other hand, they were found to be incomplete or inaccurate, it was requested that they might be resubmitted with the necessary explanations and amendments as soon as practicable.

2. As it was urgently necessary that Government should have legal power to stop cargoes of "dangerous petroleum" before their arrival within the port of Calcutta, the rules under section 7 were published under the notification of this Government, dated the 18th July 1882, in the form in which they had been received from the Government of India. They were, however, only intended to be merely provisional to obviate immediate inconvenience, and they were therefore simultaneously referred to the Bengal Chamber of Commerce for such modifications as they might desire to suggest. The publication of the rules under section 9 was postponed pending the receipt of the opinion of the Chamber as to their general applicability. The Chamber, however, expressed no opinion of their own in the matter. Meanwhile proposals were received from merchants interested in the petroleum trade for the establishment of a depôt for the landing and storage of oil at Matealnooj. As these proposals opened up other questions connected with the rules to be adopted, it was considered desirable that the subject should be considered as a whole. The Lieutenant-Governor therefore referred the question of the rules to be issued under section 9, and the measures to be taken to facilitate the storage, testing, and passing of oil, to a Committee specially appointed for the purpose. As the result of their deliberations, the Committee have submitted certain proposals which, if adopted, will necessitate considerable modifications in the rules under both section 7 and section 9. I am accordingly directed to submit, for the consideration of the Government of India, the accompanying copy of the Committee's report, and the dissents which have been recorded by some of their number, together with the following remarks of the Lieutenant-Governor.

3. Among other proposals, the Committee have, in paragraphs 9 to 18 of their report, recommended the adoption of a certain procedure in dealing with the case of oils either covered by a recognised certificate or not so covered, which, on arrival in India, and after landing is permitted, are found not to satisfy the test required by the Act; or, in other words, come under the definition of "dangerous petroleum." It appears to the Lieutenant-Governor, however, that before the course proposed by even the majority of the Committee can be adopted, and indeed before such measures as have already been adopted under the orders of Government during the past twelve months can be legally taken, it is necessary that the law should be amended. The word "import" is defined to mean "to bring into British India by sea or land." Any petroleum having its flashing point (*i.e.*, the *lowest* temperature at which it flashes) below 73° is "dangerous petroleum," and the law only provides for the import of dangerous petroleum under certain conditions, one of which is that it be declared that only dangerous petroleum can be used for the purpose for which the petroleum is intended. The law clearly contemplates proof that petroleum flashes at or above 73° before it can be landed [*vide* section 7, clause (*b*)] except as dangerous petroleum under license. The procedure recommended cannot therefore be prescribed by rules under the existing law. The proposals of the Committee can only be considered on the understanding that the law will be amended so as to render their adoption legal.

4. The principal points in the Committee's report which require consideration are—(1) whether American certificates should, under any circumstances, be accepted as conclusive, rendering a further test in this country unnecessary; and (2) whether the present definition of "dangerous petroleum" should be rigidly adhered to, and any oil which gives a single flash below 73° be considered dangerous.

As regards the first point, the Lieutenant-Governor agrees with the majority of the Committee in thinking that neither the American certificates nor any other well-recognized certificates can be accepted as obviating the necessity for testing the oil in India. The question is not whether the certificates which accompany the oil are reliable or not. Such certificates are possibly sufficient to prove that the oil, when tested at the port of shipment, gave a *bonâ fide* flash at or above 73° as certified; but experience has shewn that the same oil, on arrival in India, sometimes flashes at a lower temperature, and it is to avoid the risk of oil below the prescribed limit coming into the Indian market that the test in this country is necessary. The object is to provide, not against explosions in America or elsewhere, but against explosions in India. The Committee have recorded their opinion that, so

far as they are aware, "in no country where oil is imported, and where a standard exists, is the American certificate accepted as being conclusive," and the Lieutenant-Governor thinks that in India the Government can place itself in no more advanced position in this matter than other countries, which enforce a test. Indeed, in India there is all the stronger reason for enforcing a test on account of the great climatic differences, and the results of the experiments conducted last year by Mr. Redwood and the Government Chemical Analysts in Calcutta. The arguments put forward by Mr. Libby, of New York, in his letter of the 21st December last, a copy of which was received with your endorsement No. 111 of the 26th January last, in support of the proposal to accept the American certificates as conclusive, are therefore inconclusive, and the Lieutenant-Governor would not attach any importance to them.

5. As regards the second point, the Lieutenant-Governor thinks it is incumbent on Government to guard especially against any tendency to introduce inferior and more dangerous oils into Indian consumption. The question of limit of standard was fully considered before the Act of 1881 was passed; and after the fullest enquiry and consideration, in the course of which different standards were suggested, it was eventually decided that 73° was the lowest limit which could possibly be allowed. Though the importation and landing of all cargoes of oil for the purposes of testing in the manner proposed by the Committee might be legalised, the Lieutenant-Governor is of opinion that Government should adhere to the present legal standard of 73°, below which no oil should pass into use; and that, instead of the discretionary power which it is proposed should be exercised by Government in passing oil slightly below the standard, a provision should be made that, in the event of a flash, other than the first flash,—which should be disregarded,—being obtained below 73°, while if the average result of a number of samples does not fall below 70°, it shall devolve upon the consignee to pay a penalty of (as Messrs. Schroder, Smidt and Company suggest) three annas a case to Government, and to bear all the expenses of exposing such oil till its quality is improved so as to reach the legal standard. The result of such a procedure, which legislation could secure, would be to induce a careful exportation from America; to maintain the legal standard; and to ensure, as far as India is concerned, that no dangerous oil passed into consumption.

6. With reference to paragraphs 19 to 25 of their report, the Lieutenant-Governor agrees with the Committee in thinking that the establishment of a depôt of the kind described by them for the landing and storage of petroleum is desirable. It is not clear, however, that Ma'eabrooj would be the best site for it. A scheme is now under consideration for improving the port accommodation by constructing docks and jetties at or near Garden Reach, and this may interfere with the selection of Mateabrooj. Moreover, the Lieutenant-Governor does not see why, with the railway completed to Diamond Harbour, the depôt should not be placed there; but if this is to be done, it will be necessary to indent for a competent Examiner from England for this particular duty, and to fix his residence at Diamond Harbour. The rapid expansion of the trade appears to justify this course, and it is unlikely that the Chemical Examiner to Government, with all his other duties, would be equal to the requirements of the petroleum business.

7. The Lieutenant-Governor agrees with the Committee in the recommendations made by them in paragraphs 26 and 27 of their report regarding oil intended for batching and lubricating purposes, and small quantities of oil imported from the United Kingdom in iron drums, and in the rules proposed by them under section 9 of the Act.

No. 2621, dated Calcutta, the 8th June 1883.

From—H. J. REYNOLDS, Esq., President of the Petroleum Committee,

To—The Secretary to the Government of Bengal.

With reference to Mr. Baker's endorsement No. 393, dated the 19th February, I have the honour to submit, for the consideration and orders of Government, the report of the Committee appointed to report on the measures to be taken to facilitate the storage, testing and passing of oil, and the rules to be issued under section 9 of the Petroleum Act VIII of 1881.

REPORT.

The Members of the Committee appointed by the Resolution of the Government of Bengal in the Municipal Department, dated the 19th February 1883, to consider certain questions relating to the trade in petroleum, beg to submit the following report for the consideration and orders of the Government.

2. Meetings of the Committee were held at the office of the Port Commissioners on the 2nd, 9th, 16th and 30th of March. The papers forwarded with the Government Resolution were fully considered, and the Committee had also before them the correspondence relating to oil used for lubricating purposes, which was forwarded with Mr. Bayley's letter No. 513 of the 3rd March 1883, and the memorial from Mr. Gregory, which was sent under Mr. Baker's endorsement No. 571 of the 9th idem.

To the report thus drafted, a dissent was recorded by Mr. O'Keefe on behalf of himself and Mr. Bleeck, which supplied fresh information regarding the New York procedure. As

this appeared to be the most correct information that had been obtained, the Committee considered it right to reconsider that part of their report which was based on incomplete data and held another meeting on the 3rd May for this purpose. The report, as then amended, is that which is now submitted.

3. We desire to preface our report by saying that, while we fully recognise the necessity of legislating regarding the importation of petroleum, we are disposed to think that the dangers supposed to attend the storage and transport of the ordinary petroleum of commerce have been exaggerated. The importations into Calcutta alone were 5¾ millions of gallons in 1881-82, and the trade has since been increasing with startling rapidity, the quantity imported during the first eleven months of 1882 having exceeded 12 millions of gallons. Yet, in the handling of these enormous stocks, we can call to mind only one serious accident, which occurred when a cargo boat laden with oil caught fire in consequence of the oil which had escaped from a leaking case coming in contact with the fire used by the boatmen for cooking on board. This accident would not have happened if anything like reasonable care had been used, and we are therefore inclined to think that the past history of the trade does not show any urgent necessity for extraordinary precautions. Besides this, a few minor accidents have occurred, but of a kind which might have happened with any other inflammable substance; and we believe that it is unnecessary for us to point out that petroleum cannot explode or ignite spontaneously. The trade is of much commercial importance, and we should be unwilling to see it hampered by any kind of interference not really required for the protection of the public.

4. The orders under which we were appointed instruct us to report on the question of the rules to be issued under section 9 of the Act, and the measures to be taken to facilitate the storage, testing and passing of oil. We observe that no direct reference is made to rules under section 7; but as that section refers to the importation, testing and landing of petroleum, we do not understand ourselves to be precluded from offering suggestions connected with these matters. We have not, however, gone into the question (which is raised in some of the papers before us) of altering the standard of 73° Fahr., as that standard is fixed by the Act and cannot be modified without legislation.

5. The following remarks are intended to explain the system under which American petroleum is imported into Calcutta by sea, and at present this is almost the only* description of oil which enters the Hooghly. This oil is shipped from New York, and is imported in tins enclosed in wooden cases, the tins being assumed to be air-tight. A case contains 2 tins, each holding 5 American gallons, the net weight of the oil in a case being about 65 lbs. An oil vessel ordinarily brings no other cargo, and the number of cases sent by a single vessel is often from 40,000 to 50,000 and is sometimes as high as 70,000. The whole of the cargo of a vessel is usually consigned to a single Calcutta firm.

6. The oil is tested before shipment, and a certificate of its quality as ascertained by the test is sent by the shippers to the consignee. The method of testing as ascertained by Mr. O'Keefe is stated to be as follows As the oil leaves the refining stills, it is run into large receiving tanks, some of which will hold several hundred thousand gallons of oil. While the oil is being run into these tanks, it is tested by the refiners' own people, who add oil of an inferior or superior quality, or adopt other means to bring it up to such a standard as will pass the inspector's tests when it is required to be shipped. It is only run into the export tanks when actually sold and about to be shipped. It is at this stage that the duties of the inspectors commence. They are nominated and paid by the buyers, not by the refiners, and their duty is to prevent the shipment of any oil in the buyers' vessel that does not comply with the conditions of the contract made with the sellers.

7. The mode in which the testing is conducted is as follows. Certain export or filling tanks are told off to the cargo about to be packed and shipped, and these tanks are filled from the large storage tanks. The inspector then draws samples from the top, middle, and bottom of each filling tanks, and at once tests the samples so drawn. If the tests are in accordance with the terms of the contract, the oil in the filling tanks is passed, and packing and exporting at once commence. From time to time during the filling of the tins the inspectors draw samples from the taps through which the oil is being run from the filling tanks into the tins, and these samples are tested to eliminate any chance of the contents of the filling tanks being inferior. As fast as the tins are filled they are soldered, packed in wooden cases, and sent direct on board the ship; and one of the duties of the inspector is to satisfy himself that the oil he has tested is actually placed on board the buyer's vessel.

8. The question then arises, with reference to this procedure, whether the New York certificates might be accepted as final, as urged in Mr. Libby's letter to the Governor General. The majority of the Committee cannot recommend this. It should be placed on record that, so far as we are aware, in no country where oil is imported, and where a standard exists, is the American certificate accepted as being conclusive. On the contrary, in those places in which the question of the testing of oil has been carefully worked out, the American certificates have ceased to be accepted. We therefore find ourselves unable to recommend that the American certificate should be accepted as conclusive, and that a second test in this country should be dispensed with. It seems to us that the check of an Indian test is precisely what is required

* This was written before the recent information was received that there is a probability ere long of a large trade springing up in Rangoon and other oils.

to guarantee that no oil below 73° is imported. It is evident from the dissent of the minority of the Committee that every effort will be made to import oil as near the margin as possible, and this, if the New York tests are accepted as final, will infallibly result in some oil below the limit being imported into Calcutta.

9. The next point to be considered is when and where this test should be applied. Shall the oil be tested before the cargo is landed or afterwards? On this point we have no hesitation in recommending that all oil which purports to be covered by an American (or other recognised) certificate should be landed first and tested afterwards. The only argument in favour of testing the oil before it is landed is that if the oil turns out to be "dangerous," it is difficult to know what to do with it. It cannot be reshipped, for no ship will take it, and it cannot be allowed to pass into consumption. This objection is not, we believe, of any great practical importance. In the great majority of cases oil covered by an American certificate will be found to pass the test in this country. In a few exceptional cases, it may prove to be below the standard, but its quality can be improved by exposure, and it will never be necessary to reship it. On the other hand, the arguments in favour of applying the test after the oil is landed are practical and forcible. When oil is tested before landing, it is impossible to get an average sample of the cargo. The examiner must take a case from the limited number of cases to which alone access can be obtained, and there in no security that this really represents the quality of the entire shipment.

10. The American certificate is ordinarily sent to the consignee; but we understand that there would be no difficulty in having it, or a copy of it, appended to the captain's copy of the bill of lading. On the production of this certificate, whether by the captain or the agent, the oil would be allowed to be landed at the authorised place of import, and sample cases would be selected by the river police, or by the godown officers, and sent to the Chemical Examiner to be tested. One case in every 10,000 of the cargo should be selected for this purpose. The oil should not be removed from the godown till the Chemical Examiner has certified it not to be "dangerous" within the meaning of the Act; but as soon as this certificate has been received, the portion of the cargo which it covers may be removed.

11. Cargoes not protected by an American or other recognised certificate should not be allowed to be brought above Budge-Budge in the first instance. A sample case should be taken from the ship at Budge-Budge, and sent to the Chemical Examiner to be tested. If this sample passed the test, the vessel might then be brought up, and the oil landed under the same conditions as in the preceding paragraph.

12. It may be thought that this proposal is inconsistent with the remark which we have made above, that a sample taken from the ship affords no guarantee of the quality of the entire cargo. But the truth is that while we attach little or no value to the examination of this sample case, we attach very great importance to the detention of the vessel at Budge-Budge. The practical effect of our proposals would probably be that no vessel would ever come unprovided with the necessary certificate. An instance has been brought to our notice in which a Calcutta firm desired to import 2,000 gallons of highly refined oil from the United Kingdom. The firm had to wait nearly three months before they could obtain a shipping order, as there is no official in England authorised to give a certificate, and no ship would take the oil at the risk of detention in the Hooghly. We should wish to make it the interest of the vessel to bring a certificate, and we would give such a vessel every facility in landing its cargo as speedily as possible. These facilities would be denied to vessels not bringing such certificates, and the result would be that the certificate would always be brought.

13. It will be asked, what procedure we propose for adoption in the event of a cargo, or part of a cargo, being unable to pass the test, after authority has been given for landing it. In deciding this question, we think that a marked distinction should be made between samples which are only slightly below the test and those which are decidedly and dangerously below it. In testing a case, the Chemical Examiner will generally take the mean results obtained from six samples, If this result shows a flashing point of not less than 70°, we think the importer should be authorised to demand that five more cases should be similarly tested, and if none of these should give results below 70°, and the general average of all the six cases is not less than 73°, we would allow the oil to be passed, the average being taken as representing the quality of the cargo. But if the mean of the tests of any one case should give results below 70°, we think that this would afford *primâ facie* evidence that part of the oil is of decidedly inferior quality and that the cargo is of a mixed character, and we would lay down a rule that no part of it should be removed from the godown till it has been surveyed in the presence of a committee. The committee should consist of the Chemical Examiner, of one member to be nominated by the consignee, and one to be nominated by Government. The cargo should be examined in their presence, and if the result of the examination confirms the previous testing and shows that part of the oil flashes below 70°, we consider that no part of the cargo should be removed from the godown till the oil has been exposed, and its quality sufficiently improved to allow of its passing the test of 73°.

14. It seems desirable to explain somewhat more fully our reasons for drawing this distinction. We should not generally be in favour of the principle of allowing the average results of a number of cases to be taken into account, and thus permitting bad cases to be covered by good ones. But in view of the evidence which shows the variable results of the test to the extent of 2 or 3 degrees, we think there can be no serious danger in allowing an average

to be taken, so long as no case on which the average is based tests below 70° and the average of the whole together amounts to 73°. But if the mean testing of any case shows a figure below 70°, this implies an element of danger which ought not to be disregarded. It will have been seen from what has been said in paragraph 7 that the oil is tested by tanks, and therefore the fact of the oil in a single case being of a quality which flashes below 70° is sufficient to show that one whole tank, or, say, at least about 1,000 cases, a material proportion of the cargo, is of a kind which ought not to be permitted to pass. We are of opinion that the risk which would attend the passing of such oil into consumption is sufficient to justify the precautions which we have recommended to be taken. It must be remembered that cases of a bad quality mixed with cases of good quality are more likely to cause an accident owing to the purchasers being less on their guard than a cargo of uniformly inferior oil.

15. We have considered the case in which the general average of the samples examined proves to be not less than 73° and no sample falls below 70°. But suppose the general average to lie between 70° and 73°, no sample being below 70°. We find that some difference of opinion exists in this case upon the point whether any discretion shall be exercised in granting a certificate that such oil is not "dangerous." In testing a case the Chemical Examiner would perhaps take six samples, and would enter the mean of the results as the true figure. Suppose this average spread over 5 or 6 cases to give a flashing point of 72°. Is it desirable to allow a discretion that the oil should nevertheless be passed as being practically safe, and if so, by what authority is this discretion to be exercised?

16. In a paper of questions circulated by the Chamber of Commerce to the principal firms interested in the trade, question 15 ran as follows: Is it desirable that Government should have a discretionary power as to the admission of petroleum which, though slightly under the test required by the Act, may yet in their opinion be imported and used without danger to the public? To this question Messrs. Beer and Company say: "Certainly not, as this would interfere with the importation of high class oil." Messrs. Kettlewell, Bullen and Company, Messrs. Ernsthausen and Oesterley, and Messrs. Hobson and Connor all say—"Yes; the Government of India should have this discretionary power." Messrs. Hobson and Connor add that there should be no hard-and-fast rule; and that though in England the legal standard is 73°, the London Examiners practically pass oil which flashes at 70°. Messrs. Ralli Brothers say that if any discretionary power is left to Government, it should be as small as possible, and very strictly defined. Messrs. Schroder, Smidt and Company recommend that, if the oil is not below 72°, consignees should be allowed to import it on paying a fine of (say) 3 annas a case to Government.

17. On this it is to be observed that, although this last proposal would probably have a good practical effect, it is doubtful whether it could legally be carried out. Moreover, it does not allow any discretion to be used if the oil is below 72°. But if a rigid standard of 72° is to be adopted, or if (as Messrs. Ralli recommend) the limit of variation is to be strictly defined, we might as well keep to the rigid legal standard of 73°. It is said that every degree by which the flashing point is raised adds 1 per cent. to the cost price of the oil: and the danger of allowing any discretionary power lies (as Messrs. Beer have pointed out) in the fact that shippers will be tempted to send oil of the lowest quality which may be expected to have a fair chance of being passed. On the other hand, in view of the evidence which shows that two samples of oil from the same case have been known to give results differing by three or four degrees, we think it impossible to say that the fact of a sample flashing at 72° shows conclusively that the cargo of which it forms a part is in any degree more dangerous than another cargo which was found to flash at 74°.

18. On the whole, however, we are disposed to recommend that no discretionary power should be given. The standard of 73° was adopted after very full consideration. The Bengal Committee recommended 83°; the Government of Bengal proposed 78°; and the Select Committee eventually fixed on 73° as the minimum which could safely be allowed. It is also to be remembered that in paragraph 13 we have recommended that an importer should have the benefit of the average results of a number of samples, so long as no sample falls below 70. If this average does not reach the standard of 73°, it will only be necessary to keep the oil exposed till its quality is sufficiently improved. It is possible that a standard of 72° would practically be equally safe, but we should not wish to encourage the importation of oil which hovers upon the debateable ground between danger and safety. If it is known that the standard will be rigidly adhered to, consignees will be careful to import, not oil which may possibly pass the test, but oil which is certain to pass it. If it should be still thought however that a discretion should be permitted, we would allow it only in cases of cargoes covered by an American or other recognised certificate showing a flashing point of not less than 73°, and we would require the orders in each case to be issued by Government.

19. We are of opinion that Mateabrooj is the most suitable locality for a petroleum depôt, and we consider that with the exception mentioned in paragraph 27 no oil should be landed on the Howrah side of the river, nor on the Calcutta side at any other ghât than Mateabrooj. The Port Commissioners have lately had this question under their consideration, and they came to the conclusion that in view of the probable construction of additional jetties in the neighbourhood of Garden Reach, there would be some danger in establishing a petroleum depôt at Matteabrooj, and that it would be better to select a site about a mile lower down the river. We are quite prepared to admit that a petroleum depôt could not suitably be

placed in the immediate neighbourhood of jetties and shipping. But we see no objection to the selection of this site, at any rate as a provisional arrangement. It is important that the place of landing and storage should be as near the town as considerations of safety will permit: and it is to be remembered that while the construction of jetties at Garden Reach is a contingency still future, the requirements of the petroleum trade are immediate and pressing. There will be no insuperable difficulty in shifting the site of the depôt hereafter, if circumstances should make it necessary to do so.

20. The plot of ground immediately below Mateabrooj ghât is occupied by Messrs. Cook and Company, who have erected temporary stables there. This land has also been used of late for the storage of petroleum. The land further to the west belongs to Mr. Gregory, and is already used for landing and storing petroleum, and some pucka sheds have been erected on it. We think that the whole or a sufficient part of these two plots should be acquired by Government and made over to the Port Commissioners, who are the most suitable body to be entrusted with the regulation of the petroleum traffic. It would perhaps be found an economical arrangement in the end to take up at once the whole of both the above plots, as land in that neighbourhood is sure to rise greatly in value. There should be three (or possibly four) floating pontoons (which we should be inclined to prefer to fixed jetties), placed at a sufficient distance from each other to allow a ship to lie alongside each pontoon, and to discharge overside at all states of the tide. Each pontoon should be connected by a double line of tram rails with a godown behind. These godowns should be substantially but inexpensively built of brick and corrugated iron, should be well ventilated, and each of them should be large enough to contain a full cargo of petroleum, say 70,000 cases. The godowns should be at some distance from the river-bank, in order both to facilitate the removal of the cases by road, and to avoid the risk of oil escaping into the river. To each godown should be attached a shed, in which the work of repairing tins and cases might be carried on; and it would be advisable to have one or two separate godowns for the storage of oil which might be unable to pass the test. We do not think it would be necessary to have an office or laboratory for the Chemical Examiner at the depôt. The work of testing could be better done at his office at the Medical College.

21. The course of procedure would then be as follows: The vessel on arrival would take up her station at one of the pontoons under the directions of the Harbour Master. On the production of the required certificate, the work of landing would begin at once, the cases being delivered overside into the trucks, which would be run along the rails into the godown. Out of every 10,000 cases landed, a sample would be taken and sent to the Chemical Examiner to be tested. The landing and storing of a cargo of 50,000 cases could probably be completed in 12 to 15 days, and the Chemical Examiner's certificate would be ready for each 10,000 cases by the time the landing was completed, so that the oil could, if necessary, be transported at once as passed. At present a ship takes from 30 to 40 days to discharge a cargo of petroleum, and the time which would be saved represents a great saving of expense. We think that no special regulations would be necessary under clause (*d*) of section 7 of the Act. The arrangements for landing and storing the oil might safely be left to the discretion of the Port Commissioners and their officers.

22. It will be understood from what we have said that we desire to recommend that the discharge of cargoes of petroleum should be absolutely prohibited except at the authorised depôt; and the charges for landing and storing the oil must therefore be regulated in such a manner as not to lay any unreasonable burden on the trade. Neither the Government nor the Port Commissioners would desire to make any large profit out of the traffic; and it would only be necessary to fix such fees as would cover the interest on the capital outlay, and the cost of establishment and maintenance. If, however, the Port Commissioners are to be responsible for the oil, some thing must be added for insurance.

23. With regard to the expenditure required, we can give nothing more than a very vague estimate. We have no sufficient data for calculating the cost of acquiring the land. The valuations given in the Board of Revenue's letter No. 795A. of the 4th December 1882 are avowedly of the most approximate character; and an estimate which was prepared by Mr. Heysham at the request of the Port Commissioners gives very different results. The pontoons are estimted by the Port Commissioners to cost Rs. 36,600 each, and the total cost of three pontoons, complete with bridges and gangways, would be nearly two lakhs of rupees. The estimate of the Port Commissioners for each of the godowns (to contain 50,000 cases) is Rs. 55,560; but we consider that the proposed style of the godowns is needlessly expensive, and that a godown to hold 70,000 cases might be built for Rs. 20,000, or Rs. 25,000. There would be some further expenditure for roads, filling up tanks, laying rails, making up the river bank, &c.; and possibly the total capital expenditure might be represented by a sum of seven lakhs, which (at 6½ per cent. for interest and sinking fund) implies an annual charge of Rs. 45,500. The Port Commissioners estimate the necessary establishment at Rs. 58,920 annually, an estimate which we are inclined to think unnecessarily high; and the charges for repairs, municipal taxes and contingencies would perhaps bring up the total to Rs. 1,00,000, or possibly to Rs. 1,20,000 a year.

24. We find that 24 oil vessels arrived in the first 11 months of 1882, bringing 1,201,341 cases of oil. As the trade is still rapidly expanding, we may fairly estimate for 30 vessels and 1,500,000 cases. We have little doubt that the ships would be willing to pay Rs. 30 per diem for the use of the pontoons; and, taking 12 days as the minimum for each ship,

this would give 300 days' pontoon hire, and the actual amount would probably be more. A charge of one anna per case might be made for landing. This charge to include repair of leaky cases, storage in the godown for any period not exceeding one month, and delivery from the godown into carts. The receipts from this would be Rs. 93,750. Godown rent at the rate of 3 pie per month might be charged for all cases left in the godowns for more than a month; and we think it would be reasonable to estimate that there would always be 1,00,000 cases paying this rent. The receipts according to this estimate would be Rs. 10,800 + 93,750 + 18,750 = Rs. 1,22,300.

25. It will be clear that these estimates are little more than conjectural; and we merely put them forward as tending to show that, as far as it is possible to judge at present, a petroleum depôt at Mateabrooj might be worked on conditions which would be satisfactory to the trade, and at a cost lower than the charges now incurred. But it must be evident that no guarantee can be given to the importing firms that the charges will be upon the scale above suggested. The only pledge which Government can give would be that the charges shall be regulated by the expenses, and not with the view of making the trade a source of public revenue. In the general interests of the port it would be reasonable to allow the Port Commissioners to make some margin of profit, but a small percentage would be sufficient for this.

26. With regard to oil intended for batching and lubricating purposes, we do not think that any other orders are necessary than those already issued by the Government notification of the 19th February 1883.

27. We understand that two or three Calcutta firms are in the habit of importing from the United Kingdom small quantities of oil of a superior quality in iron drums for the purposes of their own business. The fact that the oil is imported in iron drums is alone a sufficient guarantee of its quality, as the drums are expensive, and are of little value when empty. This oil is imported as part of a general cargo, and we learn that the importing firms are put to much inconvenience by the application of the ordinary petroleum rules to these imports. We fully accept the principle that the trade should be left as free as is compatible with the provision of precautions necessary for the public safety; and we do not think that the public safety is in any way compromised by these small importations of highly refined oil. We are therefore disposed to recommend that the rules should be declared not to apply to importations from the United Kingdom of petroleum in iron drums in quantities not exceeding 2,000 gallons by one vessel, but that such petroleum may be brought up and landed in the same manner as ordinary cargo. We believe that there could be no possible element of danger in this relaxation of the rule, as it is practically certain that no dangerous petroleum would ever be imported as part of a general cargo.

28. The foregoing paragraphs sum up the recommendations which we desire to make regarding the importation, testing and landing of petroleum, and its storage at the depôt. We now proceed to consider the question of the rules to be passed under section 9 of the Act, for the grant of licenses for the possession and transport of petroleum.

29. The draft rules framed by the Government of India and forwarded to the Government of Bengal with Mr. Mackenzie's letter No. 891 of the 26th June 1882 are objected to in several particulars by the firms engaged in the trade, as involving unnecessary interference with the course of business, and containing some stipulations which it will be practically impossible to comply with. We have examined the rules, and we think that these objections are not altogether without reason.

30. The transport of oil is effected either by carts, by rail, or by boats. We are of opinion that no restrictions need be put on the removal of oil by carts (that is to say, by ordinary country carts); indeed we doubt whether the wording of the law would justify any such restrictions. The transport of non-dangerous petroleum in quantities not exceeding 500 gallons cannot legally be interfered with, and no cart will take more than 20 cases, or 200 gallons. We are of course aware that it is a common practice to send off a string of carts at the same time; but we think that each cart should be treated as a separate item of transport, and we are satisfied that the removal of petroleum during the daytime by ordinary country carts is not attended with any danger which calls for special orders for its regulation. The transport of petroleum in carts by night is dangerous, owing to the practice of carrying a lighted lantern under the the body of the cart. Oil from a leaking case may fall upon this lantern, and may cause a conflagration. We think, therefore, that petroleum should not be removed in carts except between sunrise and sunset; but this would seem to be more properly a matter for regulation by the police, and we doubt whether any rule on the subject could legally be issued under the Petroleum Act.

31. It also appears to us to be unnecessary that the Government should lay down rules under the Act for the transport of petroleum by railway. This is a matter which may safely be left to the Railway Companies, and on the State Railways it would be open to the Superintendent to make any regulations which might be thought proper.

32. The main difficulty is in regulating the transport of petroleum by boat. Boats are loaded at Cossipore for Lower Bengal and Midnapore. These are open dinghees, carrying perhaps 50 or 60 cases each. There is a large trade with Eastern Bengal, carried on in covered boats, which start from Kidderpore or Balliaghatta, and take up to 1,000 cases each. The

draft rules prescribe that the oil is to be taken in covered boats, that no fire or light is to be allowed on board, and that the route and the place of destination are to be specified in the license. Petroleum in quantities exceeding 500 gallons will generally, though not always, be taken in covered boats; but we are not aware that any special advantage or security is obtained by the use of covered boats, and the stipulation seems to us to be unnecessary. The rule that no fire or light shall be allowed on board the boat would, no doubt, be a useful safeguard, but the objection to it is that it is impracticable to enforce it. There is of course a certain element of danger in allowing fire on board a boat laden with inflammable oil; but the draft rule seems to treat petroleum as if it were much on the same level as gunpowder, and we think that such stringent precautions are not required by the real necessities of the case. The clauses requiring the route and the place of destination to be specified on the license seem to have been modelled on the rules of the Salt Department. The dealers object to them as unnecessarily hampering their business, and we see no sufficient reason for retaining them. We are inclined, however, to think it desirable that a boat laden with petroleum (in any quantity exceeding 500 gallons) should be required to carry a distinctive flag, which would indicate the nature of its cargo. This rule would not only warn other boats of the nature of the cargo, but also the necessity of carrying this flag would serve to impress upon the boatmen the fact that they were bound to use more than ordinary precautions against fire. We consider that the license need only state the place from which the petroleum is to be conveyed, the fact that it is to be conveyed by boat, the quantity of petroleum covered by it, and the time for which the license is to be in force. The fee for the transport of petroleum by boat we would recommend to be fixed at one rupee for every thousand gallons or part thereof, no license being, of course, required for the transport of a quantity not exceeding 500 gallons. A license should be in force for six months. We would not require licenses to be taken for the transport of petroleum by cart or by railway.

33. With regard to the possession of petroleum, we are disposed to think that if a strict rule were made (as we recommend should be done) that within the town of Calcutta no license shall be granted for the storage of more than 5,000 cases in one place, some of the conditions provided by the draft rules might be dispensed with. In the suburbs, this limitation to 5,000 cases would be less necessary, and we should not object to the grant of licenses up to 50,000 cases, if it were desired to have them But we doubt whether there would be any real occasion for the grant of licenses for more than 5,000 cases. Such a quantity would be quite sufficient for purposes of retail sale; and for other purposes it would be just as convenient, and much safer, to take the oil direct from the depot at Mateabrooj, which would in effect be a kind of bonded warehouse for petroleum. While, therefore, we would not absolutely prohibit the grant of licenses outside Calcutta for quantities in excess of 5,000 cases, we should be inclined to discourage them by requiring a considerable increase in the fee. We would suggest that the fee for a license not exceeding 1,000 cases should be Rs. 12 per annum, that an additional two rupees should be charged for each thousand cases, or part of a thousand cases, between 1,000 and 5,000, and that an additional fee of Rs 4 should be charged for every thousand cases above 5,000. With these limitations as to the quantities to be stored in one place, we think it would only be necessary to provide further that the building shall be of masonry with a terraced or iron roof, and that either the doors and other openings shall be built up to a height of two feet, or the floor shall be sunk to that depth. The condition in draft rule 4, which requires the building to be surrounded by an embankment and trench, need only be enforced in the case of premises situated within 100 yards of the river, or Tolly's Nullah, or the Circular Canal, and even in these localities we are not inclined to attach much value to the condition, as the trench, when filled with water, would be an element of danger rather than of security.

34. As to the forms of licenses, we think that the license for possession should be in the form C appended to the draft rules, and that the condition should be those proposed in the draft. Licenses for the transport of petroleum by boat might be in the following form, no conditions being endorsed on them, except the regulation which we have suggested, requiring the boat to carry a distinctive flag :—

License is hereby granted to *A. B.* to transport by boat from petroleum not exceeding cases of 10 gallons each, and the undersigned hereby acknowledges to have received a fee of Rs. on account of this license.

This license shall be in force until the day of 18 Dated

For Calcutta and the suburbs the license (whether for possession or transport) might be granted by the Commissioner or Deputy Commissioner of Police, and elsewhere by the District Magistrate or Joint Magistrate.

35. We would ask that it may be understood that our proposals in this report are intended to apply to the ordinary petroleum of commerce, that is to say, to petroleum which is, or purports to be, of a "non-dangerous" character. "Dangerous" petroleum is of two kinds,—imported cargoes which do not purport to be dangerous, but which may be unable to pass the test, and petroleum of an avowedly dangerous character imported in small quantities for special purposes. It will have been seen from the preceding paragraphs of this report how we propose to deal with the former of those classes. If it is covered by an American or other authorised certificate, we would allow it to be landed; but we would not permit it to be removed from the godown till it had passed the test. If no certificate is furnished, we would not permit the oil to be landed at all, unless a sample case of it passed the test. We do not believe that

oil of this class will be found to present any practical difficulties. We do not think that the orders under which we were appointed require us to submit any suggestions for the treatment of petroleum of an avowedly dangerous character.

H. J. REYNOLDS, *President.*

H. L. HARRISON,
HENRY PRATT,
C. J. H. WARDEN, (Dissent, paragraph 13.)
J. W. O'KEEFE, (Dissenting from paras. 8 and 15 to 18.)
WM. BLEECK, (Dissenting from paras. 8 and 15 to 18, and also 13.)
} *Members.*

In signing this report, I wish to add that the compulsory testing of oil in this country makes it impertative upon the Government to provide the Chemical Examiner with thoroughly reliable testing instruments, which, it is evident from the report of the Board of Analysts, he does not at present possess.

HENRY PRATT.

The 2nd June 1883.

I dissent from the views of my colleagues as expressed in paragraph 8 of the report that a cargo of petroleum cannot be identified as that tested in New York. Importers receive—

1st.—The refiner's invoice or bill of parcels.

2nd.—The Inspector's certificate of testings.

3rd.—The certificate of the loading of the cargo.

4th.—The bill of lading and policy of insurance.

These documents go to prove that the oil is that originally tested and no other. A further certificate of the discharge of each cargo has to be given by importing firms, Collectors of Custom and United States Consuls in Indian ports on the discharge of each cargo. What further identification is necessary, I am at a loss to conceive. To suppose that the oil cannot be identified is to discredit the several documents on which the business is based.

I also dissent from the paragraphs 15 to 18 of the report in so far as a discretionary power is not recommended to be given to the Local Governments of the three presidencies. Against the views of Messrs. Beer & Co. (who are brokers and not importers) the views of four extensive importing firms are stated, and three of these firms agree that a discretionary power should, in certain extreme cases, vest in the Local Governments. To put a case in point, an importer buys in good faith a cargo of 60,000 cases refined petroleum for Calcutta properly vouched for as 73° in accordance with the Indian law. The cargo arrives here, is tested, and is found to be 72° or 72·5°, or half to one degree under the standard. Under the recommendation of my colleagues, the whole of this cargo would have to be exposed and improved at a first cost of Rs. 15,000 to Rs. 20,000. This loss would be increased materially if the cargo had been sold "to arrive" as is the custom, and the contract was cancelled by the buyer. Besides there would be the disrepute attaching to such a cargo owing to its having been pronounced "dangerous" on landing. When it is considered, *vide* paragraph 11 of the report, that there is frequently found to be a variation of 2° to 3° in the test of a sample of oil, taken from the same tin, tested by the same Abel's instrument, and manipulator; that different instruments and manipulators frequently give varying results; that the tests are affected prejudicially by the instrument being out of level by barometric and thermometric changes, &c., in fact in many different ways, I am in the interest of the trade (though not opposed to the limit of 73° in accordance with the law) strongly of opinion that a discretionary power to pass refined petroleum showing a variation of half to one degree should be vested in Local Governments, provided that in no single instance was any test found under 70°. My object in making this recommendation is to prevent the deadlock and heavy loss, which two or three importing firms here suffered in 1882, owing to the want of a discretionary power being vested in the Local Government under Act VIII of 1881. Petroleum which tests at 70° Abel is not less safe than oil testing 73° Abel, and it appears to me that an extensive and rapidly growing trade should not be subjected to an extreme hard-and-fast rule, especially when it is admitted that the test is in itself defective. If the recommendation of my colleagues is accepted, importers will have to buy oil 2° to 3° above that required by the law in this country, or they will not be safe in carrying on the trade. This was not contemplated by Act VIII of 1881. The Home Government, I am informed, pass refined petroleum down to 70°, if bought in good faith and certified in America as 73°. If

this is so in England, where the trade is done in casks, which are not air-tight, why should not the like liberal course be followed here in canned oil, the cases or tins being air-tight, and the oil incapable of improvement by contact with the air. I do not recommend so much as this; but I think it is very desirable not to hamper this new trade unduly. I should like to see it legislated for in a liberal manner, and not in the somewhat narrow spirit proposed.

That divergent results are obtained by the Abel's instrument is clearly proved.

For instance, it is mentioned in the report on petroleum testing in India made by Mr. Boverton Redwood, at the request of Her Majesty's Secretary of State for India, and dated London 11th November 1882, that when Dr Warden was testing official sample No. B6 (drawn from one of the four cargoes of petroleum stopped by the Indian Government upon Dr. Warden's report) that it did not comply with the terms of the Indian Act; he made it flash first at 66°, then at 70°, and then at 71°. Mr. Redwood then made three tests of the same sample by Dr. Warden's own instrument, and it flashed on each occasion at 76°!!

These extraordinary discrepancies appear to show that in the interest of an important trade, and as a measure of common justice to all, those whose pecuniary interests are affected by the Petroleum Act, it is the duty of the Government to procure a thoroughly experienced examiner either from England or America, before they assume the serious responsibility of stopping oil for alleged non-compliance with the terms of the law.

In legislating on the subject, the Government are dealing with the interest of one of the poorest populations in the world, to whom on the one hand the raising of the cost of one of their daily necessaries by even one pie is of importance, and a danger to be avoided; yet who, on the other hand, require to be protected by their Government from the consequences of their own ignorance of what is safe or unsafe in such an article as petroleum.

The decision as to what is judicious lies with the Government, and I must presume their opinion to be that a test of 73° Abel meets all requirements of safety as they have legislated on that basis.

I therefore fail to see that any obligation rests upon the merchants engaged in the trade to import oil of even one degree higher test than is laid down in the statute. Their proper course as business men is to secure oil that will comply with the requirements of the Indian Law, and in this respect their interests and those of the Indian consumers are identical.

Stripped of all verbiage, the argument used in the report means that the officials charged with the administration of the Act are unable to decide, within a few degrees, whether the oil that is imported does or does not comply with the law, and it is therefore recommended that importers should purchase oil several degrees above the legal standard to be on the safe side, whatever happens.

In all legislation dealing with standards, and more especially legislation that imposes what are practically *enormous pecuniary penalties* upon the importers of goods that are said not to comply with the legal standard, the very first duty of a Government is to provide an absolutely correct test standard, and no penalty can be properly inflicted upon a subject said to be in default, until such accurate standard of measurement has been provided and applied. This principle is recognised by every civilised Government.

In the case of petroleum there are, no doubt, difficulties in providing such a standard as will be found to be accurate under all conditions, climatic and otherwise, but a duty ought not to be evaded merely because it is difficult. Professors Abel and Redwood have advised Her Majesty's Secretary of State for India (*vide* Parliamentary Paper on East India Petroleum Testing, dated 20th July 1882) that it is practicable to devise precautions, the adoption of which shall insure the attainment of accurate results in testing petroleum in India, and the duty of the Indian Government is clearly to secure such results at whatever cost of trouble or experiment.

The Imperial German Government, before legislating on the petroleum question for the German Empire, made an exhaustive series of experiments, in the course of which it was found that the flashing point of petroleum varied with barometric and thermometric changes. Careful experiment enabled them to tabulate these variations for the use of their official examiners, and the variations are provided for in the German law. If, after careful experiment, it is found that the variations of the Indian climate have to be provided for, this should be done in the Indian Act, or we may again see the anomaly witnessed here in 1882 of petroleum being refused admittance into our ports, and pronounced to be "dangerous" in the hot season that might have been imported without challenge during the cold season. Until an accurate standard is devised for testing petroleum in India, I dissent from the views of my colleagues that the local Government should not have a discretionary power of passing oil, no portion of which tests under 70°, and the average of tests of which does not fall under 72°. I agree with the other portions of the report.

J. W. O'KEEFE.

I agree with the above.

W. BLEECK.

With the admitted variation in Abel's instrument, it may happen accidentally, as it has happened before, that a flash is obtained at 69° or under, and then several flashes up to or above 73°. I would recommend that any isolated flash showing a variation of three or more degrees should be discarded as casual and unreliable, as it appears to me that such flash must be due to influences affecting the correctness of the instrument.

W. BLEECK.

Calcutta, 26th May 1883.

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1. I dissent regarding paragraph 13, in which the procedure recommended to be adopted in the case of oils which fail to flash at 73°F., the standard of the Petroleum Act of 1880, is discussed.

2. The testing of petroleum in this country is surrounded with certain difficulties, and this is more especially the case with low flash oils. Recognising the difficulty, paragraph 13 was elaborated in order to obviate, as much as possible, any loss which might ensue to importers who had *boná fide* imported oil which flashed in America above 73°F., Abel, but which, on arrival in India, might be found to flash at a somewhat lower temperature.

3. This concession demands, on the part of traders, co-operation. Knowing, as they well do, the difficulties which surround the application of the test here, it is their duty to meet the difficulty half-way, and not to import knowingly oils which, experience has shown, will fail to satisfy the requirements of the Indian Act. The spirit in which the suggested concession has been met by Messrs. Kettlewell Bullen and Messrs. Ernsthausen and Oesterly is evident from their joint dissent.

4. The Petroleum Act of 1880, as it at present stands, requires that an oil shall not flash below 73°F. when tested in India in Abel's apparatus. Hitherto the flash point of an oil as determined in America has been considered *the flash*; in other words, interested parties have attempted to give an impress of infallibility to the American certificates. The Secretary to the Bremen Chamber of Commerce thus records the German opinion on the infallible accuracy of the American Inspector's test:—"The Bremen petroleum exchange (being the largest of its kind in Europe) will, from the 1st January 1883, cease to act on the American Inspector's certificates, which have not always been found to be reliable."

5. The same sample of oil will not invariably give the same flash when tested by the same operator on the instrument; and when different operators using different apparatus test the same sample, the results are still less likely to be in perfect accord, unless the mean of a large number of determinations be compared. These are facts which the American trade do not like to admit, and for very obvious reasons.

6. More than one test, therefore, of each sample is requisite, and the instrument used, and the manner of manipulating the oil before testing, must be similar. The American certificates are based on the application of *one test* to each sample. There is no evidence to show that the apparatus used by the American Inspectors are verified instruments, and not, modifications of the Abel's instruments. In fact, there is no evidence to show that the American Inspectors are acquainted with the requirements of the Indian Petroleum Act, and in proof of this I would quote the following extract from a letter from Mr. J. McGee (case trade) to the address of Messrs. Rally & Co., New York, regarding the form of petroleum certificate suggested by me last year:—"Second, it would *be necessary that certified copies of Indian Petroleum Act of 1881 should be furnished to the Inspectors for their guidance.*"

7. The Indian Petroleum Act requires that imported oil shall not flash below 73° when the test is applied in a specified manner in India. The Act does not recognise any possible changes in the character of an oil through climatic causes; and inasmuch as the Act has not been amended, it is reasonable to infer that Government are at present not prepared to admit the possible deterioration of oil through the effects of climate.

8. After the experiences of last year, importers must be well acquainted with the brands which will, and which may not, pass the Indian test. If cargoes are purchased on the basis of 115° fire-test—which both Messrs. Redwood and Libby consider a very uncertain test, that it is a "toss up" whether when the oil is re-tested on Abel's apparatus if it will flash below or at 73°F.—any difficulty which may arise in India is due entirely to the importer's own fault.

9. I therefore suggest, in modification of paragraph 13, the following procedure for oils which are found to flash below 73°F. in India. After the Chemical Examiner has satisfied himself that an oil flashes below 73°F., a committee should be convened without delay, consisting of four members, to survey the cargo. One member to represent the importer, one the Chamber of Commerce, one to be appointed by Government, and the Chemical Examiner to be an *ex-officio* member. If, on examination of the cargo, a single sample is found to flash below 73°F., the penalty for illegal importation of petroleum as defined in the Act should be enforced, and the oil dealt with in such a manner as the Government of India may deem fit. The object therefore with which the committee suggested by me would meet would be somewhat different to the duties of the committee as suggested in the draft rules drawn by the Commission. It appears to me that this is the only mode by which the requirements of the Act can be carried

out; it entails no hardship on anybody, and will most certainly prevent the importation of low flash oils, and also a repetition of the unseemly squabbles which took place last year.

10. On the other hand, if the plan recommended by the committee be adopted, certain importers will knowingly bring in low flash oil, and then by threat and clamour try to "run" the ir consignments. Clap trap and verbiage regarding "killing the trade," "depriving the teeming millions in Hindustan of light" by demanding an oil which shall fully satisfy the requirements of our Indian Petroleum Act may be taken for what it is worth. Locally manufactured oil of 100° flash Abel is in the market, and will no doubt before long be supplied in sufficient amount to compete very seriously with the American product, unless, as a gentleman largely interested in the American oil trade remarked to me, "if we have any competition with Rangoon oil, we will buy up the little place and shut it up."

CALCUTTA MEDICAL COLLEGE;
The 10th May 1883.

C. J. H. WARDEN.

No. 111, dated India Office, London, 12th July 1883.

From—The Secretary of State for India,

To—The Government of India.

In continuation of my despatch No. 68, dated 26th April last, and with reference to your letter, No. 11 (Judicial) of 17th April last, and to previous correspondence, on the subject of the testing of petroleum oil in India, I now transmit, for the consideration of Your Excellency, a copy of a final letter from Sir F. Abel, enclosing a joint memorandum by himself, Mr. Boverton Redwood, and Surgeon-Major J. B. Lyon, the Chemical Analyser to the Bombay Government.

2. These papers will, I trust, enable you to deal satisfactorily with this subject. You will observe that there are three distinct points which will require your consideration:—

First. The question whether any, and if so what, amendments should be made in the schedule of the Petroleum Act, 1881. With reference to this, Sir F. Abel points out that the joint memorandum specifies the nature of certain precautions and corrections, the adoption of which will go very far to counteract or rectify variations between flashing points of petroleum observed in India and in other countries, and which are sufficiently definite and simple to enable your Government to dispose of this question.

Secondly. Sir F. Abel reiterates his opinion that the standard of petroleum oil, 73° F., fixed by the Act of 1881 as that at which the oil may be safely imported into or used in India, is too low, and ought to be raised to 78° F. It would appear from the correspondence transmitted with your letter of 17th April last, that this alteration is likely to be strongly opposed by the trade, as tending to raise the price of American petroleum to the Indian consumer. It will be for Your Excellency to decide, upon a careful consideration of the evidence as to the comparative danger of different qualities of the oil in a tropical climate, whether or not to follow the recommendation of Sir F. Abel upon this point in any amendment of the existing law.

Thirdly. The joint memorandum states, and Sir F. Abel in his letter repeats, that even with all precautions there is likely, especially in the case of oils close to the standard of 73° F., to be a variation of about 3° F. between the test of oil before shipment and its test on arrival in India. The joint memorandum suggests that "steps should be taken to acquaint the trade with the fact that the retesting in India of shipments of petroleum is liable to furnish results about 3° F. lower than the flashing point recorded before shipment." The result of this would of course be that the shipper of petroleum from America would be obliged to buy petroleum 3° F. better than the nominal Indian standard. Having regard to the fact that all petroleum exported from America to India must be officially tested and certified, and to the arguments urged by Mr. W. H. Libby in this letter addressed to Your Excellency, dated the 21st December 1882, I would suggest, for your consideration, whether, in the event of the flashing point being raised, as suggested by Sir F. Abel, to 78° F., a rule might not be laid down somewhat to the following effect. If an importer does not produce an American certificate showing that the petroleum, when shipped, was fully up to the Indian standard, he should be strictly bound by the Indian test, and the petroleum rejected if that test shows that the petroleum does not entirely comply with the requirements of the law. But if the petroleum is covered by such a certificate, in the form and under the conditions which the Government of India may lay down, a margin of variation of 3° F. might be allowed between the test shown in the certificate and that obtained in India, and the petroleum rejected only if the Indian test, with this allowance, shows it to be below the standard fixed by the law.

I desire to call the attention of Your Excellency to the fact that Surgeon-Major Lyon has spent his privilege leave in England in assisting Sir F. Abel in the investigations necessary for the preparation of the joint memorandum now transmitted, and I request that my acknowledgments for this service may be communicated to Mr. Lyon.

Dated Woolwich, 11th June 1883.

From—SIR F. A. ABEL,

To—SIR LOUIS MALLET, C.B.

REFERRING to my letter to you, dated 10th April, and to the correspondence relating to the difficulties experienced in the application of the Abel test for petroleum in India, I have now to report that Dr. Lyon and Mr. Redwood have in conjunction with one of my Assistants, Dr. Kellner, carried on many experiments in my Department for some weeks past, and that I have, from time to time, discussed with these gentlemen the results obtained, and their bearing upon the solution of the problems which have presented themselves.

Without venturing to suggest that the necessary experiments for completely establishing the satisfactory working of the test in India have reached finality, as this can only be done by a continuance of our experiments in India on Dr. Lyon's return, I am glad to be able to state that an understanding and definite conclusions have been arrived at between us on several important points, and that just before the departure of Dr. Lyon we were able to agree upon the terms of the accompanying memorandum, and upon the recommendations which it embodies.

I submit that those conclusions and recommendations are sufficiently definite and simple to enable the authorities in India to deal with them.

They specify, in the first place, the nature of certain simple precautions and corrections, the adoption of which will go very far to counteract or rectify variations between flashing points observed in India and in other countries, arising out of fluctuations in atmospheric pressure, and the effects of long exposure of the oils to tropical temperatures, or the prevalence of such temperatures at the time of testing.

Secondly, it is pointed out that, even with the adoption of the precautions recommended, it will be right and just to apprise the trade that a difference to the extent of 3° Fahrenheit may be liable to occur between the flashing point of an oil having a flashing point close to present standard, before shipment, and its flashing point when afterwards tested in India.

I enclose herewith a table of corrections to be used in allowing for variations in atmospheric pressure, in accordanc with section 1 of our joint memorandum.

With respect to the suggestions made by the Secretary of the Bombay Chamber of Commerce, which are referred to in the letter from the Government of India to the Secretary of State, and which are dealt with in a report* by Mr. Pritchard and Dr. Lyon, of February-March 1883, I have to offer the following few remarks:—"All general arguments" in favour of adopting a higher standard in India than 73° F., "such as that the average temperature of the air being higher in India than in England," &c., "were carefully considered" before the Indian Act was passed, as a reference to the papers will show, and the result of that careful consideration was the determination on the part of the Indian authorities to raise the standard, at any rate to 78°, which determination was altered, at the last moment, only upon representations of the Chamber of Commerce, which, with all respect, I consider did not furnish legitimate grounds for such alteration.

* No. 11 of 1883.

Very strong representations were made of the great hardship to the trade which would result from the raising of the standard a few degrees as proposed. In the face of this fact I received with much interest the intelligence from Dr. Lyon that, since the difficulties respecting the Calcutta shipments arose, the chief proportion of the oil which has been imported into India has had flashing points not lower than 76° F. The reasonableness of the proposal to raise the standard to 78°† has, I submit, been well demonstrated by the readiness with which oils approaching that flashing point have been supplied to India without any pressure being brought to bear upon the trade. The latter circumstance is also a sufficient answer to that part of the "demi-official" communication of Mr. Boverton Redwood to Mr. Libby, in which the former says that he has "no hesitation in affirming that any increase in the present standard of test for petroleum imported into British India . . . would unnecessarily embarrass the commercial future of the product." This statement is, moreover, scarcely in harmony with the admission some time since made to me by Mr. Redwood, that a raising of the standard to 78° would not be embarrassing to the trade. This admission I considered very valuable, as Mr. Redwood may be said to represent the interests of the trade in England; it is also shown to be well founded, by the facts above stated.

† Out of the 14 samples of petroleum received from India for examination on 17th February, and reported on by me on 30th April, five had flashing points of 78° and upwards.

I would only say, with respect to Mr. Libby's letter, that my view as to the reasonableness and the great desirability of adopting a decidedly higher standard for India than for England as demonstrated by the earlier correspondence, was at the time arrived at without any thought, as to whether the satisfactory working of the flashing tests would be promoted by the adoption of such a course. I would point out, at the same time, that the difficulties connected with the passing of oils in India by that test have been chiefly consequent upon the exportation from America to India of shipments, including oils, which only just comply (and some of which did not comply) with the legal standard.

There is no question that it is only with such oils that the difficulties in testing arise which it has been our endeavour to overcome, and it is a legitimate additional argument, furnished me by Mr. Libby, in favour of somewhat raising the standard (it having now been demonstrated that the trade can voluntarily raise it without embarrassing themselves), that such a step would have the effect of reducing to a minimum any possible cause of dispute between exporters and examiners in India.

There is no doubt of a so-called "deterioration" of some descriptions of petroleum taking place during transhipment to India and storage there during the hot season; that is, of a reduction of their flashing points by several degrees, which are only recovered by prolonged keeping of such oils at lower temperatures; this refers to oils having originally flashing points at about, or somewhat below, the standard.

As regards the acceptance of American certificates as final under conditions satisfactory to the Government of India, I cannot see any important objection to be raised to the adoption of such a course; but I consider that the raising of the present legal standard to 78° is most desirable, and that valid and reasonable objections to such course do not exist.

Memorandum relating to the employment of the Abel test for determining the flashing point of petroleum in India.

The difficulties which have arisen in applying the Abel test to the examination of samples of petroleum in India, in accordance with the instructions laid down in the Indian Petroleum Act, 1879 (12 & 13 Vict., c. 47), have been carefully considered and thoroughly discussed by us, and we have also conducted joint experiments bearing upon several points which relate to the application of the test in a tropical climate.

The following are the conclusions to which we have been led:—

1. The necessity for making corrections in the flashing points observed with the Abel test, for variations in atmospheric pressure, has been established by experimental observations here and in Germany, and also in India. These have shown that variations to the extent of 1° 6′ to 2° F. occur in the observed flashing point of one and the same sample of oil for every inch of variation in the height of the barometer.

In Germany a scale of corrections has been officially adopted, which is based upon an average variation of 1° 6′ F. in the flashing point per inch of barometer, and we recommend that the same scale of corrections be adopted for use in India, as, although it may be somewhat within the mark, its employment has the advantage of promoting uniformity in recording observations.

2. The liability of petroleum oils to exhibit in tropical countries flashing points as much as 6° to 7° lower than those furnished by the same oils in a temperate climate, which has been demonstrated by experiments at Woolwich and in India, is due to a great extent to the separation of vapour from the oil, consequent upon the agitation of the liquid, when the cup of the test apparatus is filled.

The depression of the flashing point may also be due, in part, to the effect of a tropical temperature upon the oil, or upon the operation of testing.

Several methods have suggested themselves for counteracting the difficulties arising out of these circumstances, the relative efficiency of which we have carefully considered, while bearing in mind the importance of securing uniformity in practice, on this point, at the hands of different operators, and the necessity for guarding against a possibility of the introduction of modifications by different workers, in the prescribed mode of proceeding. We have come to the conclusion that, when an oil, tested in accordance with the present instructions, furnishes a flash at 66° F., upon first applying the test flame, or, subsequently, at some other temperature intermediate between that and 73° F., the best course to be pursued is to recommence the test at 56° F., the oil having been first cooled down sufficiently to allow of this being done.

With this simple modification of the existing instructions we believe that oils, which it has hitherto been impossible to test satisfactorily in India, will furnish concordant results in the hands of different operators, and results not differing to any great extent from those obtained in a temperate climate with the particular oils tested.

3. Our experiments have not, however, so far, indicated that there is any practically available method of entirely overcoming in all cases the effect of a tropical climate upon the flashing point of petroleum oils, or upon the results obtained with the Abel test; hence, even with the adoption of the modification proposed in the instructions for testing, some oils will still be liable to show a depression of the flashing point to the extent of about 3° F. We therefore consider it necessary that steps should be taken to acquaint the trade with the fact that the re-testing in India of shipments of petroleum is liable to furnish results about 3° lower than the flashing point recorded before shipment.

In accordance with the conclusions given in the foregoing, we recommend that the following instructions should, in the Schedule of the Indian Petroleum Act, be substituted for the "Note" (paragraphs 3 and 4) of Section 5:—

"When a sample of oil has furnished a flashing point below 73° F., the test having been applied in accordance with the instructions laid down by the Act, a fresh portion of the sample

is to be re-tested, having in the first instance been cooled down to such an extent that the operation of testing may be commenced when the indicated temperature of the oil is 56° F.

"If it is desired to employ the test apparatus to determine the flashing points of oils of very high volatility, the mode of proceeding is to be modified as follows:—The air chamber which surrounds the cup is filled with cold water to a depth of 1½ inches, and the heating vessel or water bath is filled as usual, but also with cold water. The lamp is then placed under the apparatus, and kept there during the entire operation. If a very heavy oil is being dealt with, the operation may be commenced with water previously heated to 120° instead of with cold water."

We consider that, with the adoption of these recommendations, the carrying out of the instructions, as laid down in the Schedule of the Act, suffice for the attainment of trustworthy and concordant results with the Abel test in India.

At the same time, as an instance has occurred in which a somewhat different construction to that intended was put upon the second paragraph of Section 5 of the Schedule, whereby the result attained was liable to be somewhat affected, we consider that it will be desirable, on a revision of the Schedule, to adopt measures which will preclude the possibility of any practically applicable variation in the period during which the test flame is dipped into the cup.

F. A. ABEL.

BOVERTON REDWOOD.

11th June 1883. J. B. LYON, *Surgeon-Major*.

which they recommend for adoption to counteract or rectify variations and secure trustworthy and concordant results between flashing points observed with the Abel test in India and in other countries. The amendments suggested, however, do not seem to be altogether complete. It is stated at the close of the memorandum that, on a revision of the schedule, measures should be adopted to "preclude the possibility of any practically applicable variation in the *period* during which the test flame is dipped into the cup." This period is thus described in clause 1, paragraph 5: "The slide is slowly drawn open, while the pendulum performs three oscillations, and is closed during the fourth oscillation." The memorandum omits to state how this particular clause is to be amended, nor is it stated whether any modification is required where gas or oil torches are respectively used. In view to the preparation of a complete and satisfactory schedule, the Board of Analysts in Bengal will, with the permission of His Honour the Lieutenant-Governor, be requested to consider the suggestions in the memorandum and in Sir F. Abel's reports, and to submit (in communication with Surgeon-Major Lyon, the Analyst at Bombay, who has been in personal consultation with Sir F. Abel on the subject) a carefully revised set of instructions, taking into special account the foregoing points and incorporating a reference to the corrections to be made for atmospheric pressure.

5. The next question is whether any change in the standard for dangerous petroleum is demanded. Sir F. Abel is of opinion that the standard of 73°F. fixed by the Act is too low and ought to be raised to 78°F. It may be true, as Sir F. Abel says, that petroleum, especially oil having originally a flashing point about, or somewhat below, the present legal standard, has a tendency to deteriorate during the voyage to India and during storage there in the hot season; but, on the other hand, it has been found by experience that once the tins are opened the oil rapidly loses its volatile vapours and rises in flashing point under the conditions of Indian heat. Moreover, the proposed alteration in the standard would, the Government of India believe, be strongly opposed by those engaged in the petroleum trade. The Calcutta Committee remark in paragraph 3 of their report "that the past history of the trade does not show any urgent necessity for extraordinary precautions." The Bombay Chamber of Commerce have arrived at the same conclusion, and state their belief that any advance in the present standard of 73° of Abel's test is not only unnecessary in the interests of the public safety, but would impose a serious restriction on the trade. For these reasons the Government of India are of opinion that no sufficient grounds have been shown for raising by law the standard deliberately adopted in 1881, and which experience has not proved to be in fact really dangerous.

6. The third and last point to which the Secretary of State directs attention in the despatch quoted is the desirability of enacting, in the case of petroleum covered by an American certificate, a rule allowing, under such conditions as the Government of India may lay down, a margin of variation of 3°F., the oil being rejected only if the Indian test with this allowance shows it to be below the legal standard. The Secretary of State would not approve of any modification of the present practice so long as the standard remains at 73°; but he suggests for consideration whether in the event of the flashing point being raised to 78°, effect might not be given to such a rule. This point has been carefully considered, and the Governor General in Council has come to the conclusion that it would be dangerous to sanction any departure from the principle of the strict maintenance of the legal standard, or to allow oil which, when fairly tested, fails to satisfy that standard to pass merely on the ground of possible climatic variations. Since the Government of india have decided, as indicated in the preceding paragraph, to preserve the present standard prescribed by the Act, adherence to this principle will be the more necessary, and accordingly those engaged in the petroleum traffic should understand that any oil imported as ordinary petroleum which does not entirely comply with the requirements of the law will be rigorously rejected. As shipments of the oil from more temperate climates are occasionally liable when re-tested in India to furnish results about 3°F. lower than the flashing point recorded before shipment, trade arrangements should be made in view of that contingency.

7. The Government of India observe with satisfaction that the conclusion at which they have arrived on this question is supported by the opinion of the Calcutta Committee. The majority of that Committee declare that they cannot recommend the acceptance of the American certificates as final, or support the proposal to dispense with a second test in this country. They further desire it to be placed on record that so far as they are aware, in no country where oil is imported, and where a standard exists, is the American certificate accepted as conclusive; but that, on the contrary, in those countries in which the question of the testing of the oil has been carefully worked out, the American certificates have ceased to be accepted. It seems to them that the check of an Indian test is precisely what is required to guarantee that no oil below 73° is imported. If any relaxation is permitted, they believe that every effort will be made to import oil as near the margin as possible, and that the infallible result will be that some oil below the limit will be imported.

8. The Government of India now pass on to consider the points in which the existing procedure on importation may be impoved so as to facilitate the storage, testing and passing of the oil. It is their desire that the rules which may be framed for this purpose, while providing sufficient safeguards against the entry of oil which does not strictly comply with the requriements of the law, shall at the same time serve to relieve the trade from all unnecessary risk and restriction. The contemplated legislation will accordingly provide that the Local Government may make rules as to the selection of samples for testing and as to the averaging

of samples. Where different tins selected from a consignment represented to be of one uniform quality give different flashing points, legal provision will be made, by rule or otherwise, that if the oil from no single sample tin flashes below 70°, the oil should be passed, provided the average of all the sample tins examined gives a flashing point of 73° or over. The Government of India concur in the view of the Calcutta Committee that no discretion should be allowed when the average given by the tins examined falls below 73°, and that a consignment represented to be of one uniform quality should not be admitted without rectification of which any one sample tin flashes below 70°. It is to be understood that in determining the flashing point of the oil contained in any single tin, the analyst will not be bound by the first experiment, but that after a series of experiments he may set off against one another, by striking an average or otherwise, such of the results obtained as would be so set off by a scientific man making like experiments for any other purpose and pronounce as the final result of the series of experiments what he finds the true flashing point of the contents of the tin to be.

9. As regards the procedure to be followed in regulating importation, the Act at present recognises only two classes of oil—(*a*) "dangerous petroleum," avowedly imported as such under license; and (*b*) petroleum which is not dangerous. The importation or the bringing into British India by sea or land of "dangerous petroleum," *i.e.*, petroleum flashing below 73°, otherwise than as allowed by section 4 of the Act of 1881 is illegal. The Calcutta Committee, while, as already stated, not prepared to grant any advantage to "certificated petroleum of the non-dangerous class in respect of the fulfilment of the legal test, recommend that a distinction should be recognised between "certificated" and "uncertificated" oil in regard to the conditions of time and place in the application of the test. They would allow oil certified and shipment not to fall below the standard required by the Indian law to be landed first and tested afterwards, while "uncertificated" cargoes would be detained at some distance from the port, and not allowed to enter until samples had been submitted and been found to satisfy the test. The object the Committee have in view is to induce all shippers to accompany their consignments of petroleum with certificates. The Government of India have however, in legislating in the matter, to consider the cases of other ports besides Calcutta. In Madras, for instance, it is often impossible owing to the surf to insist on a vessel lying by until samples have been tested, while from the smaller ports samples might have to be sent all the way to Madras. In consequence, it seems to His Excellency the Governor General in Council that the simpler course will be to continue to regulate the importation of petroleum "declared dangerous" and intended for manufacturing purposes by sections 4 to 6 of the Act, and to provide in the case of all other petroleum that no restriction shall be placed on its importation, but that power shall be taken for the Local Government to regulate the landing of the oil at such places and under such conditions as to storage as the Government may prescribe, no petroleum being allowed to be removed for consumption until it has been certified by the Government Examiners to satisfy the legal standard. In modifying the law in this manner, it will be further necessary to empower the Local Government—

(1) to order the rectification by the consignees within a time to be fixed by the Government in each case of any oil found to be below the standard; or as an alternative—

(2) to allow, within a time fixed as before, the oil to be passed out for manufacturing purposes as dangerous petroleum, subject to the rules regulating dangerous petroleum; and

(3) failing (1) and (2), to order the destruction of the oil.

10. In amending the Act, power will taken to provide for the special treatment of exceptional cases, such as the importation of small quantities of highly rectified oil in iron drums. The levy of fees to cover warehouse rent and the cost of the necessary buildings and establishments will also be legalised.

ORDER.—Ordered, that this Resolution be forwarded to the Governments of Madras and Bombay and to the Chief Commissioner of British Burma for information; also to the Government of Bengal, with a request that, with the permission of His Honour the Lieutenant-Governor, steps may be taken to obtain from the Board of Analysts at Calcutta, and submit to the Government of India, a set of instructions referred to in paragraph 3.

A. MACKENZIE,

Secretary to the Government of India.

Barometer in Inches.																				
27	27·2	27·4	27·6	27·8	28	28·2	28·4	28·6	28·8	29	29·2	29·4	29·6	29·8	30	30·2	30·4	30·6	30·8	31
Flashing Point in Degrees Fahrenheit.																				
60·2	60·5	60·8	61·2	61·5	61·8	62·1	62·4	62·8	63·1	63·4	63·7	64	64·4	64·7	65	65·3	65·6	66	66·3	66·6
61·2	61·5	61·8	62·2	62·5	62·8	63·1	63·4	63·8	64·1	64·4	64·7	65	65·4	65·7	66	66·3	66·6	67	67·3	67·6
62·2	62·5	62·8	63·2	63·5	63·8	64·1	64·4	64·8	65·1	65·4	65·7	66	66·4	66·7	67	67·3	67·6	68	68·3	68·6
63·2	63·5	63·8	64·2	64·5	64·8	65·1	65·4	65·8	66·1	66·4	66·7	67	67·4	67·7	68	68·3	68·6	69	69·3	69·6
64·2	64·5	64·8	65·2	65·5	65·8	66·1	66·4	66·8	67·1	67·4	67·7	68	68·4	68·7	69	69·3	69·6	70	70·3	70·6
65·2	65·6	65·8	66·2	66·5	66·8	67·1	67·4	67·8	68·1	68·4	68·7	69	69·4	69·7	70	70·3	70·6	71	71·3	71·6
66·2	66·5	66·8	67·2	67·5	67·8	68·1	68·4	68·8	69·1	69·4	69·7	70	70·4	70·7	71	71·3	71·6	72	72·3	72·6
67·2	67·5	67·8	68·2	68·5	68·8	69·1	69·4	69·8	70·1	70·4	70·7	71	71·4	71·7	72	72·3	72·6	73	73·3	73·6
68·2	68·5	68·8	69·2	69·5	69·8	70.1	70·4	70·8	71·1	71·4	71·7	72	72·4	72·7	73	73·3	73·6	74	74·3	74·6
69·2	69·5	69·8	70·2	70·5	70·8	71·1	71·4	71·8	72·1	72·4	72·7	73	73·4	73·7	74	74·3	74·6	75	75·3	75·6
70·2	70·5	70·8	71·2	71·5	71·8	72·1	72·4	72·8	63.1	73·4	73·7	74	74·4	74·7	75	75·3	75·6	76	76·3	76·6
71·2	71·5	71·8	72·2	72·5	72·8	73·1	73·4	73·8	74·1	74·4	74·7	75	75·4	75·7	76	76·3	76·6	77	77·3	77·6
72·2	72·5	72·8	73·2	73·5	73·8	74·1	74·4	74·8	75·1	75·4	75·7	76	76·4	76·7	77	77·3	77·6	78	78·3	78·6
73·2	73·5	73·8	74·2	74·5	74·8	75·1	75·4	75·8	76·1	76·4	76·7	77	77·4	77·7	78	78·3	78·6	79	79·3	79·6
74·2	74·5	74·8	75·2	75·5	75·8	76·1	76·4	76·8	77·1	77·4	77·7	78	78·4	78·7	79	79·3	79·6	80	80·3	80·6
75·2	75·5	75·8	76·2	76·5	76·8	77·1	77·4	77·8	78·1	78·4	78·7	79	79·4	79·7	80	80·3	80·6	81	81·3	81·6

No. $\frac{35}{1490-1494}$.

Extract from the Proceedings of the Government of India, in the Home Department (Judicial),—under date Simla, the 5th November 1883.

Read again—

Home Department Judicial Proceedings,	July	1882,	Nos.	24-119.
" "	September	"	"	342-474.
" "	October	"	"	329-355.
" "	December	"	"	89-92.
" "	January	1883	"	275-277.
" "	February	"	"	164-173.
" "	March	"	"	190-192A.
" "	April	"	"	224-227.
" "	June	"	"	11-14.
" "	July	"	"	83-85.
" "	"	"	"	190-192.

Read also—

Letter from the Government of Bengal, No. 934, dated the 16th July 1883, forwarding the report of a Committee appointed by the Lieutenant-Governor to consider certain questions connected with the importation and testing of petroleum.

Statistics and Commerce Despatch from the Secretary of State, No. 111, dated the 12th July 1883, forwarding a copy of a final latter from Sir. F. Abel enclosing a joint memorandum by himself, Mr. Boverton Redwood and Surgeon-Major J. B. Lyon, the Chemical Examiner to the Bombay Government, relating to the application in India of the Abel's test for determining the flashing point of Petroleum.

RESOLUTION.

Last year several large cargoes of petroleum oil which, as appeared from certificates obtained by the consignors, had before shipment in America satisfied flashing tests purporting to be equivalent to those prescribed by the Petroleum Act, 1881, were refused admittance at Indian ports by reason of failing, when examined in India, to pass the test required by the Act. This test, which is embodied in the schedule to the Act, is that generally known in the trade as Abel's test. In consequence of the detention of these cargoes, questions were raised by the consignees and others interested in the petroleum trade as to the suitablity of the standard test and the uniformity of the results obtained by it when applied under the conditions of a tropical climate. Steps were accordingly taken by the Government of India to have the whole subject of the definition of the legal standard and of the manner of its application thoroughly investigated, in view to a final and authoritative solution of the difficulties and doubts which had arisen. In respect of those points which depend upon scientific considerations, a patient and careful inquiry has now been completed by experts both in England and in this country. The final report of the English analysts, including Sir Frederick Abel himself, is appended to the despatch of the Secretary of State of the 12th July last read in the preamble. In addition, however, to the scientific questions regarding the present standard, the Government of India have also had under consideration the improvement of the existing practice in regard to the storage, testing and passing of shipments of the oil and of the procedure to be followed in respect of its importation generally. On this subject the Governor General in Council has derived very valuable assistance from the labours of the Calcutta Committee appointed by the Lieutenant-Governor of Bengal, whose report is forwarded with the letter from that Government, No. 934, dated 16th July 1883.

2. With regard to the measures which should be taken to place the importation of petroleum into India on a safe and satisfactory basis, the Governor General in Council has resolved to initiate legislation in amendment of the present law, so as to give effect to the modifications which appeared to be desirable in the existing procedure.

3. The following are the points to which the Secretary of State in his despatch read in the preamble draws attention as requiring to be now finally settled :—

First, the question whether any, and if so what, amendments should be made in the schedule of the Petroleum Act, 1881.

Secondly, the expediency of raising the standard at which petroleum may be safely imported into or used in India from 75°F., as now fixed by the Act, to 78°F.

Thirdly, the desirability of allowing in the case of petroleum imported under an American certificate a margin of variation of 3°F. between the test shown in the certificate (not being under 78°F.) and that obtained in India, the oil being rejected only if the Indian test, with this allowance, shows it to be below the standard fixed by the law.

4. As regard the first point—the amendment of the schedule to the Act—it is now generally admitted that the directions as given in the schedule for applying the test require modification. The joint memorandum of Sir F. Abel and Messrs. Redwood and Lyon forwarded with the despatch quoted indicates the nature of the precautions and corrections

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 6th NOVEMBER 1883.

GENERAL REMARKS.—There has been heavy rain during the past week in the coast districts of the Madras Presidency which has inundated the crops in parts, but general prospects continue good in Madras and Mysore. Rain has also fallen throughout the Deccan and Southern Mahratta Country, doing slight injury to standing crops in several districts. Great scarcity of water prevails in Kurrachee and locusts are destructive in three districts of the Deccan. Rain is needed in Ulwar, otherwise the reports from Central India and Rajputana are favourable.

No rain fell in Assam and very little in Burma and more is wanted in both for the rice crop, but general prospects are good.

Slight and partial showers have occurred in the Central and Southern parts of Bengal, which have done some good, but, except in the Eastern districts and Cooch Behar and Jalpaiguri, the greater part of the rice crop on high lands has been already destroyed, and the crops on low lands are in a critical condition. *Rabi* sowings are also seriously impeded. In the Central Provinces the outlook continues favourable, although some injury has been caused to cotton and linseed by cloudy weather. In the North-Western Provinces and Oudh and Punjab, prospects are fair, but rain is much needed for the *rabi* in both provinces.

Harvesting of the *kharif* is still in progress in most provinces, and the outturn has generally proved to be under the average. *Rabi* sowings are also progressing and promise fairly well, except in Bengal.

Cholera in a sporadic form exists in Madras and parts of Northern India, and fever is prevalent, otherwise the public health is fair.

Prices continue to rise in Bengal.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Madras—(Nov. 7th)		
Bellary ...	1·47 (average of eight stations).	Standing crops generally good. Harvest *cumboo* and *cholum*, yield below average. *Ragi*, *kowa*, and gingelly about average. Six deaths from cholera.
Kurnool ...	1·78 (average of eight stations).	Crops damaged from excessive rain. Harvest *cholum*, *sujja*, *kowa*, and indigo, yield below average.
Ganjam ...	4·19 (average of seventeen stations).	Standing crops generally good. Fever and small-pox slight in one taluk.
Kistna ...	9·55 (average of nine stations).	Crops under water in two taluks, elsewhere in good condition. Cattle-disease, fever, and small-pox in parts.
Chingleput (Madras) ...	5·72 (average of eleven stations)	Standing crops good. Harvest *ragi*, &c., yield half. Fifteen deaths from cholera. Small-pox slight in one taluk.
Coimbatore ...	2·32 (average of sixteen stations).	Standing crops good. Harvest paddy, *cholum*, *ragi*, and *cumboo* yield average. Fifty-four deaths from cholera. Fever, small-pox, and cattle-disease slight.
Tanjore ...	3·44 (average of thirteen stations).	Standing crops generally good. Harvest paddy, *cholum*, *ragi*, and *cumboo* yield below average. Fourteen deaths from cholera.
Madura ...	2·48 (average of eight stations).	Standing crop fair. Harvest paddy, yield above average. Dry crops average. Slight cholera in parts.
Malabar ...	1·65 (average of fourteen stations).	Second crop cultivation progressing. Small-pox and fever slight.
Travancore ...	6·651	Sowing nearly over. Fever in parts. *General Remarks.*—General prospects good.
Bombay—(Nov. 7th)		
Kurrachee ...	No rain	Fever generally prevalent. River at Kotri on 5th, 6 feet 4 inches against 7 feet 5 inches on same date last year. Want of water much felt. Small-pox prevalent in two villages of Sehwan taluka, 11 fresh cases, 1 death, 10 remaining sick. Cattle-disease in three talukas. *Keen* worm in *til* crop in Tatta. Harvesting going on. Wheat, red rice and *bajri* in Kurrachee 24, 28 and 36, in Manjhand 22, 30 and 40, in Tatta 21, 32 and 36, and in Sujawal 21, 32 and 42 lbs. per rupee, respectively.
Hyderabad ...	......	*Kharif* harvesting continues. *Rabi* operations in progress. Small-pox in five, fever in eleven, and cattle-disease in five talukas. Wheat 25, *bajri* 38, *juari* 40, red rice 26, and white rice 22 lbs. per rupee.
Ahmedabad ...	......	*Kharif* harvest progressing. Standing crops healthy. Fever in some talukas. Cattle-disease in Viramgaum. *Bajri* 29 and wheat 26 lbs. per rupee.
Baroda ...	......	Slight cholera continues in the Navsari and Attarsumba mahals. Harvesting of *kharif* and *rabi* sowing in progress. *Bajri* 31 and rice 24 lbs. per rupee.
Surat ...	......	Sowing of *rabi* crops commenced. Cutting of *kharif* crops continues. Fever in some talukas. Cholera in Jalalpur, 20 cases, 7 deaths, Bulsar 13 cases, 7 deaths, and Surat 16 cases, 6 deaths. Destruction of locusts continues. *Juari* 39 and *nagli* 44 lbs. per rupee.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Bombay—*contd.*		
Nasik ...	Heavy rain at Niphad	*Bajri* and cotton suffered from excessive rain. *Kharif* reaping and *rabi* sowings vigorously continue. Locusts damaging crops in ghat villages. Health good. *Bajri* 33, wheat 28½, and rice 22½ lbs. per rupee.
Colaba (Bombay) ...	·86 on 3rd	Abnormal temperature 1° cool to 3° warm. Vapour in air defective on 31st and very excessive from 2nd to 6th. Abnormal wind northerly.
Poona ...	......	The unseasonable rain has injured crops. Weather clearing. Prices—*bajri* 44 and *juari* 50 lbs.; in Poona *bajri* 34 and *juari* 43 lbs. per rupee.
Ahmednagar ...	Nagar, 1·31; Shrigonda, ·83; Parner, ·82; and from 05 to ·32 in six talukas; and none in two.	Total rainfall in the district 36·10. Reaping of *bajri* and sowing of *rabi* in progress throughout the district. Cholera 9 attacks, 3 deaths. *Bajri*—maximum 54 lbs. in Shrigonda, minimum 36 in Nagar, *jauri*—maximum 72 in Nowasa, minimum 51 in Akola.
Sholapur ...	1·54	Total rainfall 39·92. *Rabi* sowings retarded in places, owing to excessive rain in Karmala taluka. *Rabi* sown second time. If rain continues cotton crops will suffer. Cholera in Malsiras taluka 7 cases, 3 fatal. *Juari* 55 and *bajri* 34 lbs. per rupee.
Dharwar ...	Rain at Dharwar, Ranibennur and Kod, 1·25, elsewhere less than 1·0; minimum at Hubli, ·23.	Reaping of rice in Dharwar, Hangal, and Kalghatgi talukas interrupted by rain. Early crops good and in ear in most places; late crops germinated in parts and being sown in others. Cattle-disease in three and ague in two talukas. Prices unchanged.
Kanara ...	Karwar, 3·67; Kumpta, 3·39; Sirsi, ·66; Hallial, 1·22.	Total rainfall 147·38. Rice harvest continues still. Small-pox 1 death in Siddapur and 1 in Sirsi. Fever prevails in three talukas. Common rice at Karwar 13 and in district average 15¼ seers per rupee. Weather rainy.
Rajkot ...	......	General health feverish. Weather fair. *Bajri* 30 and *juari* 35 lbs. per rupee.
		General Remarks.—River very low in Sind. Rain throughout the Deccan and Southern Mahratta Country. Crops injured by it in parts of Poona, Nasik, Belgaum, and Kaladgi. Locusts doing damage in parts of Colaba, Satara, and Nasik. *Kharif* harvest and *rabi* sowing continue. Fever generally prevalent. Cholera, cattle-disease, and small-pox in a few districts.
Bengal—(Nov. 7th)		
Chittagong ...	*Nil*	Weather fine. Rain wanted for standing crops. Prospects favourable. Prices steady. General health good. Cattle-disease still reported.
Dacca ...	*Nil*	Paddy being harvested. Good crops. Sowing of mustard and pulses continues.
24-Pergunnahs (Calcutta)	·01	Prospects of late rice on high lands very unsatisfactory; crops on low lands promise fairly. Rain very much needed, but seems unlikely to fall. Cultivation of winter crops partially hindered by early cessation of the rains. Price of common rice varies from 12 seers 5 chittaks to 19 seers per rupee. Public health generally good.
Moorshedabad ...	There was an insignificant shower of rain confined to the centre of the district in the north.	Weather overcast with bursts of sunshine. Failure of late rice expected elsewhere; one-third to half of an average crop will probably be saved by irrigation. Indigo suffered irretrievably, and oil seeds, pulses, and cereals more or less damaged by insects. Sugarcane promises well. There is a reaction against the excessive rise in price of rice reported last week which was evidently due to a panic on the part of the holders.
Rajshahye ...	*Nil*	*Amun* on high land destroyed and being used as fodder. *Rabi* likely to be a short crop.
Burdwan ...	Slight rain; Cutwa, ·23; Raneegunge, ·57.	Prospects decidedly bad. Rain much wanted. Public health not very good. Fever prevalent.
Rungpore ...	*Nil*	Weather cool and seasonable. Prospects of crops gloomy. Prices risen. Fever prevalent.
Bhagalpur ...	*Nil*	Prospects not favourable. Paddy on high lands suffering. About 8 annas outturn expected. *Rabi* sowings also being delayed. Price of rice 15 seers 2 chittacks per rupee. Fever reported from Soopole sub-division.
Purneah ...	*Nil*	Prospects unfavourable Rain wanted for *rabi* crops; probable outturn of rice crop from 8 to 10 annas Common rice 16 seers per rupee. Fever raging; sporadic cases of cholera reported.
Patna ...	*Nil*	Paddy suffering much for want of rain. *Rabi* sowing going on. Cholera and fever still reported from interior.
Durbhunga ...	*Nil*	*Labi* sowings obstructed, except in south of district. There will scarcely be an 8-anna rice cro: throughout the district and prices will be very high. No distress noted, yet fever very prevalent.
Hazaribagh ...	·86	Weather clear and growing cool. Late rain has done material good to *rabi* crops, but little to paddy. Prices steady. Public health good.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Bengal—*contd.*		
Cuttack ...	·40	Weather now and then cloudy. *Laghu sarad* ripening; *garu sarad* in ear; high land paddy suffering from drought. Coarse rice 20 seers per rupee. Public health good. *General Remarks.*—Slight rainfall has been reported from parts of Burdwan, Orissa, and Chota Nagpore divisions, and also from the districts of Gya and the Sonthal Parganas. It has been of some benefit to the rice on the low and irrigated lands and to the cultivation of the *rabi* crops in those parts. The general outlook of the province, however, is serious, save in the eastern districts, and in the northern districts of Julpaigoorie and Cooch Behar, from which the reports are rather favourable. The rice on the high lands has been mostly destroyed, and has also suffered to a more or less extent on the low lands. The prospects of the *rabi* crops also are not good, and unless rain falls soon, they too will be very deficient. Prices have risen throughout the province. From some districts the rise has been reported to be very considerable. Fever, as usual at this season, is prevalent in some districts; elsewhere the public health is pretty good.
N. W. Provinces and Oudh—		
Benares (Nov. 6th)	*Nil*	Prospects of *rabi* sowing good. Autumn fever moderating. Prices fluctuating slightly. Bazars well supplied.
Allahabad („ 7th)	*Nli*	Weather seasonable. *Kharif* being harvested. *Rabi* sowings continue. Late rice being irrigated. Health good. Prospects good. Prices lower.
Gorakhpur („ 5th)	*Nil*	*Rabi* ploughings advanced. Rain wanted. No cholera in city, but some sporadic cases in district. Prices steady.
Jhansi („ „)	*Nil*	*Kharif* crops suffering from deficiency of rain. *Rabi* sowings continue. Prices show a tendency to fall. Health of people and cattle good. Fodder scarce.
Agra („ 6th)	*Nil*	*Kharif* crops continue to suffer from drought. *Rabi* sowings going on where water is available. Fever in four parganas, but general health good. Prices steady.
Bareilly („ „)	*Nil*	Harvest approaching completion. Prices stationary. Fever continues. Cholera in one village only. Cattle in good health.
Meerut („ „)	*Nil*	*Kharif* harvest almost completed. *Rabi* sowings in full progress, and nearly all wheat. Health good. Supplies sufficient. Prices steady.
Kumaun („ „)	......	Weather fine, getting colder at nights. Wheat is being sown. General health good. Cattle-disease continues. Prices unchanged.
Lucknow („ „)	*Nil*	Winter setting in. *Rabi* sowings nearly finished. Rain wanted for the *mash* crop. Condition of people and cattle good. Markets well supplied. Prices stationary.
Partabgarh („ „)	......	Grains cheap. *Rabi* sowings well in hand and germinating fairly, but tanks are almost dry, and the spring level in wells has fallen very considerably, rendering irrigation precarious. General health good.
Sitapur („ „)	*Nil*	General health good.
Fyzabad („ „	*Nil*	Sowing of wheat, barley, and gram is going on; *mash* and *jarhan* injured for want of rain. *Rabi* sowings also need rain. Public health and condition of cattle good.
Rae Bareli („ 5th)	*Nil*	Weather seasonable. *Urd, motha, juari*, and rice withering for want of rain. *Rabi* sowings in full swing. General health good. Supplies sufficient. Prices steady.
Cawnpore („ 6th)	......	Late *kharif* crops being harvested, and *rabi* sowings in progress. Health of people and cattle good. Prices almost stationary.
Farukhabad („ „	......	Weather seasonable. Health fair, but fever still lingers in some parts. *Rabi* sowings nearly complete, but some dry land will be left unsown. No cattle-disease. *General Remarks.*—The *rabi* sowings are progressing, and the seed germinating fairly: some dry land, however, in Farukhabad and elsewhere cannot be sown without rain. Slight cholera lingers in Bareilly and Gorakhpur. The markets are well supplied, but fodder is scarce in Jhansi.
Punjab—(Nov. 7th)		
Delhi ...	......	Health good. *Kharif* harvesting in progress. Outturn below the average. *Rabi* sowings commenced. Prices stationary.
Hissar ...	......	Health good. Prices stationary. Crop prospects unaltered.
Umballa ...	......	Health good. *Kharif* crops harvested. Yield below the average. Prices steady.
Jullundur ...	......	Health good. Yield of *kharif* crops average. *Rabi* sowings continue. Prices steady.
Amritsar ...	......	Health good. Prices stationary.
Sialkot ...	......	Health and crop prospects good. Prices falling.
Ferozepore ...	......	Health and crop prospects good. Prices steady.
Lahore ...	......	Health and condition of crop good. *Rabi* sowings are flourishing. Prices steady.
Rawalpindi ...	......	Seasonable fever in three tahsils. Health elsewhere good. *Kharif* crop harvested, outturn average. Prices stationary.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Punjab—*contd.*		
Mooltan ...	......	Health good. *Kharif* harvested. *Rabi* sowings in progress. Prices steady.
Dera Ismail Khan ...	......	Fever slightly prevalent. *Rabi* sowings in progress. Prices steady.
Peshawar ...	......	Fever still prevalent. Prices falling.
		General Remarks.—There has been no rain during the week, but it is needed throughout the province for the *rabi* sowings. Fever is prevalent in the Rawalpindi, Dera Ismail Khan, and Peshawar districts. Health elsewhere is good.
Central Provinces—(Nov. 7th)		
Nagpur ...	......	Weather bright and cool. Cotton and linseed somewhat damaged. Wheat sowings progressing. Prices slightly fallen.
Jubbulpore ...	......	No report received.
Saugor (Nov. 6th)	......	Weather clear. *Rabi* sowings nearly finished. *Til* and rice being cut. Prospects good. Prices stationary. Health fair.
Seoni ...	......	Weather clear and cool. *Rabi* sowings progressing. Cotton being picked. Fever increasing. Prices falling.
Hoshangabad ...	......	Weather seasonable. Prospects good. *Rabi* sowings in progress. Fever prevalent. Wheat 16 seers and rice 11 seers per rupee.
Khandwa ...	......	Weather cool and pleasant. Prospects good. *Rabi* sowings progressing. Nine deaths from cholera. Wheat 17½, *juari* 18¾, and gram 20¼ seers per rupee.
Raipur ...	·78	*Kharif* outturn expected to be below average. *Rabi* sowings progressing. Health good. Prices steady.
Sambalpur (Nov. 3rd)	·78	Weather close and cloudy. Prospects favourable. Inferior rice nearly all reaped. Pulses promising. Health good. Common rice 33½ seers per rupee.
		General Remarks.—The late cloudy weather has done some damage to the young linseed as well as to cotton. *Rabi* sowings are now rapidly progressing under most favourable circumstances.
British Burma—(Nov. 3rd)		
Akyab ...	*Nil*	Total rainfall 179·57. Three deaths from cholera in Kaladan, otherwise public health good. Eight deaths of cattle in Kaladan township, elsewhere health of cattle good. Crops in good condition in Naaf township. *Laungbi* paddy ripe but unreaped yet. Rain much wanted in Rathidoung township and crops suffering somewhat. Crops slightly injured by insects in Kyoet and suffering from want of rain in East Writtoung.
Rangoon ...	0·12	Total rainfall 77·67. Two fatal cases of small-pox reported, otherwise public health during the week good. Price of paddy from Rs. 90 to Rs. 108 per 100 baskets.
Bassein (Oct. 27th)	0·30	Total rainfall 88·16. Public health good. Eleven deaths of cattle in Bassein, 9 in Thaboung, 11 in Yegyi, and 15 in Kyoupow townships. Crops in fair condition. Rain still required in some parts for late planting. Price of paddy from Rs. 100 per 100 baskets.
Do (Nov. 3rd)	1·68	
Amherst (Moulmein) ...	*Nil*	Total rainfall 164·34. Public health and health of cattle good. Damage to crops by insects in five townships and by salt water in three townships. About 10 per cent. of crops liable to damage from drought. In Moulmein town public health and health of cattle good. Crops have suffered from insects and in elevated lands from want of rain. Prospects on the whole not bad. Price of paddy from Rs. 90 to Rs. 100 per 100 baskets. From the 23rd October small portion of early paddy reaped.
Toungoo ...	·29	Total rainfall 77·75. Public health and health of cattle good. Rain wanted. General appearance of crops good.
Kyoukphyoo ...	*Nil*	Total rainfall 156·08. Slight cholera in sporadic form in district. Health of cattle good. Crops on sandy parts of district and at distance from water courses suffering much from want of rain. Crops in low-lying and stiffer soil in good condition.
Sandoway ...	0·38	Total rainfall 2..·87. Public health and health of cattle good. Crops favourably reported on from all parts of districts. Early sowings reaped in a few places. A little more rain wanted for later sowings.
Hanthawaddy ..	......	Public health and health of cattle good. Ploughing and sowing completed. General appearance of crops good. Price of paddy Rs. 100 per 100 baskets.
Pegu ...	*Nil*	Total rainfall 119·18. Public health fairly good. Very little cattle-disease. Crops on low lands good, on uplands suffering somewhat from want of rain, but not extensively as yet. Heat intense during week, but rain expected. Price of paddy Rs. 95 per 100 baskets.
Tharrawaddy (Oct. 27th)	1·0	Total rainfall 99·97. Public health and health of cattle good. Ploughing completed; 229,798 acres have been planted. Crops reported in good condition except in Moza circle, Gyobingonk township, where crops have been slightly damaged by rats. About 171 acres have been reaped in the Sangiva township. Price of paddy from Rs. 95 to Rs. 150 per 100 baskets.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
British Burma—*contd.*		
Prome ...	·06	Total rainfall 45·75. Public health and health of cattle good. Area under paddy about 6,500 acres more than last year. Prospects of crops remain the same as reported last week. Price of paddy Rs. 83 per 100 baskets.
Thonegwa ...	*Nil*	Total rainfall 83·03. Public health good. Eight deaths of cattle in Dyedye township. More rain wanted in Donabyoo township. Part of destroyed crops replanted in Yandoon and Shweyloung townships. Crops in Pyopon and Dyedye townships good. About 700 acres destroyed by floods during last rise of river in part of Thonegwa township. Price of paddy Rs. 85 to Rs. 100 per 100 baskets.
Henzada ...	*Nil*	Total rainfall 80·28. Public health and health of cattle good. Some rainfall in Myandung township; still fear of scarcity, unless more rain falls, especially in northern townships.
Thayetmyo ...	*Nil*	Total rainfall 39·73. Public health good.
Shwaygyin ...	·18	Total rainfall 137·64. Public health and health of cattle good. Crops progressing favourably. Price of paddy Rs. 80 per 100 baskets.
Tavoy ...	*Nil*	Total rainfall 191·82. Public health and health of cattle good. Prospects of crops very good. The early crop is being reaped. Wages of reaping from 25 to 30 baskets of paddy per man.
Mergui (Oct. 20th)	3·10	Total rainfall 168·64. Public health good. Cattle and crops healthy.
Do. („ 27th)	4·10	Price of paddy Rs. 80 per 100 baskets.
		General Remarks.—Public health good. No increase of cattle-disease. Rainfall for the week and up to date very deficient compared with last year. Crops on the low-lying lands progressing favourably. The later paddy and the crops on high lands suffering in parts from want of rain. On the whole the outlook appears more favourable than was reported last week. Price of paddy keeps steady.
Assam— (Nov. 7th)		
Gauhati ...	*Nil*	Weather seasonable. Mornings and nights cool and foggy. Rain much needed for rice crop. Land being ploughed for mustard. Public health fair.
Sylhet ...	*Nil*	State and prospects of crops satisfactory. Public health good.
Silchar ...	*Nil*	Weather cloudy. Prospects of *sali* crops good. Sowing of winter crops continues. Common rice 16¼ seers per rupee. No fresh cases of small-pox reported.
Dibrugarh ...	*Nil*	Weather cold. Prospects of crops good. Public health good.
Mysore and Coorg— (Nov. 6th)		
Bangalore ...	3·20	
Mysore ...	2·75	
Mercara ...	4·53	Cardamom picking completed, yield fair. Coffee picking commenced on several estates, crop good, but recent rains interfered with drying. Rice crop coming into ear.
		General Remarks.—Rain has fallen generally throughout the province; Kolah, 5·16; Chickmagalur, 2·82. Standing crops in good condition. Agricultural operations in fair progress. Prospects satisfactory. Prices stationary. Public health good.
Berar & Hyderabad— (Nov. 6th)		
Amraoti ...	......	Weather clear and cool. *Rabi* sowing commenced. Cotton being picked. Wheat 16 and *juari* 26 seers per rupee.
Akola ...	......	*Kharif* outturn expected to be below the average. *Rabi* sowings in hand.
Hyderabad (Nov. 8th)	·57	Total rainfall from 1st January 30·88. Reaping of *kharif* and sowing of *rabi* and *tabi* crops continue. *Abi* crops flourishing. Cholera prevails in two and cattle-disease in one taluka. Prices—wheat 16, coarse rice 11¾, white *juari* 22¾, yellow *juari* 27¾, and *tur* 21½ seers per current sicca rupee.
Central India States— (Nov. 7th)		
Indore ...	*Nil*	No change. Weather seasonable. Nights cold. Health good. Prices much the same as last week.
Morar (Gwalior) ...	*Nil*	Health good. Weather seasonable. Prices stationary.
Sutna ...	......	Health and prospects good.
Rutlam ...	......	No report received.
Neemuch ...	*Nil*	Weather cold. Prospects and public health good.
Goona ...	......	Health fair. Crops good.
Bhopal ...	......	No report received.
Agar ...	*Nil*	Health and prospects good.
Sehore ...	*Nil*	Health and prospects good.
Nowgong ...	*Nil*	Prospects fair. Public health good. Prices steady.
Manpur (Bhopawar) ...	0·20	Health good. Prices stationary. The sowing of *rabi* crops commenced.

Presidency or Province and District.	Rainfall for week under report.	State of agricultural prospects.
Rajputana—		
Abu (Nov. 7th)	......	Weather seasonable. Fever prevalent.
Sirohi (" 4th)	......	Tanks and wells good. Health good. Crops being cut. Weather seasonable.
Marwar (" 2nd)	......	Eight months' water in Jodhpore city. Tanks and wells almost full. Health good. Crop prospects good. Weather clear. Prices stationary.
Meywar ...	......	No report received.
Harowti (Nov. 3rd)	......	*Rabi* prospects—at Kotah good, in other districts fairly good. Cholera reported from Kotah, elsewhere health good.
Jhallawar (" 2nd)	......	*Kharif* crops good. *Rabi* sowings in progress. Health good.
Ajmere (" 6th)	......	Fever prevalent in district. *Rabi* sowing progressing.
Jeypore (" ")	......	Crops thriving. Health good.
Bhurtpore ...	......	No report received.
Ulwur (Nov. 6th)	......	*Rabi* sowings commenced. Rain wanted. Wells failing. Health good.

E. C. BUCK,
Secy. to the Govt. of India.

Printed and Published for the GOVERNMENT OF INDIA *at the Govt. Central Branch Press, Simla.*



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 10, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 27th October 1883.

From the 24th of November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 17th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurrumtollah Street Calcutta.

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts is R5 per annum, payable in advance. When sent by post, R2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

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	R	a.	p.
Subscription for *Gazette* and Supplement per annum	15	0	0
Postage	5	8	0
Subscription for Supplement only	6	0	0
Postage	3	0	0
For a single copy of the *Gazette*	0	8	0
For a single copy of the Supplement	0	4	0

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E. J. DEAN,
Publisher, Gazette of India.

BANK OF BENGAL.

NOTICE.

Calcutta, the 6th November 1883.

The Directors have made the following changes in the Bank's Establishment:—

Mr. E. M. Slater, on his return from leave, has resumed the appointment of Agent at Bombay.

Mr. J. W. Russell, on his return from leave, has resumed charge of the Delhi Branch.

Mr. W. D. McKewan has been appointed to act as Agent at Agra temporarily, *vice* Mr. E. Fishbourne, who has been appointed Accountant of the Rangoon Branch.

R. HARDIE,
Secretary & Treasurer.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Simla, the 5th November 1883.

Offices opened and closed during the month of October 1883:—

Name of Station.	Where situated.	Date.	Remarks.
	Departmental.		
Mahableshwar	Bombay Presdy.	1st	Re-opened.
Matheran	Ditto	1st	Ditto.
Sutna	Central India	29th	Opened.
	Railway.		
Battinda	Rewari - Ferozepore Railway.		Not open for public messages.
Kotkapura	Rewari - Ferozepore Railway.		Not open for public messages.

A. J. L. CAPPEL,
Director General of Telegraphs in India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 2nd November 1883.

No. 4158 *G.*—Second Class Hospital Assistant Abdool Wahab, attached to the Pertabgurh Dispensary, returned from privilege leave granted to him in this Office Notification No. 2729 G., dated the 8th August 1883, and re-assumed charge of the Dispensary on the afternoon of the 24th September 1883.

No. 4159 *G.*—Second Class Hospital Assistant Golam Mahomed, whose services were temporarily lent to the Native State of Dholpur by this Office Notification No. 2728 G., dated the 8th August 1883, is transferred to the Reserve List of Government Hospital Assistants, with effect from the 26th October 1883.

No. 4160 *G.*—The following Hospital Assistants, transferred by the Surgeon General with the Government of India for permanent service in Rajputana, are placed on the Reserve List of Hospital Assistants for employment in the Native States:—

1st Class Hospital Assistant Nehal Chund.
2nd „ „ „ Kirpa Ram.
2nd „ „ „ Luchman Dass.
3rd „ „ „ Syeedooddeen.

No. 4162 *G.*—Third Class Hospital Assistant Abdoollah Khan, attached to the Hospital of the Ajmir Jail, passed his professional examination (without English) for promotion to the 2nd Class, at a Board assembled at Agra, on the 15th October 1883.

No. 4163 *G.*—Second Class Hospital Assistant Hydayatoollah, attached to the Rajputana-Malwa Railway, passed his examination in English on the 23rd October 1883, and is entitled to draw the higher rate of pay of his class for the English qualification.

No. 4172 *G.*—Mr. W. R. Lawrence, C.S., Assistant Agent to the Governor General, Rajputana, returned to duty, on the forenoon of the 31st October 1883, from the privilege leave granted him in this Office Notification No. 2364 G., dated 16th July 1883.

By Order,

E. A. FRASER,

1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

Camp Mercara, the 25th October 1883.

No. 1.—In supersession of the rules published under the Notification dated the 25th May 1883, No. 338-117, the following revised rules prescribing the use of adhesive stamps for denoting Court Fees amounting to less than R10, and impressed stamps for denoting fees amounting to or exceeding R10, framed under Section 27(*b*) of the Court Fees Act, 1870, are published for general information:—

1. When in the case of fees amounting to less than R10 the amount can be denoted by a single adhesive stamp, such fee shall be denoted by a single adhesive stamp of the required value. But if the amount cannot be denoted by a single adhesive stamp, or if a single adhesive stamp of the required value is not available, the next lower value available shall be used, and the deficiency shall be made up by the use of one or more additional adhesive stamps of the next lower values, which may be required to make up the exact amount of the fee.

2. When in the case of fees amounting to or exceeding R10 the amount can be denoted by a single impressed stamp, the fee shall be denoted by a single impressed stamp of the required value. But if the amount cannot be denoted by a single impressed stamp, or if a single impressed stamp of the required value is not available, an impressed stamp of the next lower value available shall be used, and the deficiency shall be made up by the use of one or more additional impressed stamps of the next lower values available, which may be required to make up the exact amount of the fee, in combination with adhesive stamps to make up fractions of less than R10.

3. Any adhesive stamps which may be used under Clause (2) shall be affixed to the impressed stamp of the highest value employed in denoting the fee.

4. When two or more impressed stamps are used to make up the amount of the fee chargeable under the Court Fees Act, a portion of the subject-matter shall be written on each impressed stamp so used, and the writing on each stamp shall be attested by the signature of the person or persons executing the document.

5. When one or more impressed stamps used to denote a fee are found insufficient to admit of the entire document being written on the side of the paper which bears the stamp, so much plain paper may be joined thereto as may be necessary for the complete writing of the document, and the writing on the impressed stamps and on the plain paper shall be attested by the signature of the person or persons executing the document.

By Order,

H. WYLIE, *Major*,

Secretary to the Chief Commr. of Coorg.

COMPTROLLER GENERAL'S OFFICE.

TELEGRAPHIC STATEMENT OF RECEIPTS AND OUTGOINGS FROM TREASURIES DURING OCTOBER 1883.

Thousands of Rupees.

	Civil Revenue.	Civil Debt and Remittance Heads.	Forest, Telegraph, and Marine.	Post Office.	Guaranteed Railways.	Military Department.	P. W. Department.	Opening Balance.	TOTAL.
Receipts.	R	R	R	R	R	R	R	R	R
India General	12,18	2,52,94	21	3,44	6,35	55	37,05	2,96,96	6,09.68
Central Provinces	3,83	10,96	51	1,38	...	15	74	71,93	89,50
British Burmah	13,31	7,25	2,60	2.05	...	14	1,83	63,69	90,87
Assam	4 88	3,99	26	1,38	...	3	2	27,79	38,35
Bengal	87,54	44,37	1,72	7,71	...	44	3,65	1,34,09	2,79,52
N.-W. Provinces and Oudh	20,49	44,39	37	2,18	4,39	45	1,98	1,87,10	2,61,35
Punjab	12,91	68,51	74	2,73	7,42	66	4,05	98,13	1,95,15
Madras	34,51	55,52	1,28	3,96	9,40	43	34	1,18,64	2,24,08
Bombay	49,43	1,74,09	1,98	4,83	26,89	89	3,58	2,63,22	5,24,91
Remittance Adjustment	...	...	...	...	...	...	...	7,64	7,64
TOTAL RECEIPTS	2,39 08	6,62,02	9,67	29,66	54,45	3,74	53,24	12,69,19	23,21,05
Outgoings.									
India General	52,11	2,23,66	1,51	41	2,37	17,84	17,42	2,94,36	6,09,68
Central Provinces	4,71	8,49	42	17	...	2,73	2,05	70,93	89,50
British Burmah	6,85	6,90	1,28	3	...	2,12	5,33	68,36	90,87
Assam	2,93	5,63	29	41	...	86	69	27,54	38,35
Bengal	33,31	1,07,05	98	6,87	...	3,20	15,92	1,12,19	2,79,52
N.-W. Provinces and Oudh	25,37	55,18	1,09	7,84	4,63	17,91	10,53	1,38,80	2,61,35
Punjab	12,94	56,74	1,18	2,99	3.42	24,33	14,65	84.90	1,95,15
Madras	28,14	71,12	1,55	4,12	4,48	13,30	7,25	94,12	2,24,08
Bombay	26,34	2,01,56	2,76	3,68	13,15	16,59	14,66	2,46,17	5,24,91
Remittance Adjustment	...	64	...	...	...	...	...	7,00	7,64
TOTAL OUTGOINGS	1,92,70	7,30,97	11,06	26,52	28,05	98,88	88,50	11,44,37	23,21,05

SUMMARY OF ACCOUNTS FOR THE SEVEN MONTHS ENDING OCTOBER 1883.

Lakhs of Rupees

	RECEIPTS.					OUTGOINGS.				
	Accounts till August.	TELEGRAPHIC. Sept.	TELEGRAPHIC. Oct.	Total. 7 months.	Budget Estimate. 7 months.	Accounts till August.	TELEGRAPHIC. Sept.	TELEGRAPHIC. Oct.	Total. 7 months.	Budget Estimate. 7 months.
Civil Revenue	20,81	3,24*	2,41*	26,46	26,31	...	...	...	...	...
Civil Expenditure	...	...	...	...	...	10,70	1,97*	1,95*	14,62	15,19
Military Department	32	3	4	39	50	4,79	88	99	6,66	6,92
Public Works Department	3,77	54	53	4,84	...	5,38	86	88	7,12	2,77
Forest, Telegraph, and Marine Dept. (net)	...	...	...	...	...	6	2	1	9	9
Post Office Department (net)	22	3	3	28	14	...	...	...	...	...
Guaranteed and Subsidized Railways	2,09	16	26	2,51	1,58	..	...	...	...	...
Imperial Loan	1,51	55	43	2,49	2,54	...	...	...	...	...
Council Bills, including Exchange	...	...	...	...	...	10,03	1,05	1,04	12,12	10,73
Mint and Coinage Accounts	...	...	...	...	...	—20	—14	5	—29	...
Civil Debt and Remittance (net)	13	—13	—3	—3	24	...	...	...	...	...
Total	28,85	4,42	3,67	36,94	31,31	30,76	4,64	4,92	40,32	35,70
Opening Balance	14,82	12,91	12,69	14,82	13,84	...	...	...	...	...
Closing Balance	...	...	...	...	...	12,91	12,69	11,44	11,44	9,45
GRAND TOTAL	43,67	17,33	16,36	51,76	45,15	43,67	17,33	16,36	51,76	45,15

* Includes Forest in Madras and Bombay.

J. WESTLAND,
Comptroller General.

The 9th November 1883.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st October 1883.

PARTICULARS.	3½ PER CENT. TRANSFER LOAN OF 1853-54.	4 PER CENT. LOANS								4½ PER CENT. LOANS				TRANSFER LOAN OF 1879, SEVEN SHILLINGS PER CENT. PORTION.	5 PER CENT. DEBENTURE LOAN OF 1867-68	5 PER CENT. LOAN OF 1856-57.	GRAND TOTAL.
		Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	Reduced 4 per cent. Loan of 1879.	Reduced 4 per cent. Loan of 1881.	TOTAL.	Of 1870.	Of 1878.	TRANSFER LOAN OF 1879, 4½ PER CENT. PORTION.	TOTAL.				
Balance of 16th October 1883	54,100	12,94,827	29,48,400	2,39,46,500	1,02,47,200	2,68,37,637	2,67,41,200	. . .	9,20,15,964	47,78,600	1,02,69,100	10,00,78,700	11,51,26,400	1,26,500	2,000	60,200	20,73,65,164
Add—																	
Amount enfaced at Madras between 16th and 31st October 1883	. . .	. . .	2,000	26,000	4,600	73,500	19,600	. . .	1,25,700	. . .	. . .	11,000	11,000	. . .	. .	. . .	1,36,700
Amount enfaced at Bombay between 16th and 31st October 1883	. . .	. . .	1,000	5,000	. . .	16,000	2,000	. . .	24,000	. . .	1,45,000	14,17,500	15,62,500	. . .	. .	. . .	15,86,500
Amount enfaced at Calcutta between 16th and 31st October 1883	. . .	1,493	. . .	67,300	4,400	6,21,000	67,500	. . .	7,61,693	. . .	52,000	74,500	1,26,500	. . .	. .	. . .	8,88,193
	54,100	12,96,320	29,51,400	2,40,44,900	1,02,56,200	2,75,48,337	2,68,30,300	. . .	9,29,27,357	47,78,600	1,04,66,100	10,15,81,700	11,68,26,400	1,26,500	2,000	60,200	20,99,96,557
Deduct—																	
Amount written off in the London Registers	. . .	. . .	500	6,500	. . .	16,200	38,000	. . .	61,200	34,500	8,000	17,000	59,500	3,000	. .	. . .	1,23,700
Balance on 31st October 1883	54,100	12,96,320	29,50,900	2,40,38,300	1,02,56,200	2,75,32,137	2,67,92,300	. . .	9,28,66,157	47,44,100	1,04,58,100	10,15,64,700	11,67,66,900	1,23,500	2,000	60,200	20,98,72,857

NOTE.—From 9th June 1867 to 31st Aug. 1883, enfaced from India 4,806 lakhs; re-transferred from London, 4,098 lakhs.

" 1st Sept. 1883 to 15th Sept. " " "	19 "	" " "	5 "
" 16th " " to 30th " " " "	5 "	" " "	7 "
" 1st Oct. " to 15th Oct. " " "	1 "	" " "	3 "
" 16th " " to 31st " " " "	26 "	" " "	1 "
	4,857 lakhs.		4,113 lakhs.
	4,113 "		
Balance against India	744 lakhs.		

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 2nd November 1883.

R. HARDIE,
Secretary and Treasurer.

Statement of the Affairs of the Bank of Bengal for the week ending 6th November 1883.

LIABILITIES.	R	a.	p.		R	a.	p.
Capital paid-up					2,00,00,000	0	0
Reserve Fund					35,10,311	4	4
Public Deposits at Head Office	69,08,654	10	9	}	2,32,43,956	5	6
Public Deposits at Branches	1,63 35 301	10	9	}			
Other Deposits at Head Office and Branches					2,06,06 590	11	7
Bank Post Bills, &c.					4,02 151	14	9
Sundries					14,02,901	0	7
RUPEES					6,91,65 911	4	9

ASSETS.	R	a.	p.		R	a.	p.
Government Securities					58 16,798	12	0
Other authorized Investments					57,26,610	0	0
Loans on Government and other authorized Securities					1,43 20,583	12	0
Accounts of Credit on Government and other authorized Securities					57,04 898	2	7
Bills discounted and purchased					1,87 01 207	15	10
Balances with other Banks					5 46,528	2	1
Bullion					47 971	2	0
Dead Stock					12,05 912	6	6
Stamps					7 165	9	9
Sundries					5 50 577	10	6
					5,21,38,248	8	6
Cash and Currency Notes at Head Office	57,73 247	7	5	}	1 70,27 662	12	3
Cash and Currency Notes at Branches	1,12,54,415	4	10	}			
RUPEES					6,91,65,911	4	9

By order of the Directors.

BANK OF BENGAL
Calcutta, 6th November 1883

J GORDON.
Chief Acctt & Depy Secretary.

R. HARDIE.
Secy & Treasurer

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE	SILVER TENDERED ESTIMATED VALUE	CERTIFICATES ISSUED OF: General Treasury	CERTIFICATES ISSUED OF: Currency Department	BALANCE OF BULLION: Under Assay	BALANCE OF BULLION: Assayed	BALANCE OF BULLION: Held on account of the Currency Department
1883.	R	R	R	R	R	R
Oct 29			2,22,946	807	62,77,254	48,61,951
" 30	} Holi-					
" 31	} days					
Nov. 1	1,78,006		214	1,78,612	62,77,474	48,62,171
" 2				1,78,612	62,78 520	48,62,171
" 3				1,78,612	62,78,520	48,62,171

J F TENNANT, *Major-Genl., R.E.,*
Mint Master

CALCUTTA MINT
The 5th November 1883

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED

Regr. No.	No. of Notes	Value. R	Name of Claimant
217	P 39—37934 to " —37945	50 each	Mr Pringle Kennedy.
218	P 76—02996	100	Meherwoolla Mistree
219	P 76—32086	100	Shamdeo Bhowtika

CALCUTTA,
The 6th November 1883

J TAYLOR,
Asstt. Comptlr Genl., in charge, Paper Currency.

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No	No of Note	Value	Name of Claimant.
26	B 78—10031	50	Babu Kuysal Lall Baniah, 150—2, Cotton Street, Calcutta.

FORT SAINT GEORGE,
The 30th October 1883

H S GROVES,
Assistant Accountant General,
in charge of Paper Currency Dept.,
for Commissioner.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 30th October 1883.

No. 54.—With reference to Public Works Department Notification No. 231, dated 16th October 1883, Mr. L. A. Light, Assistant Engineer, 2nd Grade, is posted to the Saugor-Katni-Bilaspur Railway Survey.

No. 55.—Mr C. W. Hodson, Executive Engineer, 4th Grade, is on return from furlough posted to the Saugor-Katni-Bilaspur Railway Survey.

No. 56.—With reference to Public Works Department Notification No. 254, dated 26th October 1883, Mr R. E. Nelson, Executive Engineer, 3rd Grade, sub. *pro tem*, is posted to the Saugor-Katni-Bilaspur Railway Survey.

The 1st November 1883.

No. 57.—With reference to Public Works Department Notification No. 259, dated 31st October 1883, Mr. C. V. MacIvor, Executive Engineer, 2nd Grade, is posted to the Rajputana-Malwa State Railway.

The 2nd November 1883.

No. 58.—Mr. J. P. Hogan, Executive Engineer, 4th Grade, temporary rank, is transferred from the Rewari-Ferozepore to the Rajputana-Malwa State Railway.

No. 59.—With reference to Public Works Department Notification No. 253, dated the 25th October 1883, Mr. R. Woollcombe, Assistant Engineer, 2nd Grade, is posted to the Rajputana-Malwa State Railway.

No. 60.—Mr. P. T. S. Large, Executive Engineer, 2nd Grade, sub. *pro tem.*, is granted by Her Majesty's Secretary of State for India leave for nine months in extension of the furlough granted to him in Director General of Railways' Notification No. 22, dated 13th March 1883.

The 5th November 1883.

No. 61.—With reference to Public Works Department Notification No. 266, dated 1st November 1883, Lieutenant-Colonel H. J. Nuthall, S.C., Executive Engineer, 1st Grade, is posted to the Saugor-Katni-Bilaspur Railway Survey.

H. F. HANCOCK, *Col., R.E.*,
Offg. Director General of Railways.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that on the 20th July 1883, treasure, consisting of 46 whole-rupee coins and 12 half-rupee coins, which appear to have been current during the time of the Nabob of Carnatic, valued at R52, were discovered, concealed in a small pot, while levelling an old shed in the garden of Virapa Kavannaw, of Manjanayakawpatti, in Palni Taluq, Madura District, Madras Presidency.

All persons claiming the said treasure, or any part thereof, are hereby required to appear personally or by agent before the Collector, at his Office, at 11 A.M., on the 10th April 1884, in order that the matter may be inquired into and determined according to the provisions of the Act.

C. S. CROLE,
Acting Collector.

MADURA,
The 20th October 1883.

TREASURE TROVE.

It is hereby notified, under Section 5(*a*) of the Indian Treasure Trove Act (VI of 1878), that on or about the 10th of July 1883, treasure consisting of the undermentioned gold coins and jewels, valued at R313, was found under a ruined wall in the vacant ground in front of the house of one Nallthambigounden, a ryot in Aulamputty, a hamlet attached to Arur village, in the Nambal Taluq, Salem District, in the Presidency of Fort St. George:—

Description of Coins and Jewels.

	R	a.	p.
16 Gold Mohurs, valued at R15 each	240	0	0
4 Gold Mohurs, valued at R7-8 each	30	0	0
2 Gold rings, worth about	35	0	0
2 Gold ear pendants, worth about	8	0	0
TOTAL	313	0	0

All persons claiming the treasure, or any part thereof, are required to appear either in person or by agent before the Collector of Salem, on the 19th March 1884, in view to the matter being inquired into according to law.

L. MOORE,
Acting Collector.

The 27th October 1883.

BOARD OF REVENUE.

NOTIFICATION.

Calcutta, the 27th September 1883.

No. 1135½ *B.*—The following rules have been made under section 9 of Act VIII of 1878 by the Board of Revenue, Lower Provinces, with the sanction of the Local Government, and are under Section 204 of the same Act notified for general information:—

CALCUTTA INTERNATIONAL EXHIBITION, 1883-84.

Custom House Arrangements.

1. All entries of goods for the Exhibition must be passed at the Custom House in accordance with the arrangements made by the Collector of Customs.
2. In respect of dutiable goods the Exhibition building is appointed a public warehouse under the provisions of section 15 of Act VIII of 1878, of which Mr. Jules Joubert shall be deemed to be the keeper for the purposes of section 96 of that Act.
3. Packages containing dutiable goods, upon which duty has not been paid, must be entered for bond and appraised and taken in charge of an officer to the Exhibition building in the usual manner. Pending appraisement and removal to the Exhibition building, all such packages will be allowed to remain rent-free in a portion of the Custom House premises set apart for the purpose.
4. At the close of the Exhibition, exhibitors will have to account to the Custom House authorities for all dutiable goods admitted into the Exhibition in accordance with the bond bill of entry. Goods intended for delivery in Calcutta on sale or otherwise will on payment of duty be cleared from bond, and goods intended for re-exportation will be re-shipped from bond in the usual manner.
5. The charges mentioned in the schedule attached to these rules are remitted in respect of goods intended for the Exhibition.
6. No duty will be payable for wines, spirits, or other liquors consumed in the Exhibition for tasting or judging purposes, and a certificate of the amount thus consumed must be obtained from the Secretary to the Executive Committee of the Exhibition and presented by exhibitors to the Custom House officer when accounting for the dutiable goods admitted into the Exhibition. Without such certificate duty will be assessed on all dutiable goods shown by the bills of entry as having been admitted into the Exhibition and which are not forthcoming at its close.

7. The Custom House officers will not have custody of, or be in any way responsible for, goods in the Exhibition building, the custody of which as a public warehouse will rest with Mr. Jules Joubert.
8. These rules apply only to goods intended *bonâ fide* for Exhibition.

SCHEDULE.

Entry.

		R	a.	p.
1.	Wharf rent for any time over four days during which they lie at the Custom House .	...		
2.	Form of bond	1	0	0
3.	Two warehousing chalans .	0	1	0
4.	Peon's fee	0	4	0
5.	Officer's fee	4	0	0
	Clearance.			
6.	Two clearance chalans . .	0	1	0
7.	Officer's fee	4	0	0
8.	Re-gauging fee (if in cask) .	1	0	0
	Re-shipment.			
9.	Preventive Officer's fee . .	4	0	0

C. E. BUCKLAND,
Offg. Secy. to the Board of Revenue.

POST OFFICE.

NOTIFICATIONS.

Unclaimed Letters held in the Calcutta General Post Office on 8th November 1883.

Churchill, J. F.
Craven, D. H.
Duff, eorge.
Elliott, J. J.
Esselstyn, J. B.
Hardman, Miss.
Hartnett, Mrs. A.
Homfray, F. S.
Lucas, J. C.
Mackenzie, Simon.
Managing Agents, Bengal Barogunda' Copper Co., Limited.
Marfleet, Miss.
McIntosh, C. J.
Mitchell, H.
Muller, L. C. A.
Munham, A. C.
O'Brien, Henry.
Pidley, E. Ble.
Scott, Alex.
Seelye, Dr. T. T.
Tandon, Monsieur Mocquin.
White, Charles.
Williamese & Co.
Wolf, Monsieur.

Letters marked "Care of Post Office."

A. B., No. 100.
A. M.
A. X. Y. Z.
Allanby, Thomas.
Ashton, Thomas.
Baidman, B. P.
Barber, C. J.
Barber, R. J.
Battersby, Leslie C.
Bayns, J. W.
Berry, J.
Bottoni, Signora Maria.
Bradley, Walter.
Brown, D.
Brown, John.
Campbell, Dr. B. N.
Colvin, Cecil.
Coutt, P. S.
Cowie, Miss.
Crispini, C. Umberta.
Croose, Richard Victoria.
C. S.
Dean, William Edward.
DeCruz, Mr.
Dyett, W. H. R.
Edden, Sergeant J.
Erler, Frau. Merrie.
Erler, Albert.
Fishbourne, Miss.
Fomstako, Gustove.
Forrest, Francis.
Foust, P. S.
Fraser, Mrs. F.
Gahan, Capt. R. L.
Gompertz, Captn.
Griesback, C.
Hall, Mrs. P.
Hallett, W. O.
Hallewell, J. A.
Hare, Francis.
Hartnell, W. L.
H. R. A.
Henderson, Col. P. D.
Hillard, Mrs.
Hillary, W.
Hogg, Waller Scott.
Hughes, Pringle.
Hughes, R. J.
Ingels, H. V.
Karoly, S
Kris, Franz.
Kimmins, W. J.
King, Edward.
Kirkbride, J
Kynoch, G. C.
Lane, William.
Langley, Manly G.
Lee, Frederick.
Lemport, Sigr. S.
Lowe, Rev. Hubert.
Lynam, R.
MacConnell, Capt. R. J.
Macdonald, Dr. T. R.
McKay, James B.
McLean, John.
Meik, F. S.
Meiles, Adam.
M. M. M.
Mifsud, George.
Muir, John C.
Murphy, T
O'Farrell, Surgeon-Major.
Parker, Charles.
Parker, G. E.
Pescod, J. J.
Phillips, F. D.
Rachel.
Rathergurd, R. C.
Reily, J. H.
Ross, C. Henry.
Ryan, J. H.
Ryckman, E. H.
Salter, Miss E. R.
Sandland, T. S.
Schaeffler, F. B.
Sheldrake, Miss Hannah.
Sheppard, S. G.
Shiphan, Rev A.
Swainson, Mrs. George.
Thomson, C W.
Tuck, Serjeant J.
"T."
VansAgnew, Lieut. P. A.
Watson, G.
Williams, Mrs. F. A.
Williamson, W. F.

Registered Letters.

Curtis, George Cotton.
Fernandes, Sam Ferus.
Merrick, B. C.
Moraffit, Allexandro.
Regan, H. B.
Thomson & Co., P. J.

Calcutta, the 10th November 1883.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date.	Per Steamer
	1883.	
Persian Gulf	10th Nov.	From Bombay.
Persian Gulf	17th ,,	From Bombay.
Madras, Ceylon, and Intermediate Ports .	16th ,,	Str. *Malda.*
Madras and Ceylon	17th ,,	P. & O. Str. *Siam.*
Colombo, Penang, Singapore, Hong-Kong, Shanghai, Yokohama, and Australian Colonies	18th ,,	From Bombay.
Foreign Mails *viâ* Bombay	13th ,,	From Bombay.*
Do. Book Post and Pattern Packets .	12th ,,	From Bombay.
Rangoon, Moulmein, and Straits . . .	15th ,,	Str. *Baghdad.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	15th ,,	Str. *Commilla.*
Straits and Hong-Kong	16th ,,	Strs. *Japan* & *Lennox.*

* Also for South Africa *viâ* England can be forwarded.

N.B.—The letter-box will close at 7 P. M. precisely; after which hour, foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin *R4-8*; per eight ounce tin, *R8-8*; per pound tin, *R16-8*. The general public can be supplied by the Superintendent, Botanical Gardens, *for cash only*, at the under-noted rates:—per four ounce tin *R5-8*; per eight ounce tin *R10-8*; per pound tin, *R20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنت سنکونا فبري فيوج

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 10, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

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THOMAS WATSON & CO.

CALCUTTA,
The 5th November 1883.

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Lost.

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T. SRINIVASSIENGAR,
Under-Secy. to the Dewan of Mysore.

BANGALORE,
The 22nd October 1883.



SUPPLEMENT TO

The Gazette of India.

No. 45.} CALCUTTA, SATURDAY, NOVEMBER 10, 1883.

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PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Provinces.	Districts.	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of 1882.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of 1882.	Rice (best sort). Present fortnight.	Rice (best sort). Past fortnight.	Rice (best sort). Corresponding fortnight of 1882.	Rice (common). Present fortnight.	Rice (common). Past fortnight.	Rice (common). Corresponding fortnight of 1882.	Great Millet (Cholum, Jowar), *Holcus Sorghum.* Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of 1882.	Bajrah Millet (Cumboo, Bajra), *Penicillaria Spicata.* Present fortnight.	Bajrah Millet. Past fortnight.	Bajrah Millet. Corresponding fortnight of 1882.
		S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Bengal—continued.	*Central Districts.*																		
	Calcutta	16 0	15 5	13 5	20 10	20 0	24 8	11 8	11 8	10 0	16 0	16 0	20 0	21 5	20 10	...	23 0	21 5	...
	24-Pergunnahs	13 5	12 12	13 5	17 8	18 0	20 0	8 0	8 0	10 8	13 5	13 5	17 0	16 0	16 0	...	13 5	...	...
	Nuddea	14 8	14 8	13 5	24 10	24 10	24 10	15 4	15 4	15 4	18 4½	18 4½	20 0	...	...	...	...	...	...
	Khoolna	...	...	...	...	...	...	16 0	16 0	16 0	22 0	22 0	22 0	...	...	...	...	...	...
	Jessore	10 0	11 8	10 0	...	...	...	16 0	16 0	16 0	20 0	21 0	21 4	...	...	..	...	...	...
	Moorshedabad	16 0	16 12	16 0	...	...	...	15 0	16 0	14 6	20 0	21 8	21 4	...	...	...	...	...	...
	Dinagepore	16 0	16 0	13 4	14 8	16 0	14 0	19 0	19 0	20 0	21 0	21 0	26 0	.	...	...	...	...	...
	Rajshahye	16 0	16 0	13 8 to 14 4	29 0	29 0	32 0	13 8	15 0	16 13½	14 8	17 0 to 18 0	17 4 to 28 12	...	...	...	...	...	...
	Rungpore	13 5	13 5	16 0	...	...	...	13 5	13 5	14 0	19 0	19 0	20 0	..	...	...	..	...	...
	Bogra	18 0	18 0	17 8	...	...	...	9 12	12 0	18 0	12 12	22 8	26 4	...	...	...	...	...	...
	Pubna	18 0	18 12	17 4	...	...	...	8 4	8 4	9 4	17 4	17 4	22 8	...	...	...	...	...	...
	Darjeeling	7 0	8 0	8 0	7 0	8 0	8 0	5 0	5 0	5 0	12 0	13 0	12 0	...	...	...	...	...	...
	Jalpáiguri	10 0	10 0	10 0	20 0	20 0	20 0	13 4	12 8	14 0	18 0	18 0	20 0	...	...	...	...	...	...
	Eastern Districts.																		
	Dacca	14 4	13 3	13 12	18 0	20 0	40 0	14 8	16 0	22 10	17 0	17 12	26 8	...	...	...	...	...	...
	Furreedpore	21 0	21 0	20 0	30 0	30 0	37 8	18 0	18 0	20 8	20 0	20 0	22 0	...	...	...	...	...	...
	Backergunge	...	...	...	...	...	...	16 0	18 0	18 0	19 0	21 0	23 0	...	...	...	...	...	...
	Mymensingh	12 0	12 0	11 8	...	...	...	13 4	13 4	26 8	16 0	18 12	27 8	...	..	...	...	...	...
	Chittagong	11 8	11 4	9 0	...	...	...	13 8	16 0	14 0	16 0	17 0	22 8	...	...	...	...	...	...
	Noakholly	...	...	...	...	...	...	19 0	19 0	22 0	21 0	21 0	26 0	...	...	...	...	...	...
	Tipperah	11 12	11 12	11 8	...	...	...	18 12	17 0	19 4	20 0	20 12	27 12	...	...	...	...	...	...
	Chittagong Hill Tracts	...	...	...	...	...	...	13 0	13 0	13 5	14 0	14 0	16 0	...	...	...	...	...	...
	Hill Tipperah	10 0	10 0	10 0	...	...	...	18 0	16 0	20 0	20 0	20 0	28 0	...	...	...	...	...	...
	Behar.																		
	Patna	21 0	21 0	22 0	29 0	29 0	28 0	15 0	15 0	14 0	18 0	18 0	22 8	...	...	...	...	...	...
	Gya	17 0	17 8	18 0	23 0	23 0	23 8	11 0	12 0	12 8	14 8	16 8	19 0	...	...	...	...	...	...
	Shahabad	16 0 to 18 0	16 8 to 17 0	16 8 to 18 0	24 0	24 0	26 0	10 0 to 11 0	11 0 to 12 0	17 0	14 0 to 15 8	16 0 to 18 0	18 0 to 19 0	24 0	28 0	...	24 0	26 0	...
	Durbhunga	13 0	14 0	14 0	22 0	24 0	30 0	12 0	14 0	13 0	14 0	16 0	16 0	...	..	...	...	...	...
	Mozufferpore	17 0	17 0	16 0	30 0	30 0	40 0	10 0	10 0	12 0	15 0	15 0	17 0	...	...	..	...	...	...
	Sarun	17 0	17 0	16 8	29 0	28 0	28 0	10 0	10 0	10 0	17 8	17 8	21 0	28 0	29 0	35 0	...	...	...
	Chumparun	19 0	19 0	17 0	29 0	31 0	32 0	14 0	14 0	14 0	19 0	17 0	21 0		...	...	...	...	...
	Monghyr	17 13	17 13	17 13	26 4	27 12	36 12	11 8	13 10	15 12	13 2	16 4	17 13	...	...	...	..	...	...
	Bhágalpur	15 2	15 2	15 2	21 7	25 4	35 5	12 10	15 10	17 11	15 2	18 7	19 9	...	...	...	...	...	...
	Purneah	18 0	19 0	14 0	...	...	...	14 0	15 0	18 0	18 0	18 0	20 0	...	...	...	...	...	...
	Maldah	18 0	18 0	17 0	...	...	...	16 0	15 0	20 0	21 0	18 0	22 0	...	...	...	...	...	...
	Southal Pergunnahs	14 0	13 8	13 0	...	...	...	14 0	17 8	16 0	18 0	23 0	22 0	...	...	...	...	...	...
	Orissa.																		
	Cuttack	13 2	13 2	15 12	...	..	...	13 2	13 2	15 12	21 0*	21 0	26 4	...	...	..	...	...	...
	Pooree	10 8	11 13	9 0	...	...	...	15 12	21 0	19 0	19 11	23 10	25 0	...	..	...	...	...	...
	Balasore	14 0	16 0	14 0	...	...	...	10 0	16 0	25 0	16 0	23 0	28 0	...	..	...	...	...	...
	CHOTA NAGPORE.																		
	South-Western Frontier Agency.																		
	Hazaribágh	14 0	15 0	13 0	20 0	24 0	18 0	9 8	10 0	10 0	15 0	18 0	18 0	..		...	...	...	...
	Lohardugga	15 0	16 0	14 0	18 0	20 0	20 0	16 0	16 0	20 0	20 0	20 0	22 0	...	...	...	..	...	...
	Singbhoom	18 0	18 0	20 0	24 0	24 0	28 0	32 0	32 0	36 0	36 0	36 0	40 0	...	...	...	...	...	...
	Manbhoom	13 0	13 0	13 0	...	...	...	16 0	17 0	17 0	22 0	27 0	31 0	...	...	...	...	...	...

* In the interior retail prices of common rice vary from 26-4 to 39-6 seers per rupee.
a In the sub-divisions retail prices of salt are as follow:—Baraset and Bussirhat 13 seers, Diamond Harbour 10-8 seers, Barrackpore 12-12 seers, and Dum-Dum 12 seers.
f In the sub-divisions retail prices of salt are as follow:—Kooshtea and Chooadanga 13 seers, Meherpore 11-8 seers, and Ranaghat 11-14 seers.
g In Satkhira retail price of salt 11 seers.
h In the sub-divisions retail prices of salt are as follow:—Jhenidah, Magura and Narail 12 seers, and Bongong 13 seers.
i In the sub-divisions retail prices of salt are as follow:—Lalbagh 11 seers, Jangypore 14 seers, and Kandi 11-8 seers.
j In Nowgong retail price of salt 12 seers.
k In Gaibanda and Nilphamari retail price of salt 12 seers.
l In Serajgunge retail price of salt 13 seers.
m Retail price of salt at Kurseong 8 seers and Silligoree 10 seers.
n Retail price of salt at Fallacotta in Alipore sub-division 10 seers.
o In the sub-divisions retail prices of salt are as follow:—Manickgunge 12 seers, Moonsheegunge 10 seers 10½ chittacks, and Naraingunge 12-12 seers.
p In the sub-divisions retail prices of salt are as follow:—Goalundo 11 seers, Madaripore and Buanga 13 seers, and Gopalgunge 12-12 seers.
q In the sub-divisions retail prices of salt are as follow:—Patuakhali 9-8 seers, Perozepore 11 seers, and Bhola 8 seers.

INDIA FOR THE 1st HALF OF OCTOBER 1883—*continued*.

IN SEERS OF 80 TOLAHS.

Provinces: BENGAL—*continued*.

Lesser Millets, Bazri, &c. (Kavara, Varagu, Sawee, Cheena, Cotaloo, Murhwa, Bazree), *Paniera Mikassam, &c.* Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Gram. Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Firewood. Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Salt. Wholesale prices per maund of 40 seers. Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Salt. Retail. Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Districts.
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	R a. p.	R a. p.	R a. p.	S. Ch.	S. Ch.	S. Ch.	
															Central Districts.
...	...	...	20 0	20 0	21 5	90 0	90 0	90 0	2 12 0	2 12 0	2 10 0	13 5	13 5	14 9	Calcutta
[illegible] 0	...	...	17 8	18 0	21 4	90 0	80 0	90 0	3 0 0	3 0 0	3 0 0	12 13e	12 13	13 5	24-Pergunnahs
...	...	...	18 13	18 13	18 12	...	...	...	3 0 0	3 0 0	3 0 0	11 10¼f	11 10¼	11 10½	Nuddea
...	...	...	16 0	16 0	12 0	180 0	180 0	160 0	3 4 0	3 4 0	3 2 0	10 8g	10 8	11 0	Khoolna
...	...	...	16 0	16 0	16 0	120 0	120 0	120 0	3 2 0	3 2 0	3 0 0	10 12h	10 12	11 8	Jessore
...	...	...	20 0	20 0	21 14	120 0	120 0	120 0	3 0 0	3 0 0	2 15 0	13 0i	13 0	12 0	Moorshedabad
...	...	...	17 12	20 0	14 0	180 0	160 0	160 0	3 6 0	3 6 0	3 3 6	11 8	11 8	12 0	Dinagepore
...	...	...	10 8	19 8	21 9½	240 0	240 0	240 0	3 1 3	3 1 3	3 2 0	12 0j	12 0	12 12	Rajshahye
...	...	...	17 3	17 3	15 0	110 0	110 0	130 0	3 5 0	3 5 0	3 5 3	11 14k	11 14	11 8	Rungpore
...	...	...	16 8	16 6	24 9	62 8	63 8	67 8	3 2 8	3 2 8	3 1 4	12 0	12 0	12 0	Bogra
...	...	...	18 13	18 12	18 12	200 0	200 0	200 0	3 2 6	3 2 6	3 0 0	12 0l	12 0	12 12	Pubna
12 0	12 0	8 0	8 0	10 0	9 0	126 8	128 0	160 0	4 8 0	4 8 0	4 8 0	8 0m	8 0	8 0	Darjeeling
...	...	...	16 0	16 0	16 0	128 0	128 0	128 0	3 4 0	3 4 0	3 4 0	12 4n	12 0	11 0	Jalpáiguri
															Eastern Districts.
...	...	...	19 8	19 0	20 0	99 0	90 0	101 0	3 0 0	3 0 0	2 14 0	13 5o	13 5	13 5	Dacca
...	...	...	20 0	20 0	12 0	120 0	120 0	120 0	3 5 0	3 5 0	3 2 0	12 0p	12 0	12 0	Furreedpore
...	...	...	18 0	18 0	17 0	120 0	120 0	100 0	2 11 0	2 11 0	2 15 0	13 0q	13 0	13 0	Backergunge
...	...	...	15 0	15 0	17 0	...	...	...	3 4 0	3 4 0	3 2 0	...r	12 4	13 0	Mymensingh
...	...	...	12 0	13 0	16 0	40 0	40 0	80 0	4 4 0	...	2 14 0	9 0s	10 0	13 0	Chittagong
...	...	...	12 0	12 0	16 0	...	...	...	...	3 2 0	3 2 0	10 0t	10 0	10 0	Noakholly
...	...	...	18 0	18 0	18 0	...	...	...	3 2 0	3 2 0	3 2 0	12 4u	12 4	12 8	Tipperah
...	...	...	...	...	...	320 0	320 0	320 0	6 0 0	6 0 0	4 0 0	6 4	6 4	9 0	Chittagong Hill Tracts
...	...	...	14 0	14 0	14 0	...	...	...	3 4 0	3 4 0	3 4 0	11 0	11 0	11 0	Hill Tipperah
															Behar.
...	...	...	28 0	28 0	28 0	130 0	130 0	130 0	3 1 6	3 1 6	3 0 0	9 12	9 12	10 8	Patna
...	...	...	20 0	21 0	22 8	160 0	160 0	180 0	3 5 0	3 5 0	3 4 0	11 0v	11 0	11 8	Gya
...	...	28 0	25 0	25 0	28 8	120 0	120 0	100 0	3 1 0	3 1 0	3 1 0	12 8w	12 8	12 8	Shahabad
27 8	30 0	40 0	18 0	22 8	22 8	160 0	180 0	160 0	3 10 0	3 10 0	3 10 0	10 0x	10 0	11 0	Durbhunga
...	...	...	23 0	22 0	25 0	140 0	140 0	140 0	3 4 0	3 4 0	3 3 0	12 0y	12 0	12 0	Mozufferpore
30 0	30 0	33 0	25 8	26 0	28 0	160 0	160 0	160 0	3 5 0	3 4 0	3 3 0	11 0	11 0	11 0	Sarun
...	...	...	24 0	24 0	23 0	..	..	..	3 6 0	3 6 0	3 5 0	11 0z	11 0	11 8	Chumparun
...	...	...	23 10	25 3	27 13	126 0	160 0	126 0	3 2 5	3 2 4½	3 1 0	12 1z1	12 1	13 1	Monghyr
...	...	...	22 11	22 11	26 8	151 14	151 14	151 8	3 1 0	3 0 0	2 14 0	12 10z2	12 10	12 10	Bhágalpur
...	...	...	19 0	19 0	20 0	160 0	160 0	160 0	3 12 0	4 0 0	3 12 0	10 8z3	9 0	10 12	Purneah
...	...	...	22 0	21 0	20 0	140 0	160 0	160 0	3 4 0	3 2 0	3 8 0	12 0	12 0	11 0	Maldah
...	...	...	19 0	18 0	19 0	200 0	200 0	200 0	3 8 0	3 12 0	3 4 6	10 8	10 0	11 4	Southal Pergunnahs
															Orissa.
15 6	15 12	13 2	18 6	18 6	21 0	80 0	80 0	160 0	2 12 0	2 12 0	2 12 0	14 0	14 0	14 0	Cuttack
...	...	...	17 1	17 1	14 0	96 0	120 0	120 0	2 12 0	2 12 0	2 12 0	13 8	13 0	13 4	Pooree
...	...	...	14 0	16 0	13 0	120 0	120 0	120 0	4 2 0	4 2 0	3 2 0	9 3z4	9 3	13 12	Balasore
															CHOTA NAGPUR.
															South-Western Frontier Agency.
32 0	30 0	42 0	18 0	20 0	18 4	240 0	240 0	240 0	3 11 0	3 7 0	3 8 0	10 0z5	10 8	11 0	Hazáribágh
33 0	28 0	30 0	15 0	15 0	15 0	100 0	100 0	120 0	4 0 0	4 0 0	4 2 0	9 0	9 0	9 0	Lohardugga
...	...	...	24 0	24 0	24 0	180 0	180 0	180 0	4 7 0	4 7 0	3 12 0	8 0	8 0	9 0	Singbhoom
...	...	...	16 0	15 0	19 0	120 0	120 0	120 0	3 9 0	3 9 0	3 6 9	10 12	10 12	10 8	Manbhoom

r In the sub-divisions retail prices of salt are as follow:—Kishoreegunge 10-10 seers, Attea and Jamalpore 12 seers, and Netrokona 12-5 seers.
s Retail price of salt at Kumeriah 10 seers, and Cox's Bazar 8 seers.
t In the interior retail prices of salt range from 8 to 12-4 seers.
u In Brahmunberiah and Chandpore retail price of salt 13 seers.
v In the sub-divisions retail prices of salt are as follow:—In Nowada 10 seers, Jehanabad 12 seers, and Aurungabad 11 seers.
w In the sub-divisions retail prices of salt are as follow:—Buxar 11-8 seers, Sasseram 11 seers, and Bhabooah 10-8 seers.
x In the sub-divisions retail prices of salt are as follow:—Madhubani 12 seers and Tajpur 11-8 seers.
y In the interior retail prices of salt in most places 11 seers, in some 11-8 seers, and in others 12 seers.
z In the interior retail prices of salt range from 10 to 13 seers.
z1 In the sub-divisions retail prices of salt are as follow:—Beguserai 11-8 seers and Jamui 11 seers.
z2 In the sub-divisions retail prices of salt are as follow:—Banka 11 seers, Muddehpoora 10-8 seers, and Soopole 12 seers.
z3 In the sub-divisions retail prices of salt are as follow:—Kissengunge 10 seers and Arrareah (at Raneegunge) 10 seers.
z4 Retail price of salt at Bhudruck 8 seers.
z5 Retail price of salt at Chatra 11 seers.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Provinces	Districts	Wheat.			Barley.			Rice (best sort).			Rice (common).			Great Millet (Cholum, Jowar), Holcus Sorghum.			Bulrush Millet (Cumboo, Bajra), Penicillaria Spicata.		
		Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.
		S. Ch.	S. Ch.	S. Ch.	S. Ch	S. Ch.	S Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch	S. Ch.	S. Ch.	S Ch.	S. Ch.	S. Ch.	S. Ch.
Assam.	Sylhet	12 8	11 4	10 8	...	...	...	11 8	12 8	14 0	17 8	17 8	31 8	...	...	...	...	...	...
	Cachar	9 6	10 0	10 0	16 0	12 13	20 0	16 0	16 0	21 5	17 12	17 12	22 12	...	...	...	...	...	...
	Goálpárá	17 8	20 0	23 0	...	...	...	15 0	18 0	18 0	17 8	20 0	20 0	...	...	..	...	...	...
	Gáro Hills	4 0	4 0	4 0	...	...	...	5 0	5 0	5 0	20 0	20 0	18 0	...	...	...	...	...	...
	Kámrúp	16 0	15 8	18 0	...	...	...	12 0	12 4	12 0	20 0	20 0	18 0	...	...	...	...	...	...
	Darrang	...	...	..	...	...	...	10 0	12 0	11 0	16 0	16 0	16 0	...	...	...	...	...	...
	Nowgong	...	...	...	...	...	...	8 0	8 0	13 8	16 0	16 0	16 0	...	...	...	...	...	...
	Sibságar	...	...	...	...	...	...	6 8	6 8	6 8	16 0	14 0	16 0	...	...	...	...	...	...
	Lakhimpur	9 0	8 0	8 0	9 0	9 0	10 0	9 0	8 0	8 0	13 0	13 0	16 0	...	...	...	...	...	...
	Khásí & Jaintiá Hills	6 10	...	8 0	...	...	...	9 0	9 8	9 0	10 8	10 0	10 0	...	...	...	...	...	...
	Nága Hills	...	...	...	...	...	...	4 0	4 0	6 0	8 0	5 0	8 0	...	...	...	...	...	...
N.-W. Provinces.	Debra Dún	18 0	17 8	18 8	26 0	26 0	28 0	6 8	6 8	6 0	10 8	10 8	11 0	26 0	24 0	25 0	20 0	20 0	22 0
	Saháranpur	19 5½	18 13	20 15½	26 14	23 10½	32 4	7 8½	7 8½	10 12	12 14½	10 12	13 15½	26 14	26 14	30 1½	25 13	23 10½	25 13
	Muzaffarnagar	18 2	17 14	19 12	33 0	33 0	30 13	6 9	6 9	6 9	13 12	11 8	14 5	27 8	28 11	33 0	22 0	22 0	24 6
	Meerut	17 8	18 0	19 0	27 8	27 8	27 0	6 0	6 0	5 8	13 0	13 0	15 0	27 0	27 0	27 0	19 0	19 0	23 0
	Bulandshahr	18 0	19 0	20 12	27 0	28 0	24 0	6 0	6 0	6 0	10 0	10 0	10 5	26 0	26 0	25 8	16 0	16 0	23 0
	Aligarh	17 8	17 12	18 4	24 8	24 8	23 0	6 8	6 0	7 0	10 8	10 0	12 8	28 0	24 0	24 0	23 0	16 0	23 8
	Kumaun	15 0	15 0	17 0	18 0	18 0	18 0	10 0	10 0	10 0	13 0	12 0	13 0	...	...	...	...	...	...
	Garhwál	20 0	20 0	24 0	22 0	22 0	27 0	9 0	9 0	9 0	15 0	15 0	17 0	...	...	...	30 0*	30 0*	30 0*
	Bijnor	19 2	19 2	18 0	29 0	29 8	27 0	11 4	10 2	11 8	13 8	12 6	13 12	..	...	21 6	...	...	19 2
	Moradabad	20 0	20 10	19 6	28 2	29 6	23 2	9 4	9 0	9 6	14 0	13 0	14 6	28 0	25 8	26 4	16 4	15 4	18 2
	Budaun	20 1½	20 4	17 13½	29 6	30 0	22 3	6 0	6 0	9 9½	16 12½	16 3	17 11	...	...	...	...	18 0	21 9½
	Bareilly	No return received			...	..	...	...	...	...	...	...	...	...	..	..	...	...	...
	Sháhjahánpur	20 12	20 8	18 8	34 0	33 8	24 8	10 0	10 0	9 4	17 8	15 12	19 8	...	...	...	...	...	†...
	Tarái Pergunnahs	23 12	24 6	22 0	37 8	40 0	32 0	8 12	8 12	10 0	14 6	14 0	17 0	33 12	40 0	...	25 0	25 0	...
	Muttra	17 4	17 8	17 12	23 8	23 0	25 8	7 0	7 0	...	12 0	11 0	14 0	23 0	22 0	24 0	20 0	18 0	24 0
	Agra	17 8	17 0	17 4	24 8	24 8	35 0	5 8	5 8	6 0	11 8	11 8	14 0	23 0	23 0	26 0	26 8	20 0	24 0
	Farukhabad	18 8	18 11	17 2½	27 10	26 12	22 0	7 4	7 4	6 13	12 11	12 9	14 4	24 13	24 12	24 5	23 6	23 7	22 5½
	Mainpuri	18 0	17 0	18 8	25 0	22 8	28 0	4 0	4 0	5 0	10 0	10 0	10 0	...	...	...	...	...	...
	Etawah	17 8	17 0	18 8	22 0	22 8	22 8	6 0	6 0	6 0	12 0	12 0	14 8	24 0	24 0	27 0	19 8	19 8	24 0
	Etah	No return received			...	...	...	...	...	...	...	...	...	...	..	...	...	...	...
	Jalaun	19 0	19 0	17 8	20 0	20 0	20 0	9 0	9 0	10 0	10 0	10 0	12 0	25 0	25 0	28 0	20 0	20 0	22 0
	Jhánsi	21 9	21 4½	21 10½	32 6	30 9	30 15¾	7 14½	7 8	8 0	13 0	12 12	15 0	30 0	28 11	28 0	22 8	22 8	...
	Lalitpur	23 8	21 6	20 8	37 8	36 0	35 0	9 0	9 0	11 0	11 0	11 8	13 0	36 0	33 4	28 0	26 0	24 8	26 0
	Cawnpore	18 12	19 0	18 0	29 0	28 8	26 0	10 0	10 0	11 0	13 8	13 8	15 0	30 0	27 0	27 0	26 0	24 0	27 0
	Fatehpur	16 14	16 14	16 10	25 12	25 12	24 8	10 8	10 8	12 12	14 0	14 0	19 0	...	...	...	...	...	...
	Bánda	23 0	23 0	17 8	32 0	32 0	22 0	8 0	8 0	9 0	13 0	12 8	16 0	40 0	36 0	33 0	34 0	33 0	30 0
	Allahabad	17 4	17 8	17 2	28 12	29 0	25 0	11 0	11 0	11 8	16 0	15 0	18 0	30 8	31 0	31 0	29 0	30 0	29 8
	Hamirpur	18 11	18 9	15 14	23 10	...	18 0	9 4	8 4	10 0	13 8	9 4	...	25 14	27 14	27 0	25 14	26 14	27 2
	Jaunpur	18 5	19 0	19 0	24 11	30 5	29 10	7 1	7 12	7 12	12 12	14 2	15 8	...	...	..	...	...	19 11
	Gorakhpur	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Basti	17 0	18 0	18 8	28 0	30 0	28 0	12 0	12 0	13 8	15 0	16 0	20 0	...	...	...	...	...	...
	Azamgarh	16 4	16 10	17 11	22 2	24 12	24 6	10 5	10 5	10 5	14 0	14 0	14 12	31 0	31 0	...	20 10	20 10	27 11
	Mirzapur	17 0	16 0	15 0	26 0	25 0	20 0	10 0	10 0	10 0	13 0	12 0	16 0	26 0	26 0	27 0	24 0	24 0	24 0
	Benares	16 13	16 13	15 11½	23 5	25 12	23 9	10 13½	10 5	11 6	16 13	17 1	17 14	26 0	26 0	26 0	27 2	25 8	24 16
	Gházipur	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Balia	19 5	18 12	16 8	27 0	26 4	25 0	10 4	10 0	10 0	18 0	17 8	15 0	...	...	...	...	...	...
	Pilibhít	21 2½	21 14	18 12	37 8	37 8	27 0	15 0	15 0	16 4	17 5	16 4	18 12	...	...	32 0	...	...	...
Oudh.	Sultánpur	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Partábgarh	18 4	20 0	18 11	28 12	32 8	28 1	15 0	16 0	17 4	18 0	18 0	18 10	...	...	...	...	...	...
	Fyzabad	18 0	17 6	17 2	28 0	28 0	26 12	10 0	10 0	11 0	16 0	16 8	19 6	34 8	38 0	35 0	...	...	...
	Kheri	22 4	22 0	19 0	31 0	36 0	25 0	7 0	7 0	8 0	14 0	14 0	18 0	38 0	44 0	44 0	...	...	...
	Lucknow	18 4	17 12	17 12	27 8	27 7	25 2½	6 0	6 0	6 0	13 4	12 14	16 5½	27 0	27 2	24 8	24 0	23 6	24 0
	Bára Banki	18 8	18 8	18 0	28 0	26 0	35 0	10 0	10 0	11 0	14 0	14 0	18 0	34 0	36 0	35 0	20 0	20 0	20 0
	Bahraich	16 0	16 0	17 0	32 0	34 0	29 0	10 0	10 0	12 0	14 0	14 0	18 0	34 0	34 0	52 0	22 0	22 0	13 0
	Rai Bareli	19 0	19 0	18 12	28 0	27 8	27 8	...	...	...	17 8	15 0	17 4	...	...	24 0	22 0	22 0	23 8
	Sitapur	21 14	21 6	19 8	35 8	34 8	25 4	8 0	8 0	8 0	17 0	16 2	21 0	28 0	28 0	...	25 0	25 0	20 0
	Gonda	21 8	21 5	20 4	39 0	39 4	28 0	15 8	15 0	16 4	16 10	15 8	18 12	41 0†	39 12†	40 0†	22 0	21 8	24 0
	Unáo	18 0	18 8	18 0	26 0	27 0	25 0	10 0	10 0	11 0	14 0	14 0	15 0	30 0	28 0	33 0	21 0	21 0	25 0
	Hardui	No return received			...	...	...	...	...	...	...	...	...	...	...	..	...	...	...
Punjab.	Gujránwála (a)	23 0	23 4	26 12	42 0	37 0	50 0	...	...	...	14 0	13 0	14 0	32 0	32 0	35 0	28 0	28 0	25 0
	Lahore (b)	22 0	22 0	26 0	32 0	32 0	48 0	...	...	...	11 0	11 0	13 0	36 0	32 0	30 0	24 0	24 0	27 0
	Ferozepore	21 0	21 0	25 0	36 0	36 8	42 0	...	...	...	11 0	10 8	11 0	36 0	40 0	...	...	...	...
	Sirsa (c)	20 8	21 0	23 0	36 0	35 0	43 0	...	...	...	12 0	12 0	12 0	35 0	32 0	44 0	28 0	29 0	35 0
	Hissar (b)	19 8	18 8	17 8	30 0	28 0	33 0	...	...	...	9 0	9 0	10 0	29 0	27 0	34 0	25 0	25 0	28 0
	Rohtak (d)	19 0	18 0	18 0	25 0	25 0	25 0	...	...	...	8 0	8 0	9 0	22 0	22 0	26 0	21 0	21 0	24 0
	Gurgaon	20 0	20 0	20 0	27 0	27 0	28 0	...	...	...	10 0	10 0	13 0	28 0	25 0	28 0	22 0	22 0	27 0
	Delhi (e)	18 8	18 8	20 0	25 0	24 0	26 0	...	...	...	12 0	12 0	13 0	26 0	24 0	28 0	22 0	20 8	23 0
	Karnal	18 8	18 8	20 0	27 0	27 8	31 0	...	...	...	12 8	11 0	13 0	28 0	24 0	35 0	21 0	22 0	20 0
	Umballa (f)	20 0	20 8	24 0	28 0	28 0	33 0	...	...	...	11 4	10 0	13 0	30 0	32 0	36 0	16 0	15 0	26 0
	Ludhiana (b)	23 8	23 0	28 0	36 0	34 0	37 0	...	...	...	11 0	10 8	12 8	34 0	33 0	40 0	27 0	25 0	25 0
	Simla (g)	16 0	15 4	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

* Mandwa. † Maize. (a) Wheat, Barley and rice falling. (b) Prices falling. (c) Barley, jowar and gram falling; wheat and bajra rising. (d) Wheat and gram falling: salt rising.

INDIA FOR THE 1st HALF OF OCTOBER 1883—*continued.*

IN SEERS OF 80 TOLAHS.

Districts	Lesser Millets, Ragi, &c. (Kavaru, Veragu, Sawee, Cheena, Coraloo, Murhwa, Nuglee), *Panicum Miliaceum, &c.* — Present fortnight	Lesser Millets — Past fortnight	Lesser Millets — Corresponding fortnight of 1882	Gram — Present fortnight	Gram — Past fortnight	Gram — Corresponding fortnight of 1882	Firewood — Present fortnight	Firewood — Past fortnight	Firewood — Corresponding fortnight of 1882	Salt, Wholesale — Present fortnight	Salt, Wholesale — Past fortnight	Salt, Wholesale — Corresponding fortnight of 1882	Salt, Retail — Present fortnight	Salt, Retail — Past fortnight	Salt, Retail — Corresponding fortnight of 1882	Provinces
	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	R a.	R a. per md.	R a.	S. Ch.	S. Ch.	S. Ch.	
Sylhet	...	...	...	17 0	16 4	16 12	108 0	108 0	108 0	3 5	3 4	3 2	12 0	12 8	12 12	Assam.
Cachar	...	...	...	12 13	12 13	16 13	80 0	80 0	80 0	3 8	3 6	3 4	10 10	10 10	10 10	
Goálpárá	...	...	...	13 4	14 0	14 0	80 0	80 0	120 0	3 4	3 4	3 4	12 8	11 0	12 0	
Gáro Hills	...	...	..	8 0	8 0	8 0	160 0	160 0	160 0	5 0	5 0	5 6	8 0	8 0	6 6	
Kámrúp	...	...	...	14 0	13 4	12 8	200 0	200 0	160 0	3 8	3 8	3 5	11 8	11 0	12 0	
Darrang	...	...	...	9 12	9 12	8 12	160 0	160 0	160 0	4 8	4 8	4 8	8 0	8 0	8 0	
Nowgong	...	...	...	8 0	8 0	8 0	120 0	100 0	100 0	4 0	4 0	3 12	9 0	9 0	10 0	
Sibságar	...	...	...	10 0	10 0	10 0	80 0	80 0	80 0	4 8	4 8	4 8	8 0	8 0	8 8	
Lakhimpur	...	...	...	12 0	11 0	10 0	160 0	160 0	200 0	4 8	4 0	5 0	9 0	9 0	8 0	
Khási & Jaintiá Hills	...	...	...	...	...	8 0	...	...	...	4 10	4 12	5 0	8 0	8 0	8 0	
Nága Hills	...	...	...	2 0	2 0	2 0	120 0	120 0	120 0	16 0	16 0	13 0	2 8	2 8	3 0	
										S. Ch.	S. Ch.	S. Ch.				
Dehra Dún	...	...	...	22 8	22 0	23 0	160 0	160 0	160 0	11 0	11 0	10 8	10 8	10 8	10 0	N. W. Provinces.
Saháranpur	...	...	...	24 11½	24 11½	26 14	129 0	129 0	129 0	13 2¼	13 2¼	12 1	12 14½	12 14½	11 13	
Muzaffarnagar	...	...	...	24 6	23 2	25 5	110 0	110 0	132 0	12 6	12 6	11 10	11 8	11 8	11 4	
Meerut	...	...	...	23 0	23 0	25 0	110 0	110 0	110 0	12 8	12 8	12 0	12 0	12 0	11 8	
Bulandshahr	...	...	...	23 8	22 0	23 10	140 0	140 0	140 0	11 8	11 8	12 4	...	...	...	
Aligarh	...	...	...	22 0	22 0	23 8	120 0	120 0	130 0	12 8	12 8	13 0	12 4	12 0	12 4	
Kumaun	...	...	...	14 0	12 0	12 0	200 0	200 0	200 0	9 0	9 0	8 0	8 0	8 0	7 0	
Garhwál	...	...	...	9 0	9 0	9 0	280 0	280 0	280 0	9 0	9 0	6 14	8 0	8 2	7 8	
Bijnor	...	...	...	21 6	20 13	22 4	135 0	135 0	135 0	...	...	...	11 8	11 8	11 0	
Moradabad	...	...	...	21 14	21 14	21 14	125 0	125 0	137 8	12 10	12 10	12 0	12 8	12 8	11 14	
Budaun	...	...	...	25 3	24 9½	20 6	192 0	192 0	192 0	11 6	11 6	11 1½	11 1½	10 12½	10 8	
Bareilly	...	...	...	...	...	...	...	...	...	...	...	..	No return received			
Sháhjahánpur	...	...	...	25 12	23 4	21 12	160 0	160 0	160 0	13 0	13 0	12 10	11 0	11 0	10 12	
Tarái Pergunnahs	...	...	...	20 0	20 0	19 0	120 0	120 0	120 0	11 4	11 4	12 0	11 0	11 0	11 8	
Muttra	...	...	...	21 8	21 8	25 0	120 0	120 0	100 0	14 0	13 0	14 0	12 8	12 8	12 0	
Agra	...	...	...	23 8	23 0	25 0	100 0	100 0	100 0	13 8	13 8	12 8	13 0	13 0	12 0	
Farukhabad	...	...	...	24 14	24 12	22 1½	150 0	150 0	156 8	12 4	12 4	12 0	11 9	11 10	11 3½	
Mainpuri	...	...	...	23 0	21 0	24 0	160 0	160 0	160 0	11 8	11 8	12 0	11 0	11 0	11 0	
Etáwah	...	...	...	24 0	24 0	26 0	100 0	100 0	100 0	12 0	12 0	10 8	11 0	11 0	10 0	
Etah	...	...	...	...	...	...	...	...	...	...	...	...	No return received			
Jalaun	...	...	...	29 0	29 0	30 0	140 0	140 0	140 0	11 0	11 0	12 0	10 0	10 0	11 0	
Jhánsi	...	...	...	30 6½	28 14	28 2½	200 0	200 0	200 0	11 13	11 0	12 8	10 13	10 0	11 8	
Lalitpur	...	...	...	33 0	31 0	29 0	160 0	160 0	160 0	12 0	12 0	11 0	11 6	11 0	11 0	
Cawnpore	...	...	...	29 0	28 8	26 0	140 0	145 0	150 0	13 8	13 8	12 12	13 0	13 0	12 8	
Fatehpur	...	...	...	28 8	29 8	25 12	200 0	200 0	200 0	11 0	11 0	10 4	10 12	10 12	10 0	
Banda	...	...	...	40 0	37 0	33 0	160 0	160 0	160 0	12 0	12 0	12 8	11 0	11 0	12 0	
Allahabad	...	...	...	29 0	29 12	25 2	120 0	160 0	140 0	12 0	12 0	12 0	11 0	11 0	11 0	
Hamírpur	...	...	...	34 14	32 8	28 0	140 0	140 0	140 0	11 8	11 8	11 4	10 8	10 8	10 0	
Jaunpur	...	...	...	25 6	28 4	22 9	148 12	148 12	120 0	10 12	10 12	9 11	10 10	10 10	9 9	
Gorakhpur	...	...	...	...	...	..	...	...	...	...	...	...	No return received			
Basti	...	...	...	27 0	27 0	23 0	160 0	160 0	140 0	8 8	8 8	9 8	8 0	8 0	9 0	
Azamgarh	...	...	...	25 1	24 0	20 10	147 8	147 8	147 8	10 8	10 8	10 8	9 14	9 14	9 13	
Mirzapur	...	...	...	25 0	26 0	21 0	70 0	70 0	100 0	10 0	10 0	10 0	9 0	8 0	9 0	
Benares	...	...	...	24 2	24 6	20 13	90 0	90 0	120 0	10 6½	10 6½	11 4	9 13½	10 2	10 2	
Gházipur	...	...	...	...	...	...	...	...	..	...	...	...	No return received			
Balia	...	...	...	26 6	25 0	26 4	130 0	90 0	100 0	11 9	11 4	11 4	11 0	11 4	11 4	
Pilibhít	...	...	...	25 0	25 0	18 13	150 0	150 0	150 0	13 0	13 0	12 8	12 8	12 8	11 8	
Sultánpur	...	...	...	...	...	...	...	...	...	...	...	...	No return received			Oudh.
Partábgarh	...	...	...	27 8	28 0	19 15	200 0	200 0	220 0	11 0	11 0	11 0	10 10	10 10	10 4	
Fyzabad	...	...	...	28 0	26 8	22 4	120 0	120 0	140 0	11 8	11 8	11 0	11 0	11 0	10 0	
Kheri	...	...	...	27 0	26 0	18 0	120 0	120 0	160 0	11 0	11 0	11 0	10 8	10 8	10 0	
Lucknow	...	...	...	24 0	23 8	21 11	115 0	115 0	110 0	11 2½	11 2½	10 8	10 10½	10 10½	10 0	
Bára Banki	...	...	...	26 0	25 0	22 0	130 0	130 0	130 0	12 0	12 0	12 0	11 0	11 0	10 0	
Babraich	...	...	...	30 0	30 0	23 0	160 0	160 0	160 0	...	...	...	9 8	9 8	9 8	
Rai Bareli	...	...	...	26 8	25 0	20 0	160 0	160 0	160 0	...	...	...	11 0	12 0	9 0	
Sitapur	...	...	...	28 12	27 8	22 0	160 0	160 0	160 0	12 8	12 8	12 0	11 8	11 8	10 8	
Gonda	...	...	...	33 2	32 8	26 12	200 0	200 0	240 0	11 4	11 4	11 4	11 0	11 0	11 0	
Unao	...	...	...	25 0	26 0	24 0	160 0	160 0	160 0	...	...	...	11 0	11 0	11 8	
Hardui	...	...	...	...	...	...	...	...	...	...	...	...	No return received			
Gujránwála (a)	...	...	...	32 8	32 8	28 4	95 0	95 0	95 0	15 4	15 4	15 4	15 0	15 0	15 0	Punjab.
Lahore (b)	...	...	...	32 0	31 0	32 0	80 0	80 0	80 0	15 0	15 0	15 0	14 0	14 0	14 0	
Ferozepore	...	...	...	33 0	35 0	37 8	100 0	100 0	90 0	13 12	13 4	12 4	13 8	13 0	12 0	
Sirsa (c)	...	...	...	37 0	35 0	38 8	120 0	120 0	120 0	12 8	12 8	11 8	12 0	12 0	11 0	
Hissar (b)	...	...	...	28 8	27 0	30 0	120 0	120 0	80 0	13 0	12 8	12 0	12 8	12 0	11 8	
Rohtak (d)	...	...	...	24 0	22 8	25 0	100 0	100 0	100 0	12 0	12 8	11 4	10 8	11 8	11 3	
Gurgáon	...	...	...	22 0	22 0	25 0	120 0	120 0	120 0	12 0	12 0	12 0	12 0	12 0	12 0	
Delhi (e)	...	...	...	22 8	22 0	23 8	80 0	80 0	85 0	13 0	12 8	12 8	12 0	11 8	11 8	
Karnál	...	...	...	24 0	24 0	26 8	140 0	140 0	160 0	12 0	12 0	12 0	12 0	11 12	11 12	
Umballa (f)	...	...	...	26 0	26 0	30 0	150 0	160 0	140 0	14 0	14 0	13 11	13 12	14 0	13 8	
Ludhiana (b)	...	...	...	30 0	29 8	31 0	100 0	100 0	100 0	14 0	14 0	14 10	14 0	14 0	14 8	
Simla (g)	...	...	...	20 8	19 4	20 0	80 0	80 0	80 0	11 4	11 4	10 12	10 8	10 8	10 1	

(e) Wheat, barley, bajra, jowar, gram and salt falling. (f) Wheat and jowar rising; rice and bajra falling. (g) Prices have remained pretty steady.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Districts.	Wheat.			Barley.			Rice (best sort).			Rice (common).			Great Millet (Cholum, Jowari, *Holcus Sorghum*).			Bajrah Millet (Cumboo, Bajra), *Penicillaria Spicata*.		
	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.
	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Punjab—continued.																		
Kángra	20 0	20 0	24 0	32 0	32 0	40 0	...	...	...	14 0	14 0	15 0	...	...	...	...	...	...
Jullundur (a)	21 8	21 8	26 12	32 0	30 0	38 0	...	...	...	6 0	6 0	8 0	34 0	30 0	35 0	26 0	25 0	20 0
Hoshiárpur	20 0	20 0	27 8	25 0	25 0	40 0	...	...	...	12 0	12 8	11 0	28 0	29 0	35 0	20 0	20 0	16 0
Gurdáspur (b)	24 8	24 8	30 0	28 0	28 0	45 0	...	...	...	14 0	14 0	16 0	30 0	30 0	28 0	14 0	14 0	14 0
Amritsar (c)	23 8	23 0	25 8	33 4	30 0	43 8	...	...	...	13 8	13 8	14 8	35 0	35 0	31 4	27 8	24 8	23 8
Siálkot (a)	24 8	23 8	29 0	36 0	35 0	50 0	...	...	...	12 0	12 0	14 0	35 0	33 0	34 0	30 0	30 0	25 0
Gujrát (d)	25 0	23 0	28 8	40 0	37 0	46 0	...	...	...	12 0	12 0	12 0	40 0	38 0	36 0	40 0	35 8	33 0
Jhelum (a)	25 0	23 0	25 0	32 0	36 0	39 8	...	...	...	8 0	10 0	10 0	34 0	33 0	27 0	38 0	36 0	26 0
Ráwalpindi (e)	25 12	25 0	23 12	40 0	34 0	37 0	...	...	...	7 8	7 8	14 0	40 0	44 0	40 0	45 0	45 0	33 0
Shahpúr	27 0	27 0	22 12	40 0	41 0	32 0	...	...	...	15 0	15 0	12 0	36 0	36 0	28 0	34 0	34 0	28 0
Jhang (f)	20 8	20 0	19 12	28 8	31 8	36 0	...	...	...	9 0	9 8	10 0	26 0	24 0	22 0	32 0	31 0	14 0
Montgomery	17 8	17 8	21 0	29 0	30 0	30 0	...	...	...	5 8	5 8	5 8	...	...	...	...	...	...
Mooltan (g)	16 0	15 8	17 4	28 0	27 0	30 0	...	...	...	11 0	11 0	10 0	28 0	27 0	30 0	24 0	24 0	24 0
Muzaffargarh (h)	17 0	17 0	18 8	26 0	26 0	26 0	...	...	...	5 0	5 0	7 0	21 0	21 0	18 0	17 0	17 0	22 0
Dera Ghazi Khan	18 8	17 8	18 12	27 8	27 8	23 12	...	...	...	10 0	10 0	7 8	32 8	33 12	26 4	30 0	30 0	23 12
Dera Ismail Khan (i)	20 0	20 10	20 8	29 6	32 8	27 10	...	...	...	8 0	8 0	9 8	34 6	40 0	37 1	30 0	30 0	27 15
Bannu	29 6	28 2	30 10	38 2	35 0	45 0	...	...	...	8 12	8 12	10 0	40 0	37 8	45 0	33 12	30 0	34 6
Kohát	20 1	19 12	18 8	32 8	33 2	29 5	...	...	...	11 8	11 8	18 0	30 10	30 10	28 0	30 10	30 10	29 5
Pesháwar (j)	21 0	20 5	19 0	32 12	33 0	36 10	...	...	...	11 5	11 5	9 8	26 10	24 0	28 4	29 9	27 12	15 12
Házára (k)	25 0	25 8	25 8	40 0	40 0	41 0	...	...	...	12 0	12 0	12 0	36 0	38 0	...	28 0	28 0	...
Central Provinces.																		
Saugor	28 12	23 8	20 0	...	..	...	8 0	8 0	9 0	10 0	10 0	10 0	...	...	...	...	...	...
Damoh	27 0	26 8	22 8	...	...	...	12 8	12 0	14 0	13 8	13 8	14 8	...	...	...	...	...	..
Jubbulpore	21 0	20 0	17 8	21 0	22 0	27 0	10 0	11 0	11 0	15 0	16 0	15 0	27 0	24 0	25 0	16 8	17 0	16 0
Mandla	27 0	26 0	20 0	...	...	...	16 0	15 0	15 8	20 0	19 0	20 0	...	...	...	...	...	...
Seoni	22 0	21 0	17 8	...	...	...	13 8	12 8	12 8	20 0	18 0	19 0	...	...	...	...	...	...
Narsinghpur	17 8	17 8	16 0	...	...	...	9 8	9 0	10 0	12 0	11 8	13 0	...	...	...	...	.	...
Hoshungabad	15 8	15 6	15 7	...	...	...	4 8	4 0	4 8	10 11	9 9	11 4	...	21 0	23 10	...	19 4	23 10
Nimár	17 0	16 8	16 0	...	...	...	12 9	12 9	...	14 14	14 14	12 8	20 10	20 10	30 0	21 0	20 0	24 15
Betúl	18 0	18 0	15 0	...	...	...	10 8	10 8	9 0	11 0	11 0	10 0	19 8	19 8	20 0	...	...	...
Chhindwára	25 8	25 8	17 0	...	...	...	8 8	8 8	9 0	15 8	14 8	13 0	31 0	31 0	23 0	...	...	...
Wardha	20 0	20 0	18 12	...	...	...	10 0	10 0	8 12	14 0	12 0	14 12	26 0	27 0	23 0	...	...	...
Nagpur	19 4	18 12	17 12	...	...	...	9 0	8 12	9 12	16 0	16 0	17 4	31 4	29 8	25 12	...	...	...
Chanda	19 0	19 0	18 8	...	...	...	...	...	...	15 0	15 0	13 0	27 8	30 8	24 0	...	...	...
Bhandára	22 0	22 0	19 0	...	...	...	11 0	10 0	10 0	22 0	22 8	22 8	35 0	35 0	22 0	...	...	...
Bálaghát	20 0	20 0	18 0	...	...	...	18 0	18 0	15 0	27 0	27 0	28 0	...	...	...	...	...	...
Raipur	22 0	21 0	28 8	...	...	...	15 8	17 8	21 0	29 8	31 8	41 0	...	...	...	...	...	...
Bilaspur	26 0	26 0	45 0	...	...	...	44 0	47 8	48 0	54 0	58 0	68 0	...	...	...	...	...	...
Sambalpur	15 0	15 0	21 0	...	...	...	29 12	27 0	35 0	33 4	32 0	44 0	...	...	...	...	...	...
British Burma.																		
Arakan Division.																		
Akyab	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Northern Arakan	...	...	...	...	...	...	8 0	...	9 0	10 0	...	10 0	...	...	...	...	...	...
Kyoukpyoo	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Sandoway																		
Pegu Division.																		
Rangoon Town	15 5	11 2	15 5	...	...	...	11 10	11 4	12 9	12 8	12 8	13 2	...	...	...	...	...	...
Tharrawaddy	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Prome	9 11	9 11	10 6	...	...	...	11 8	9 9	13 7	13 12	13 1	17 2	...	...	...	...	...	...
Irrawaddy Division.																		
Henzada	...	...	...	...	...	...	11 15	11 15	14 5	15 10	15 10	19 8	...	...	...	...	...	...
Thonegwa	..	...	...	...	...	...	9 6	9 6	11 9	14 11	14 11	17 7	...	...	...	...	...	...
Thayetmyo	9 4	9 4	10 15	...	...	...	10 0	10 0	10 8	11 13	11 13	13 13	...	...	...	...	...	...
Tenasserim Division.																		
Moulmein Town & Amherst	9 0	12 2	12 2	...	...	...	9 0	9 0	12 2	12 2	12 8	15 5	...	...	...	...	...	...
Tavoy	...	...	...	...	...	.	13 12	12 6	13 12	17 15	17 15	22 14	...	...	...	...	...	...
Toungoo	...	...	...	..	...	...	12 13	12 13	16 0	14 3	14 8	18 5	...	...	...	...	...	...
Shwaygyin	...	...	...	...	...	...	9 13	9 13	12 7	10 6	10 6	13 13	...	...	...	...	...	...
Salween	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Hyderabad Assigned Districts.																		
Secunderabad	No return received			...	...	...	...	...	...	...	...	...	...		...	...	...	...
Bolarum																		
Chuddergbat																		
Amraoti	15 0	15 8	16 0	10 0	10 0	11 0	8 0	8 0	8 0	10 0	10 0	10 0	28 0	26 0	26 0	16 0	16 0	...
Akola	17 0	16 0	16 0	...	...	...	7 0	7 0	8 0	13 0	13 0	12 0	26 0	27 0	26 0	21 0	21 0	21 0
Ellichpur	16 0	16 0	16 0	14 0	14 0	14 0	8 0	10 0	10 0	12 0	12 0	12 0	27 0	26 0	28 0	22 0	28 0	25 0
Buldana	18 0	18 0	18 0	...	...	...	...	...	...	11 0	11 0	11 0	24 0	25 0	32 0	22 0	24 0	28 0
Wun	18 0	18 0	18 0	...	...	...	8 8	8 8	9 0	13 0	13 0	12 8	29 8	30 8	31 8	...	...	...
Básim	21 8	21 0	21 0	...	...	...	6 0	5 12	5 4	13 0	13 0	13 0	29 0	28 0	36 0	...	...	...

(a) Prices falling. (b) Gram falling. (c) Wheat, barley, bajra, and gram falling. (d) Wheat, barley, bajra, jowar and gram falling.
(e) Wheat, barley, and fire wood falling; jowar rising. (f) Wheat bajra, jowar, gram and salt falling; barley and rice rising. (g) Wheat, barley, and jowar falling.

INDIA FOR THE 1st HALF OF OCTOBER 1883—*continued.*

IN SEERS OF 80 TOLAHS.

Lower Millets, Ragi, &c. (Kavaru, Veraru, Sawan, Cheena, Coraloo, Murhwa, Nagleel, Panicum Miliaceum, &c.)			Gram.			Firewood.			Salt.						Districts.	Provinces.
									Wholesale.			Retail.				
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.		
...	...	...	21 0	21 0	24 0	140 0	140 0	140 0	11 8	10 8	10 8	†	10 0	10 0	Kángra	Punjab—continued.
...	...	...	28 0	27 0	32 0	110 0	110 0	110 0	14 8	14 8	14 6	14 0	14 0	14 0	Jállundur (a)	
...	...	...	27 8	25 0	30 0	110 0	110 0	100 0	14 0	14 0	14 0	13 12	13 12	13 8	Hoshiárpur	
...	...	...	28 0	27 0	31 0	120 0	120 0	120 0	13 4	13 4	13 8	12 8	12 8	13 0	Gurdaspur (b)	
...	...	...	31 12	31 4	35 4	90 0	80 0	80 0	15 6	15 6	14 12	15 0	15 0	14 6	Amritsar (c)	
...	...	...	29 8	27 0	27 0	120 0	120 0	130 0	15 8	15 8	15 0	15 0	15 0	14 8	Siálkot (a)	
...	...	...	29 8	28 8	25 12	100 0	100 0	100 0	*	*	*	15 4	15 0	15 0	Gujrát (d)	
...	...	...	27 0	28 0	25 8	120 0	120 0	160 0	16 0	16 0	16 0	15 0	15 8	15 8	Jhelum (a)	
...	...	...	32 8	32 8	24 4	84 0	82 0	85 0	15 4	15 4	14 8	15 0	15 0	14 4	Ráwalpindi (e)	
...	...	...	38 0	37 0	23 0	320 0	320 0	320 0	17 0	17 0	17 0	16 0	16 0	16 0	Shahpúr	
...	...	...	27 5	26 0	23 12	200 0	200 0	200 0	14 4	13 8	15 0	14 2	13 4	14 12	Jhang (f)	
...	...	...	32 0	30 0	31 0	200 0	200 0	200 0	12 0	12 0	13 0	11 0	11 0	12 0	Montgomery	
...	...	...	25 0	25 0	24 0	90 0	90 0	90 0	14 0	13 12	14 8	13 8	13 8	14 4	Mooltan (g)	
...	...	...	21 8	21 8	20 0	90 0	90 0	120 0	*	*	*	13 8	13 8	12 8	Muzaffargarh (h)	
...	...	...	21 14	23 12	18 2	125 0	100 0	100 0	30 10	30 10	31 14	27 8	27 8	28 2	Dera Gházi Khan	
...	...	...	25 0	26 4	22 15	125 0	125 0	100 0	47 8	47 8	58 0	45 0	45 0	55 0	Dera Ismail Khan (i)	
...	...	...	31 14	30 10	30 0	80 0	80 0	80 0	100 0	100 0	120 0	80 0	80 0	100 0	Bannu	
...	...	...	28 1	28 1	20 6	81 0	102 0	102 0	68 14	68 14	96 15	63 12	63 12	81 0	Kohát	
...	...	...	26 14	24 10	17 10	105 0	105 0	96 0	39 0	44 3	58 8	38 0	43 0	56 0	Peshawar (j)	
...	...	...	24 0	24 0	...	140 0	140 0	70 0	13 0	...	...	12 0	12 0	11 0	Házára (k)	
...	...	...	27 8	28 0	25 0	160 0	160 0	160 0	9 12	9 4	8 12	9 8	9 0	8 8	Saugor	Central Provinces.
...	...	...	39 0	39 0	33 0	200 0	200 0	200 0	10 4	9 8	9 12	10 0	9 4	9 8	Damoh	
...	...	...	27 0	26 8	26 0	130 0	130 0	120 0	11 8	11 8	11 10	11 0	11 0	11 4	Jubbulpore	
25 0	25 0	25 0	45 0	47 0	35 0	256 0	256 0	256 0	...		...	9 0	9 0	9 8	Mandla	
...	...	...	26 0	25 0	16 0	220 0	220 0	220 0	11 8	11 0	11 8	11 0	10 8	11 0	Seoni	
...	...	...	24 0	24 0	26 0	140 0	140 0	160 0	11 0	11 0	10 8	10 8	10 8	10 0	Narsinghpur	
...	...	...	23 8	23 8	23 10	160 0	160 0	160 0	11 8	11 8	9 8	10 8	10 8	9 0	Hoshangabad	
...	...	...	20 4	20 4	19 0	160 0	160 0	120 0	13 13	13 13	13 0	13 0	13 0	12 12	Nimár	
15 0	15 0	15 0	18 0	18 0	15 0	320 0	320 0	240 0	8 8	8 8	9 0	8 0	8 0	8 8	Betúl	
21 0	16 8	18 0	29 0	29 8	20 0	200 0	200 0	200 0	9 0	9 0	10 0	8 0	8 0	9 0	Chhindwára	
...	...	...	20 0	21 0	24 0	100 0	150 0	125 0	12 0	12 4	12 4	11 0	12 0	12 0	Wardha	
...	...	...	21 12	20 8	18 4	140 0	140 0	150 0	12 0	12 0	10 12	11 12	11 12	10 8	Nágpur	
...	...	...	21 8	21 8	27 0	360 0	360 0	360 0	...	...	..	9 8	9 8	9 8	Chánda	
...	...	...	23 0	22 0	21 0	96 0	96 0	..	10 4	10 4	11 0	10 0	10 0	10 12	Bhandára	
...	...	...	27 0	27 0	30 0	275 0	275 0	275 0	9 4	9 4	10 0	9 0	9 0	10 0	Bálaghát	
...	...	...	28 8	26 8	31 0	64 0	64 0	64 0	11 4	10 0	9 0	11 0	9 0	8 8	Raipur	
123 4	123 4	150 0	34 0	34 0	52 0	120 0	120 0	120 0	...	..	...	9 0	9 0	8 0	Sambalpur	
...	...	...	15 8	16 8	24 0	120 0	128 0	110 0	11 0	11 12	11 0	10 0	10 0	10 0	Biláspur	
															Arakan Division.	British Burma.
...	...	...	...	...	...	...	...	...	...	...	No return received			...	Akyab	
...	...	...	...	...	...	...	...	...	...	...	...	8 0	...	8 0	Northern Arakan	
...	...	...	...	...	...	...	...	...	...	...	No return received				Kyoukpyoo	
															Sandoway	
															Pegu Division.	
...	...	...	12 5	19 2	21 1	320 0	320 0	320 0	50 11	50 11	50 11	22 10	22 10	22 10	Rangoon Town	
...	...	...	...	...	...	...	...	...	...	...	... No return received ...				Tharrawaddy	
...	...	...	13 13	15 9	12 7	139 11	139 11	139 11	25 5	25 5	29 9	16 9	16 9	18 10	Prome	
															Irrawaddy Division.	
...	...	...	...	...	...	183 8	183 8	183 8	29 9	29 9	29 9	29 9	29 9	29 9	Henzada	
...	...	...	18 6	18 6	14 15	295 3	295 3	184 8	39 6	39 6	37 5	35 7	35 7	35 7	Thonegwa	
...	...	...	13 13	13 13	17 1	245 0	245 0	245 0	25 5	25 5	26 4	18 15	18 15	18 15	Thayetmyo	
															Tenasserim Division.	
...	...	...	12 3	12 3	12 2	220 0	220 0	220 0	20 15	35 8	32 5	20 8	25 5	22 12	Moulmein Town & Amherst	
...	...	...	...	...	...	399 3	399 3	399 3	24 2	24 2	24 2	16 1	16 1	16 1	Tavoy	
...	...	...	12 8	12 8	12 9	24 0	24 0	24 0	22 0	22 0	30 12	14 1	14 1	18 12	Toungoo	
...	...	...	...	...	...	250 0	250 0	250 0	35 6	35 6	32 3	18 14	18 14	18 4	Shwaygyin	
...	...	...	...	...	...	...	...	...	...	...	... No return received ...				Salween	
...	...	...	...	...	...	...	...	...	...	...	... No return received				Secunderabad	Hyderabad Assigned Districts.
															Bolarum	
															Chudderghat	
...	...	...	17 0	17 0	21 0	64 0	64 0	70 0	12 8	12 8	12 0	12 0	12 0	11 [illegible]	Amraoti	
8 0	8 0	7 8	17 0	16 0	20 0	64 0	64 0	64 0	11 0	11 0	11 0	10 0	10 0	10 0	Akola	
...	...	...	15 0	15 0	17 0	64 0	64 0	64 0	...	...	...	9 0	9 0	9 0	Ellichpur	
...	...	...	15 0	16 0	22 0	...	...	...	...	...	...	10 0	11 0	10 0	Buldana	
...	...	...	18 0	18 0	27 0	200 0	200 0	100 0	...	...	...	11 0	11 0	11 8	Wun	
...	...	...	19 0	20 0	26 0	64 0	64 0	64 0	10 0	10 8	9 8	9 0	10 0	9 0	Basim	

(h) Barley, bajra and gram falling. (i) Wheat, barley, jowar and gram rising. (j) Wheat, bajra and gram falling. (k) Prices steady.

* No wholesale salt sold. † Not stated by Deputy Commissioner.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Provinces.	Districts	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of 1882.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of 1882.	Rice (best sort). Present fortnight.	Rice (best sort). Past fortnight.	Rice (best sort). Corresponding fortnight of 1882.	Rice (common). Present fortnight.	Rice (common). Past fortnight.	Rice (common). Corresponding fortnight of 1882.	Great Millet (Cholum, Jowari, *Holcus Sorghum*). Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of 1882.	Bulrush Millet (Cumboo, Bajra), *Penicillaria Spicata*. Present fortnight.	Bulrush Millet. Past fortnight.	Bulrush Millet. Corresponding fortnight of 1882.
		S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Mysore.	Bangalore																		
	Kolar																		
	Túmkúr																		
	Mysore	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Hassan																		
	Shimoga																		
	Kadur																		
	Chitaldroog																		
Coorg	Coorg	8 9	8 11	9 3	10 4	9 14	8 2	15 9	15 3	10 2	20 10	19 14	14 0	...	...	...	...	...	...
Rajpootana.	Jeypore	17 0	17 0	17 0	25 0	24 0	24 0	6 0	6 0	6 0	8 8	8 0	9 0	25 0	23 0	20 0	21 0	21 12	21 0
	Kishengurh	17 8	17 4	17 8	24 0	22 0	26 0	8 0	9 0	9 0	9 0	10 0	10 0	23 8	23 8	26 0	19 8	17 8	21 4
	Kerrowlee	18 7	18 7	18 8	26 4	27 8	27 10	10 0	10 0	13 0	11 4	11 4	14 4	26 4	27 8	26 12	21 15	23 12	26 4
	Ulwur	18 4	18 6	20 11	23 10	24 10	31 7	8 10	8 10	9 0	10 8	10 8	12 8	24 0	23 7	37 0	21 15	23 0	27 10
	Bhurtpore (City)	16 7	*	19 0	23 15	*	28 0	7 12	*	6 8	9 6	*	11 0	22 7	*	22 8	20 8	*	17 8
	Ajmere	16 0	16 0	16 8	25 0	23 8	24 0	5 0	5 0	5 0	8 0	8 0	8 0	19 0	20 0	22 0	20 0	18 0	19 0
	Deoli Cantonment	20 14½	17 3	18 2	29 1	24 15	22 4	...	...	...	9 11	8 4	10 13	23 13	20 13	20 0	18 0	18 0	20 12
	Erinpura	15 9	15 9	17 4	23 13	23 13	28 9	...	...	...	7 11	7 11	8 7	19 11	19 11	20 9	19 0	19 0	20 7
	Sirohee	18 8	13 0	...	21 0	20 0	...	7 0	6 8	...	8 0	7 8	...	14 0	14 0	...	16 0	16 0	...
	Abu	12 12	12 9	14 12	18 8	18 12	22 12	6 8	6 8	6 8	8 0	8 0	8 0	...	...	...	13 12	13 12	18 0
	Anadra	14 0	13 12	16 8	21 0	20 12	25 12	7 0	7 0	7 0	8 8	8 8	9 0	...	...	...	15 8	14 12	20 8
	Hilly Tracts of Meywar	21 0	21 0	22 0	25 0	25 0	30 0	...	...	...	15 0	15 0	18 0	...	...	...	...	...	...
	Meywar (Oodeypore)	15 6¾	14 7½	14 7½	21 14	18 12	20 5	9 6	8 15¾	10 2½	...	...	...	...	...	...	...	...	...
	Bánswára (Meywar Agency)	21 4	21 4	21 14	...	...	...	10 0	10 0	7 8	16 4	15 0	17 8	...	...	...	...	...	...
	Partábgarh („)	17 3	17 15	20 3	...	...	...	8 12	8 12	10 5	11 14	11 14	14 7	...	...	...	...	...	...
	Marwar (Jodhpore)	16 8	...	...	21 4	...	...	6 4	...	...	7 8	...	...	20 0	...	...	20 10	...	...
	Bikaneer	10 4	10 8	13 14	...	...	...	3 6	3 8	3 4	6 0	5 12	6 8	...	...	...	18 0	18 0	23 0
	Boondee	23 12	24 0	17 0	38 4	36 0	27 0	10 8	10 0	10 0	11 8	11 0	10 10	36 4	34 8	28 0	..	...	...
	Kotah	24 0	22 8	18 4	25 0	25 0	14 0	8 0	8 0	10 0	11 0	11 0	13 4	30 0	28 0	25 0	12 8	12 8	15 0
	Tonk	21 0	20 0	14 9	31 0	29 0	22 6	6 8	6 8	7 0	8 8	8 8	10 0	40 8	28 12	24 7	...	...	21 4
	Jhallawar	18 13	18 4	14 2½	20 0	20 0	15 15	...	..	...	7 14	7 1	10 2	27 11	25 0	19 8	17 1	17 1	17 15
	Shahpoora	20 4	20 1	16 14	26 8	25 8	21 12	10 0	10 0	11 12	15 0	15 0	14 8	23 4	23 0	18 6	16 0	15 0	18 4
	Dholpur	16 12	17 0	18 11	23 10	24 12	28 11	9 13	10 2	12 6	10 9	10 11	10 2	23 10	23 5	24 6	21 12	21 10	28 2
Central India.	Indore																		
	Gwalior	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Goona																		
	Bagholkhand (Sutna)																		

* Not received.

DEPARTMENT OF FINANCE AND COMMERCE,
(*Statistical Branch.*)

INDIA FOR THE 1st HALF OF OCTOBER 1883—*concluded.*

IN SEERS OF 80 TOLAHS.

Lesser Millets, Ragi, &c. (Kavaru, Veragu, Sawee, Cheena, Coraloo, Murhwa, Nuglee), Panicum Miliaceum, &c.			Gram.			Firewood.			Salt.						Districts.	Provinces.
									Wholesale.			Retail.				
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.		
...	...	...	...	...	...	...	...	...	...	...	...	No return received			Bangalore, Kolar, Túmkúr, Mysore, Hassan, Shimoga, Kadur, Chitaldroog	Mysore.
									*							
31 0	31 0	20 4	30 9	29 14	22 12	110 0	110 0	110 0	10 8	10 8	8 7	9 12	9 11	8 7	Coorg	Coorg.
...	...	...	23 0	22 0	21 8	...	...	...	15 0	15 0	14 4	14 12	14 12	14 0	Jeypore	Rajpootana.
...	...	...	24 0	23 12	21 8	...	...	...	..	...	..	16 0	16 0	16 0	Kishengurh	
...	...	.	27 8	30 0	27 8	...	...	...	13 6	13 5	14 2	13 0	13 0	14 0	Kerrowlee	
...	...	...	23 8	24 0	27 6	...	...	...	15 7	15 7	15 13	14 12	14 12	15 6	Ulwur	
...	...	...	22 5	*	24 8	...	...	..	12 4	*	12 5	12 0	*	11 13	Bhurtpore (City)	
...	...	...	26 0	24 0	23 0	80 0	80 0	70 0	17 0	17 0	.	15 0	15 0	15 0	Ajmore	
...	...	...	28 8	25 8	22 10	...	...	...	13 8	13 6	13 8	12 12	12 12	12 12	Deoli Cantonment	
									R a. p.	R a. p. per md.	R a. p					
...	...	...	21 4	21 4	23 0	160 0	160 0	160 0	3 1 3	3 1 3	3 1 3	12 0	12 0	12 0	Erinpura	
...	...	...	20 0	18 0	...	160 0	160 0	...	3 0 0	3 0 0	...	12 5	12 5	...	Sirohee	
...	...	...	16 0	15 12	21 6	160 0	160 0	160 0	3 8 0	3 8 0	3 8 0	11 8	11 8	11 8	Abu	
...	...	...	18 0	17 12	24 6	...	...	...	3 4 0	3 4 0	3 4 0	12 4	12 4	12 4	Aundra	
...	...	...	20 0	20 0	24 0	†	†	†	3 10 0	3 10 0	...	11 0	11 0	9 0	Hilly Tracts of Meywar	
									S. Ch.	S. Ch.	S. Ch.					
...	...	...	16 12¾	15 3¾	16 0½	200 0	200 0	200 0	10 15	10 8¾	9 15½	10 8¾	10 2¼	9 12½	Meywar (Oodeypore)	
									R a. p.	R a. p. per md.	R a. p.					
...	...	...	37 8	35 0	35 0	...	...	...	3 13 0	...	...	10 10	10 10	11 4	Bánswára (Meywar Agency)	
...	...	...	19 11	20 5	24 6	..	...	...	2 7 0	...	..	16 4	16 7½	15 12	Partabgarh („)	
...	...	...	20 4	...	...	...	...	...	...	...	...	16 4	...	...	Marwar (Jodhpore)	
									S. Ch.	S. Ch.	S. Ch.					
...	...	...	17 8	18 0	18 4	...	...	...	...	...	...	11 8	11 8	11 8	Bikaneer	
...	...	...	36 0	34 8	28 0	140 0	160 0	160 0	12 4	11 8	12 8	12 0	11 4	12 4	Boondee	
...	..	...	30 0	28 0	27 8	240 0	240 0	240 0	13 8	12 8	12 12	13 0	12 0	12 4	Kotah	
...	...	...	31 0	29 4	22 2	100 0	107 0	160 0	13 8	13 8	12 6	13 4	13 4	11 12	Tonk	
		...	23 4	25 5	20 8	...	...	...	10 2	10 2	10 14	9 14	9 14	10 10	Jhallawar	
...	...	...	23 8	23 8	21 0	160 0	160 0	120 0	12 14	12 14	13 14	12 12	12 12	13 10	Shahpoora	
...	..	...	24 3	24 12	27 9	...	...	...	13 8	13 8	13 3	12 10	12 10	12 6	Dholpur	
...	...	...	...	...	...	...	...	...	...	...	...	No return received			Indore, Gwalior, Goona, Baguelkhand (Sutna)	

† Eight pies per bundle.

D. BARBOUR,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY TRAFFIC.

No XL of 1883.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Latest return received	Railways.	Total mean length open.	Receipts for week ending 14th October 1883.		Total mean length open.	Receipts for week ending 13th October 1882.		Total Receipts from 1st April to 14th October 1883.		Total Receipts from 1st April to 13th October 1882.		Total Increase in 1883-84.	Total Decrease in 1883-84.
			Total.	Per mile open.		Total.	Per mile open.	Total.	Per mile open per week.	Total.	Per mile open per week.		
			R	R		R	R	R	R	R	R	R	R
	Guaranteed.												
20th Oct. 1883	Eastern Bengal	172	1,84,214	1,071	172	(a)90,753	528	30,65,931	634	(a)25,14,892	522	. . .	5,51,039
13th ditto	Oudh and Rohilkhand	547	86,830	159	547	84,339	154	25,99,664	169	30,62,883	200	4,63,219	. . .
13th ditto	Sind, Punjab & Delhi	676	1,72,676	255	735	2,23,305	304	49,12,505	258	61,86,524	299	12,74,019	. . .
13th ditto	Madras	861	1,12,046	130	861	1,04,760	122	38,20,450	158	35,68,048	148	. . .	2,52,402
13th ditto	South Indian	655	64,667	99	655	78,836	120	20,88,900	113	21,83,229	119	94,329	. . .
20th ditto	Great Indian Peninsula	1,456	4,71,320	323	1,451	3,84,468	265	1,66,06,217	407	1,73,07,921	425	7,01,704	. . .
13th ditto	Bombay, Baroda and Central India	461	1,50,354	326	461	1,77,141	384	50,92,264	393	58,98,016	457	8,05,752	. . .
	TOTAL	4,830	12,42,107	257	4,882	11,43,602	234	3,81,85,931	281	4,07,21,513	298	25,35,582	. . .
	State.												
20th Oct. 1883	East Indian	1,507	8,74,863	581	1,509	6,22,964	413	2,30,59,958	544	2,68,46,641	635	37,86,683	. . .
13th ditto	Calcutta and South-Eastern	33	2,940	89	56	5,010	89	1,04,106	119	1,59,629	106	55,523	. . .
20th ditto	Nalhati	27	1,930	71	27	964	35	37,480	49	43,736	58	6,256	. . .
13th ditto	Northern Bengal	230	46,534	202	239	38,300	160	10,44,860	160	11,09,859	169	64,999	. . .
13th ditto	Tirhoot	75	11,331	151	166	17,064	103	3,39,364	149	4,65,215	101	1,25,851	. . .
25th Aug. 1883	Patna-Gya	57	20,469	359	. .	(b)	.	(c)1,82,944	152	(d)1,64,232	137	. . .	18,712
13th Oct. 1883	Cawnpore-Achnera	138	8,803	64	138	9,307	67	2,76,652	71	2,91,290	75	14,638	. . .
20th ditto	Dildarnagar-Ghazipur	12	687	57	12	636	53	23,926	71	24,766	74	840	. . .
20th ditto	Rajputana-Malwa	1,116	1,78,952	160	1,117	1,95,590	175	53,07,183	169	63,71,495	204	10,64,312	. . .
20th ditto	Wardha Coal	45	9,684	215	45	11,107	247	2,77,164	219	3,68,999	293	91,835	. . .
20th ditto	Nagpur & Chhattisgarh	98	4,505	46	149	9,437	63	2,74,889	100	6,60,007	158	3,85,118	. . .
13th ditto	Rangoon and Irrawaddy Valley	161	22,743	141	161	21,018	131	7,17,874	158	7,20,127	160	2,253	. . .
20th ditto	Sindia	75	4,603	61	75	4,527	60	1,61,249	76	1,59,986	76	. . .	1,263
13th ditto	Punjab Northern	409	73,753	180	421	50,133	119	15,67,646	138	16,40,185	139	72,539	. . .
20th ditto	Indus Valley and Kandahar	660	1,00,352	152	660	1,07,027	162	22,52,893	121	39,61,532	214	17,08,639	. . .
13th ditto	Kaunia-Dhurla	32	1,834	57	32	3,078	96	42,507	47	55,951	62	13,444	. . .
20th ditto	Rewari-Ferozepore	. .	. . .	.	89	7,150	80	. . .	. .	2,21,812	89	2,21,812	. . .
	TOTAL	3,168	4,89,120	154	e3,387	4,80,348	142	1,26,10,737	141	1,64,18,821	171	38,08,084	. . .
	Assisted Company.												
20th Oct. 1883	Bengal Central	. .	. . .	.	35	2,188	63	. . .	. .	59,154	60	59,154	. . .
	Native States.												
13th Oct. 1883	Bhavnagar-Gondal	193	11,910	62	193	14,086	73	4,74,514	87	5,16,416	96	41,902	. . .
13th ditto	Nizam's	121	17,598	145	121	15,757	130	4,68,646	138	4,29,016	127	. . .	39,630
13th ditto	Mysore	86	8,066	94	86	14,151	165	1,54,637	64	1,54,819	64	182	. . .
20th ditto	Jodhpore	19	503	26	19	580	31	(f)8,443	27	20,400	38	11,957	. . .
	TOTAL	419	38,077	91	419	44,574	106	11,06,240	96	11,20,651	96	14,411	. . .
	GRAND TOTAL	9,924	26,44,167	266	e10,233	22,93,676	224	7,49,62,866	269	8,51,66,780	296	1,02,03,914	. . .
	Gross Estimated Expenses	. .	. . .	.	. .	. . .	.	3,90,16,734	140	4,32,06,936	150	. . .	. . .
	Net Receipts C	. .	. . .	.	. .	. . .	.	3,59,46,132	129	4,19,59,844	146	60,13,712	. . .

(a) Exclusive of the Company's share of the earnings of the Bengal Central Railway.
(b) Return not received.
(c) Total receipts from 1st April to 26th August 1882.
(d) Total receipts from 1st April to 25th August 1883.
(e) Excludes mileage of Patna-Gya State Railway (57).
(f) Total receipts from 24th June to 14th October 1883.

R. A. SARGEAUNT, *Major, R.E.,*
Offg. Under-Secretary.

SIMLA.
The 3rd November 1883.





The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 46.} SIMLA, SATURDAY, NOVEMBER 17, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 12th November 1883.

No. 1676.—The Governor General in Council is pleased, under Section 27 of the Indian Arms Act, 1878, to make the following addition to clause (4) of the exemptions made in Notification No. 518, dated the 6th March 1879 :—

"and officers of the Public Works Department of and above the rank of Assistant Engineer."

The 14th November 1883.

No. 1690.—Under the provisions of Section 9 of the Statute 24 & 25 Vic., Cap. 67, the Governor General in Council is pleased to direct that His Excellency's Council shall assemble at Calcutta in the jurisdiction of the Lieutenant-Governor of Bengal.

ESTABLISHMENTS.

The 13th November 1883.

No. 225.—The services of Lieutenant Cecil Sydney de Butts Martindale, 5th Goorkha Infantry, are placed at the disposal of the Government of the Punjab for employment in the Punjab Commission.

A. MACKENZIE,

Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Simla, the 12th November, 1883.

No. 2615 *G.*—Major F. H. Jackson, Assistant to the Governor-General's Agent at Baroda in charge of Amreli Mehals, and Superintendent of His Highness the Gaekwar's Contingent in Kathiawar, is appointed to hold charge of the current duties of the office of Agent to the Governor-General at Baroda, in addition to his own duties, with effect from the date of assuming charge, during the absence on privilege leave of Major-General J. Watson, C.B., V.C.

The 14th November, 1883.

No. 2626 *G.*—The services of Surgeon C. G. W. Lowdell, Indian Medical Service (Bombay), are replaced at the disposal of the Military Department.

The 15th November, 1883.

No. 2638 *G.*—Mr. J. R. FitzGerald, Officiating Political Agent of the 3rd Class, and First Assistant to the Governor-General's Agent in Biluchistan, is appointed to hold charge of the current duties of the office of Agent to the Governor-General in Biluchistan, in addition to his own duties, with effect from the date of assuming charge, during the absence on deputation of Lieutenant-Colonel Sir R. G. Sandeman, K.C.S.I.

MILITARY.

No. 2635 *G.*—The following promotions are made in the Mhairwarra Battalion, with effect from the 24th September, 1883:—

Jemadar Ramlall to be Subadar, *vice* Sunkurlall, dismissed.

Havildar Subba to be Jemadar, *vice* Ramlall, promoted.

JUDICIAL.

No. 3463 *I.*—In exercise of the powers conferred by Sections 8 and 9 respectively of the Indian Christian Marriage Act, 1872, the Governor-General in Council is pleased—

(*a*) to appoint the Reverend G. Hiram Greenig, a Missionary of the Methodist Episcopal Church, to be a Marriage Registrar in respect of all places within the territories of Mysore, including the civil and military station of Bangalore; and

(*b*) to license the said Reverend G. Hiram Greenig to grant certificates of marriage between Native Christians within the said territories.

No. 3465 *I.*—In exercise of the powers conferred by Sections 8 and 9 respectively of the Indian Christian Marriage Act, 1872, the Governor-General in Council is pleased—

(*a*) to appoint Mr. William Alfred Redwood, a Missionary, to be a Marriage Registrar in respect of all places within the district of Kolar in the State of Mysore; and

(*b*) to license the said Mr. William Alfred Redwood to grant certificates of marriage between Native Christians within the said district.

The 16th November, 1883.

No. 3495 *I.*—In supersession of the Notification by the Government of India in the Foreign Department, No. 391.J., dated the 27th January 1881, the Governor-General in Council is pleased to extend the Cantonments Act, 1880, to the Cantonment of Deesa, subject to the following modifications, namely:—

(i) The second paragraph in Section 1 shall be omitted.

(ii) For the words "Local Government," or "such Government," wherever they occur, the words "the Governor of Bombay in Council" shall be substituted.

(iii) For the words "any cantonment," or "a cantonment," wherever the occur, the words "the cantonment of Deesa" shall be substituted.

(iv) For section 9 the following section shall be substituted:—

"9. Bombay Act VII of 1867 (The Bombay District Police Act, 1867) shall apply to the cantonment of Deesa, and all the provisions of that Act shall, as far as may be, apply to the police force employed in that cantonment.

"The administration of the police in the cantonment of Deesa shall be vested in such person as the Governor of Bombay in Council may, by name, or in virtue of his office, appoint in this behalf, subject to the general control and direction of the Commanding Officer of the cantonment."

(v) Sections 10, 12, and 13 shall be omitted

(vi) The second paragraph in section 25 shall be omitted.

(vii) Sections 31 and 32 shall be omitted.

(viii) In section 34, for the words "Commanding Officers of cantonments or" the words "the Commanding Officer of the Cantonment, or of Commanding Officers" shall be substituted.

(ix) Section 35 shall be omitted.

C. GRANT,

Secretary to the Government of India.

GENERAL.

The 14th November, 1883.

No. 2624 *G.*—Mr. C. Grant, C.S.I., C.S., Secretary to the Government of India in the Foreign Department, is granted three months' privilege leave, with effect from the 30th November 1883, or the subsequent date on which he may avail himself of the same.

J. W. RIDGEWAY, *Lt.-Col.*,

Offg. Under-Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Simla, the 16th November, 1883.

FURLOUGH AND LEAVE.

No. 598.—The undermentioned officer is granted furlough out of India, with the necessary subsidiary leave:—

Conductor P. Wyer, Ordnance Department, (m. c.) for one year, under rule VI of the regulations of 1875.

No. 599.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India:—

Lieutenant-Colonel (Brevet Colonel) L. H. Williams, Bengal S. C., (m. c.) for 182 days.

Lieutenant-Colonel (Brevet Colonel) P. C. Dalmahoy, Infantry, (p. a.) for ninety-six days.

Major C. S. Beauchamp, R.E., (m. c.) for three months.

Major T. O. Wingate, Bengal S. C., (m. c.) for three months.

Major S. H. Cowan, Bengal S. C., (p. a.) for sixty-one days.

Major A. L'E. H. Holmes, Bengal S. C., (p. a.) for ninety-two days.

Major R. E. S. Smyth, General List, Infantry, (m. c.) for six months.

Captain F. C. N. Goldney, Bengal S. C., (m. c.) for 122 days.

Lieutenant V. M. Stockley, Bengal S. C., (u. p. a.) without pay, for two months.

Surgeon F. J. Tuohy, M.D., (m. c.) for six months.

PROMOTIONS.

No. 600.—The following promotion is made, subject to Her Majesty's approval:—

BREVET.

To be Colonel.

Lieutenant-Colonel Edward Ridley Colbourne Bradford, C.S.I., Madras S. C.,—13th November, 1883.

No. 601.—NATIVE ARMY—

1st Goorkha Regiment.

Jemadar Bahadoor Goorung to be Subadar, *vice* Ruttonbeer Thappa; Color-Havildar Gujbeer Rana to be Jemadar, *vice* Bahadoor Goorung, promoted,—14th August, 1883.

RETIREMENTS.

No. 602.—Lieutenant-Colonel (Brevet Colonel) John Roberts, Bengal S. C., has been permitted to retire from the service, with effect from the 28th September, 1883, subject to Her Majesty's approval.

G. CHESNEY,
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

CALCUTTA, THE 12TH NOVEMBER, 1883.

Statement of Deposits on account of Estates from the 11th September to the 12th November, 1883.

On whose account.	Rank.	Corps.	Date of decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					Rs. A. P.		
Maximilian Grant (*a*) ...	Surgeon-Major	Army Medical Department.	24th Aug., 1883	Will left	1,400 15 0	...	12th Jan., 1884.

(*a*) *Children*—Percy Maximilian Grant. Gertrude Grant.
Executors—H. J. W. Smythe, Esq. Lieutenant-Colonel B. H. Heathcote.

E. H. H. COLLEN,
Officiating Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 10th November 1883.

No. 276.—Mr. C. Swappe, Executive Engineer, 2nd Grade, is appointed to carry on the current duties of the office of Engineer-in-Chief of the Bhopal State Railway, in addition to his own duties, during the absence on privilege leave of Mr. H. T. Geoghegan, or until further orders.

No. 277.—Mr. J. N. D. La Touche, Assistant Engineer, 2nd Grade, Central Provinces, is transferred temporarily to State Railways and his services placed at the disposal of the Director General of Railways.

The 13th November 1883.

No. 278.—Mr. F. E. Braham, Assistant Engineer, 1st Grade, Railway Branch, is granted by Her Majesty's Secretary of State for India extension of furlough for 8 months and 17 days, in continuation of the leave granted to him in the Government of North-Western Provinces and Oudh, Public Works Department, Notification No. E.581R., dated 25th April 1883.

The 16th November 1883.

No. 279.—The Governor General in Council is pleased to make the following officiating appointments in the Indian Telegraph Department, with effect from the dates specified and until further orders:—

Name.	From	To	With effect from
Mr. H. P. Owen ...	Superintendent, 2nd Grade ...	Superintendent, 1st Grade	12th September 1883.
Mr. F. W. F. Wiese ...	" 3rd " ...	" 2nd "	12th September 1883 to 28th October 1883, inclusive.
Mr. J. F. Bevan ...	" 3rd " ...	" 2nd "	29th October 1883.

W. S. TREVOR, *Colonel, R.E.,*
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

No. 994 R.C., dated Simla, November 8, 1883.

ORDER—By the Government of India, Public Works Department.

ASSAM-BEHAR RAILWAY.

Proposal for establishing through railway communication *viâ* Tirhoot and Northern Bengal between the North-Western Provinces and Oudh on the one side and Assam on the other.

Read the following papers:—

Despatch No. 72 Railway, dated Simla, 26th May 1883.

From—The Government of India, Public Works Department,

To—The Right Hon'ble the Secretary of State for India.

We have had under consideration the question of establishing through railway communication, *viâ* Tirhoot and Northern Bengal, between the North-Western Provinces and Oudh on the one side and Assam on the other, by uniting the lines already constructed and in course of construction as portions of the Tirhoot and Northern Bengal Railways, and by an extension of the Rungpore Branch to Dhubri.

2. The necessity for the completion of this east and west line of communication on the north of the Ganges has long been recognised, and at our request the Government of Bengal has now submitted a complete scheme connecting Sonepore, the terminus of the Bengal and North-Western Railway on the north bank of the Ganges, with Dhubri on the Brahmaputra, in Assam.

3. After full deliberation, we are strongly impressed with the importance of completing this project, unconnected portions of which already exist; the communications will be most valuable as affording to the redundant population of Tirhoot a ready means of transport to the Province of Assam, where the demand for labor is ever increasing, as well as in opening out some of the richest tracts of Upper Bengal; as a famine protection work too, its benefits in time of drought would be incalculable. The Famine Commission of 1880 in their Report state: "The parts in which the effect of drought have been most serious are,—(1) a tract extending along the borders of Nepal, from the Gunduk to the Kosi river, 250 miles by 50." Again: "In Northern Bengal the districts of Behar and Bhagalpore north of the Ganges also require the extension of the lines already constructed."

4. Towards the completion of these lines considerable progress has already been made. Parbattipore having been selected, after careful surveys, as the point at which such an Assam-Behar connection should cross the Northern Bengal Railway, a branch of that Railway was carried eastward as far as Kaunia on the river Teesta. But in view of the anticipated heavy expense of bridging that river, as well as three others beyond, the continuation to Dhubri, which is finally accepted as the connecting point with Assam, was deferred indefinitely after the embankment had made considerable progress, and temporary arrangements consisting of light tramways and ferries were established. The construction of these tramways we reported to your Lordship in our Railway Despatch No. 165 of the 26th December 1881.

Westward from Parbattipore, a branch to Dinagepore is approaching completion.

A

On the Tirhoot side a considerable advance has been made. The Tirhoot Railway system, starting from the Ganges nearly opposite the Mokameh Station of the East Indian Railway, has been opened as far as Bettiah to the north-west, and Jhinjharpore to the east of Durbhunga, and a second connection with the Ganges is in progress, *viz.*, from Mozufferpore to Hajipore, where a bridge across the Gunduk will effect a junction with the Bengal and North-Western Railway.

5. In order to establish complete communication between both Bettiah and Baraitch in the west with Dhubri, whence Messrs. McNeile and Company's fast steamers and vessels of other Companies run to Upper Assam, it is only necessary to make good three breaks, *viz.* :—

(1) To connect Sonepore with Hajipore by a bridge over the Gunduk.

(2) To complete communication between Jhinjharpore and Dinagepore.

(3) To extend the Rungpore Branch from Kaunia to Dhubri, a distance of 54 miles.

6. In regard to the first break we would invite your Lordship's attention to paragraph 4 of the note by the Chief Engineer of Bengal, which is enclosed. The bridge with its connections has been estimated to cost Rs. 14,24,114; but after consultation with our Consulting Engineer for State Railways, we are of opinion that by the substitution of ten spans for eight, this work can be constructed for Rs. 12,00,000. With respect to the question whether the bridge should form part of the Bengal and North-Western or of the Tirhoot Railway, we would point out that it is only by crossing the river Gunduk that the Hajipore section of the Tirhoot Railway system can be placed in connection with the line of communication about to be established by the Bengal and North-Western Railway Company from Baraitch to Sonepore, and thence by a ferry across the Ganges to the East Indian Railway. This bridge, while thus of vital importance to the Tirhoot system, is of comparatively less moment to the Bengal and North-Western Company. We therefore consider that on the former and not on the latter the duty of construction should devolve. Moreover, the Bengal Government have already agreed (*vide* paragraph 7 of letter No. 2529R., dated 1st August 1882, which accompanied our Despatch No 173R. of the 26th December 1882) to undertake this connection as a Provincial work, and we consider that there are no sufficient grounds for relieving them of the obligation. It would be manifestly inexpedient to interpose a small piece of line, some two or three miles in length, between two Railways constructed on totally different terms. This question has been discussed at some length, and we trust that your Lordship will concur in the conclusion we have arrived at.

7. The second break has been for some time under survey, together with a short Branch from Saifgunge to Munihari on the Ganges, whence a conection with the East Indian Railway at Sahibgunge may be effected by a ferry. The Bengal Government consider that this will be a very valuable feeder.

8. With reference to the third break, we beg to explain that in December last the inadequacy of the temporary arrangements referred to above in our 4th paragraph was strongly urged upon us by the Chief Commissioner of Assam personally; and in February our Hon'ble Colleague Mr. Hope, in company with our Director General of Railways, and the Chief Engineer to the Government of Bengal, thoroughly examined the line of communication. Proceeding from Kaunia to Mogulhât, and thence to Dhubri along the unfinished embankment of the projected railway, the return journey was accomplished by steamer, tramway, cart, ferry, and light tramway, through Kurigaon. This return journey was found to fully justify the complaints of the Chief Commissioner; the existing arrangements are utterly unfit for the main communication between two provinces. The Dhurla and Brahmaputra rivers alter their courses perpetually, throwing up banks here and cutting away there, so that any arrangement made on this route can only be most temporary, involving serious incovenience to passengers. The frequent changes, moreover, entail considerable outlay, so much so that during the last half-year the working expenses of the tramways were 97·10 per cent. of the gross earnings. The result of this visit thus was to condemn the existing route entirely. On the other hand, the original line, *viâ* Mogulhât, was proved, by the condition of

the embankment, to need the provision of much less water-way than had been supposed. Through this advantage, together with the adoption of a different system of bridging, it was evident that the connection could be established for a sum considerably less than the amount, one and a quarter million sterling originally estimated for its completion.

9. In consequence of the additional information thus gained on this question, the Government of Bengal were requested to have a careful revision of the project carried out, which resulted, we are glad to state, in it being shown that the line of rails could be extended to Dhubri at a cost of about 56 lakhs of rupees.

10. The importance of this extension has of late been much enhanced by the fact that the construction of the Assam Railway from the Makum Coal Field will enable coal to be brought down to Dhubri, and effect large savings in the working expenses of the Northern Bengal and Tirhoot Railways.

The value of the connection, moreover, to the Province of Assam, and the overcrowded territories to the westward, is emphatically stated in the concluding paragraph of the letter from the Government of Bengal, of which a copy is enclosed.

11. Notwithstanding, however, the great importance we attach to the completion of the entire line of communication, we do not at the present time ask your Lordship's sanction to the extension of the Rungpore Branch to Dhubri, as, although this forms an integral part of the whole scheme, it was not included in Schedule A of our Despatch of the 23rd January last on Railway Policy. We hope, however, to be before long in a position to show such savings on the estimates in that schedule as will unable us to carry out this extension without causing any excess in the aggregate estimates, and we may then address your Lordship again on the subject.

12. Excluding the Rungpore-Dhubri section then, our present proposals, to which we ask your Lordship's sanction, comprise—

		Miles.	Estimate rupees	Miles.	Estimate rupees.
1.	Sonepore to Hajipore ...		..	2·5	14,24,114
2.	A. Jhunjharpore to Gongareeria	16·5	10,85,485	206·5	1,46,49,650
	B. Gongareeria to the Kosi ...	25·5	22,61,500		
	C. Ferry across the Kosi ..	4 0	4,09,000		
	D. Kosi to Purneah ...	55·0	30,24,975		
	E. Purneah to Dinajpore ...	87 0	66,11,055		
	F. Munihari Branch and Ferry	18·5	12,51,635		
			Total ...	209	1,60,73,764

We have not yet received detailed estimates for the sections marked B, C, and D, and the figures therefore entered above must be taken as approximate only. The complete estimates will be awaited before final sanction is communicated to the Government of Bengal for the construction of these portions, but we have no reason to believe that the amounts now entered will prove insufficient to any appreciable extent.

13. For those works, we have provided Rs. 1,69,00,000 in the Schedule A. (*b*) to our Despatch No. 29 of the 23rd January 1883, *viz.* :—

	Rs.
Hajipore-Sonepore	12,00,000
Pipraghat-Saifgunj } Munihari-Dinajpore }	1,57,00,000

14. With reference to the requests made by the Lieutenant-Governor of Bengal in paragraphs 18 and 19 of the enclosure, we may state that we consider that the Gunduk bridge should be a Provincial work, for the reasons given in our separate Despatch of this date, and also that we see no necessity for disturbing existing arrangements and calculations by writing back certain sums already spent from Provincial balances. The suggestion that the Rungpore-Dhurbi connection should be Imperial, and that the amount already laid out by the Government of Bengal should be refunded to them, will not require consideration until the line is about to be taken in hand.

15. We have already briefly alluded to some of the benefits which may be expected from the completion of these lines, and your Lordship will observe, from paragraph 17 of letter No. 1761R. of the 6th April 1883 from the Government of Bengal, that the net return on the capital cost is estimated at upwards of 4½ per cent. As a financial undertaking, therefore, the prospects are good; and as a means of opening out a country rich in produce, but subject at times to the evils of severe drought, we consider it of the greatest importance, and trust that we may receive at an early date the approval of your Lordship to the construction of the works specified in paragraph 11. Bearing in mind the traffic results of the Northern Bengal and the open portions of the Tirhoot Railway, we have no hesitation in saying that the conditions required of a Productive Public Work will be fulfilled.

16. We attach an index map showing the sections of railway constructed, in course of construction, and now proposed.

No. 1761R., dated 6th April 1883.

From—The Secretary to the Government of Bengal, Public Works Department,

To—The Secretary to the Government of India, Public Works Department.

In reply to your No. 206R.E. of the 1st instant, I am directed to say that the Lieutenant-Governor fully concurs in the remarks regarding the exceedingly unsatisfactory state of the route between Kaunia and Dhubri, owing to the uncertain character of the Dhurla and Brahmaputra rivers. Every effort has been made to meet the existing difficulties; but the Lieutenant-Governor is quite satisfied that they cannot be effectually overcome till a through and uninterrupted line of railway communication has been established to Assam.

2. The orders conveyed in the letter under reply have received the careful attention of the Chief Engineer, and the best estimates that can be framed from all available information have been prepared for each section of the line of 410½ miles between Sonepore, the terminus of the Bengal and North-Western Railway, and Dhubri, the nearest point in the province of Assam.

3. Full particulars are given in the accompanying note by the Chief Engineer, but for convenience of reference the totals are here brought out in tabular form, and indirect charges have been added:—

Number.	Description.	Miles.	Sections completed and opened for public traffic.	Sections under construction.	Sections for which estimates have been submitted for sanction.	Sections for which estimates are submitted herewith.	Totals.	Remarks.
			Rs.	Rs.	Rs.	Rs.	Rs.	
I	Sonepore to Hajipore	2 5	...			14,24,114	14,24,114	
II	Hajipore to Mozufferpore ..	34 0	..	21,35,464	..	..	21,35,464	Sanctioned in Government of India No. 138R.C., of 9th February 1883.
III	Mozufferpore to Jhinjharpore .	79 5	55,23,193	.	...		55,23,193	
IV	Jhinjharpore to Gongareria	16 5	..	...	10,85,485	..	10,85,485	Submitted for sanction with No. 1062R. of 5th March 1883.
V	Gongareria to the Kosi	25·5	...	...	.	22,64,500	22,64,500	Approximate estimates: Detailed estimates under preparation.
VI	Ferry across Kosi .	4·0		...	...	4,09,000	4,09,000	
VII	Kosi to Purneah	55 0	..	.	..	30,24,975	30,24,975	Approximate estimate based on preliminary investigations.
VIII	Purneah to Dinagepore	67·0	.	..	66,11,055	...	66,11,055	Estimates submitted with No. 1531R. of the 22nd March.
IX	Dinagepore to Parbattipore . .	19·25	..	11,49,324	..	...	11,49,324	Under construction as a *Provincial* work.
X	Parbattipore to Kaunia ...	33 25	28,19,033	.			28,19,033	
XI	Kaunia to Dhubri ...	54				62,26,074	62,26,074	Includes expenditure already incurred, Rs. [illegible].
		410 5	83,42,226	32,84,788	76,96,540	1,33,48,663	3,26,72,217	
	Mumhari Branch .	13·5	.	...	9,04,635	...	9,04,635	Estimates submitted with No. 1531R. of the 22nd March.
	Sahebgunge ferry ..	5	.	..	3,50,000	...	3,50,000	Ditto Ditto.
	Total ..	429 0	83,42,226	32,84,788	89,51,175	1,33,48,663	3,39,26,852	Total Direct charges.
	Indirect charges.							
	Capitalization of abatement of Land Revenue	...	7,400	2,000	15,000	6,000	30,400	Approximate
	Leave and Pension Allowances	...	1,92,500	23,500	1,31,000	2,04,600	6,48,600	Approximate
	Interest during construction	...	12,48,000	1,19,000	3,24,000	4,60,000	21,46,800	Approximate
		...	14,47,900	1,44,500	4,70,000	6,70,600	28,21,600	Total Indirect charges.
		.	97,90,126	34,28,280	94,21,175	1,40,19,263	3,67,51,452	Grand Total Direct and Indirect charges.

The estimates provide for a branch line to Munihari, 13½ miles, and a steam ferry to Sahebgunge on the East Indian Railway, from which considerable traffic may be expected.

4. From the above statement it appears, as remarked by the Chief Engineer, "that of the 410½ miles, 113¼ are open for traffic and 53¾ are under construction. For 103¾ miles estimates have been submitted to the Government of India for sanction, and for the remaining 88 miles estimates, more or less in detail, are now submitted. In addition to the above, and in connection with item VIII, estimates for a branch line to Munihari, 13½ miles, and for a steam ferry across the Ganges to Sahebgunge, 5 miles, have been submitted."

5. The first section from Sonepore to Hajipore includes the bridge across the river Gunduck, consisting of eight spans of 250 feet each, and an approach on 110 brick arches from the western side. The necessity for this latter work has been explained in the letter from this office No. 3689R. of the 7th December, from which a quotation will be found in the 5th paragraph of the Chief Engineer's note. The Lieutenant-Governor again recommends the adoption of this description of approach, and the concession of the use of the arches to the proprietor of the ground on which the fair is held, on the condition that he makes a free gift of all the land required for the construction of the works.

6. Regarding the second and third sections, Hajipore to Muzufferpore and Mozufferpore to Jhinjharpore, no remarks are necessary; the works on the second section are already making good progress, and the third section was formally opened to public traffic by the Lieutenant-Governor in January last.

7. The plans and estimates for the fourth section, Jhinjharpore to Gongareria, 16½ miles, have been submitted to the Government of India with this office No. 1082R.C. of the 5th March 1883, in which, and the papers accompanying it, particulars of this part of the project will be found. In reply, this Government has been informed in the letter noted on the margin that sanction to the construction of this section is withheld pending the consideration of the whole project. The Lieutenant-Governor regrets this delay, because it is obviously impossible that the railway can be allowed to terminate abortively in a paddy field, as is literally true of Jhinjharpore, and in any case the line must be carried on to the banks of the Kosi. For the reasons advanced in the letter above quoted, he would again urge that early sanction to the estimates for this section be accorded, so that the work may be put in hand without any further loss of time.

No. 259R.C. of 15th March 1883.

8. During the past cold season the fifth section from Gongareria to the right bank of the Kosi at Bulloah has been located, and the detailed estimates are now under preparation; but an approximate estimate, amounting with rolling stock to Rs. 22,64,500, has been furnished by the Manager of the Tirhoot State Railway. The distance being only 25½ miles, the mileage rate reaches the high figure of Rs. 88,803; the country itself is level, but the numerous streams crossed require a large amount of waterway, which accounts for the high mileage rate.

9. It cannot be disguised that the establishment of a ferry across the river Kosi presents many formidable difficulties; but to bridge it would be out of the question at present, and the best arrangement for the crossing of the river, about four miles in width, would be to provide three steamers of light draught. With these, and temporary lines on the *dearah*, we must content ourselves until the growth of traffic warrants the expenditure required for the construction of a bridge.

10. From the Kosi to Purneah the country is said by the Manager of the Northern Bengal State Railway, to be exceedingly easy for the construction of a line of railway, which would run on a high ridge of well cultivated country free from floods and pass through at least one important mart. No rivers are crossed, and, with the exception of four miles near the Kosi and five miles near Purneah, hardly any waterway will be required. The estimated cost of this section is therefore, as may be expected, exceedingly low—Rs. 55,000 per mile.

11. For the description of the ninth section from Purneah to Dinagepore, 87 miles, with the branch to Munihari, 13½ miles, and ferry to Shahebgunge, reference is made to this office No. 1581R. of the 22nd March 1883, and papers which accompanied it. The Lieutenant-Governor trusts that early sanction may be accorded to these estimates.

12. Between Dinagepore and Parbatipore, on the Northern Bengal Railway, 19¼ miles, the construction of the line is well advanced, and the Lieutenant-Governor hopes to open it for traffic at the end of the next rainy season, when the banks have thoroughly consolidated.

13. The tenth section from Parbatipore to Kaunia forms a portion of the already completed line of the Northern Bengal Railway, and needs no remarks.

14. Between Kaunia and Dhubri, 54 miles, the embankment is throughout ready to receive the rails. The first portion between the rivers Teesta and Dhurla, a distance of 14 miles, is occupied by the light railway on two feet six inch gauge, which will be taken up if it is decided that the rivers are to be bridged. A most careful revision of the estimates of this section has been made in the Chief Engineer's office, with the result that the amount has been reduced from Rs. 1,22,26,473, the sum originally estimated by Mr. White, to Rs. 92,26,074, inclusive of the expenditure already incurred. The amount required to complete the section is, however, only Rs. 53,88,148. The manner in which this immense reduction in the estimates has been effected is fully explained in the note by the Chief Engineer, paragraphs 18 and 19. In the estimates for the bridges over the four large rivers—Teesta, Dhurla, Sunkosh, and

Gungadhur—a saving of Rs. 48,13,541 has been made by (1) reducing the amount of waterway originally allowed by 2,751 lineal feet (paragraph 18 of note); and (2) by a complete change in the designs. For the costly brick cylinders, which were to have been sunk 80 feet below the river-bed, and the wide spans of 250 feet originally proposed, it is intended now to substitute girders, with spans of 100 feet, supported on screw-piles sunk 50 feet into the bed protected by rubble-stone brought from Dhubri.

15. The expenditure, which has actually been incurred on the road from Kaunia to Dhubri, is shown in the statement which accompanies the estimates of this section as follows :—

Province.	Works.	Establishment.	Tools and Plant.	Total.
	Rs.	Rs.	Rs.	Rs.
Bengal	2,91,007	72,750	29,101	3,92,859
Assam	1,85,235	46,309	18,523	2,50,067
Total ...	4,76,242	1,19,060	47,624	6,42,926

Expenditure on works has been ascertained from the accounts, after excluding that incurred on timber bridges and all other temporary works which will not be useful for the metre-gauge railroad. The figures entered for establishment and tools and plant have been calculated at the usual rates of 25 and 10 per cent. respectively on the cost of the works, as actual expenditure on those heads cannot be ascertained.

16. The amount for which the sanction of the Government of India is now required to complete the whole project is Rs. 2,16,56,912, exclusive of indirect charges made up as shown in the following statement —

No. of section.	Description.	Miles.	Sections for which estimates have been submitted for sanction.	Sections for which estimates are submitted herewith.	Total.
			Rs.	Rs.	Rs.
I	Sonepore to Hajipore	2·5	...	14,24,114	14,24,114
IV	Jhinjharpore to Gongareria ..	16·5	10,85,485	...	10,85,485
V	Gongareria to the Kosi ..	25·5	...	22,64,500	22,64,500
VI	Ferry across the Kosi ...	4·0	...	4,09,000	4,09,000
VII	Left bank of Kosi to Purneah ...	55	...	30,24,975	30,24,975
VIII	Purneah to Dinagepore ...	87	66,11,05		66,11,055
XI	Kaunia to Dhubri	54	...	55,83,148	55,83,148
	Total ...	244·5	76,96,540	1,27,05,737	2,04,02,277
	Munihari Branch	13·5	9,04,635	...	9,04,635
	Sahebgunge ferry	5	3,50,000	...	3,50,000
		263·0	89,51,175	1,27,05,737	2,16,56,912
	Indirect charges	...	4,70,000	6,70,600	11,40,600

17. It is difficult to say what the receipts on the whole line will be, but there seems to be no valid reason why they should fall short proportionately of those on the Tirhoot and Northern Bengal State Railways. During the past year the mileage receipts were Rs. 6,912 and Rs. 8,049 respectively, the average of which, Rs. 7,480, applied to the total length of the line under notice (410¼ miles) would give the sum of Rs. 30,70,540 on the gross receipts, and allowing one-half for working expenses, the net profits would yield 4·69 per cent. on the total cost of the line, Rs. 3,26,72,217. It may be accepted that this result will be attained in the course of a very few years after the opening of the line, and there is every ground for the assurance that the rapid development of traffic, evidenced every where on the railways of Bengal, will extent to this line also with ultimate promise of still better results. The Chief Engineer alludes, in the last paragraph of his note, to the saving that may be effected in working expenses on these lines of railway by the use of coal from Assam. This is not an unreasonable prospect, but the Lieutenant-Governor defers comment on the subject until there has been a further development of the operations on the Makum coal-fields.

18. It remains now to consider to what extent this Government may fairly be expected to accept financial responsibility for the undertaking. It will be remembered that the ninth section, Dinagepore to Parbatipore, is being constructed with Provincial funds, and that a sum of Rs. 3,92,859 has been expended on works in the eleventh section, which will be permanently useful for the metre-gauge railway. The Lieutenant-Governor trusts the Government of India, when according sanction to the whole project, will be in a position to order a refund of the amount expended from Provincial sources in these two sections. The Parbatipore-Dinagepore section was commenced by the Bengal Government at a time when money was not available from the Government of India; but a large Imperial scheme, such as that which is now under consideration, it would be open to many administrative objections that a small section of this extensive undertaking should be classed under a separate heading.

19. Mr. Rivers Thompson is of opinion that the bridge across the river Gunduck with its western approach, constituting section No. I, and the line from Kaunia to Dhubri, section XI, should be treated as Imperial works—the first in its connection with Bengal and North-Western Railway, and the second in consideration of the immense benefit which will certainly accrue to the province of Assam from the construction of the line. In his opinion these two sections should therefore be excluded from the category of works for which this Government may be expected to render itself financially liable. On this basis the sum for which the Bengal Government will have to pay interest into the Imperial Treasury will be represented by the capital cost of the whole system of railways from Hajipore on the river Gunduck to Kaunia on the Teesta. For the greater portion of this the Government of India have already accepted the Lieutenant-Governor's guarantee, and for the remainder, as shown in the statement below, he is willing now to undertake the responsibility :—

1	2	3	4	5	6
Section.	Description.	Section to which sanction has been accorded as Provincial.	Section for which estimates have been already submitted, but to which sanction has not been accorded.	Sections for which estimates are now submitted.	Total.
		Rs.	Rs.	Rs.	Rs.
IV	Jhinjharpore to Gongareria ...	...	10,85,485	...	10,85,485
V	Gongareria to the Kosi ...	...	...	22,64,500	22,64,500
VI	Ferry across the Kosi ...	...	...	4,09,000	4,09,000
VII	Kosi to Purneah ...	...	...	30,24,975	30,24,975
VIII	Purneah to Dinagepore ...	...	66,11,055	...	66,11,055
...	Branch to Munihari ...	...	9,04,635	...	9,04,635
...	Sahebgunge ferry ...	...	3,50,000	...	3,50,000
IX	Dinagepore to Parbattipore ...	11,49,324	...	...	11,49,324
	Total ...	11,49,324	89,51,175	56,98,475	1,57,98,974

20. In conclusion, I am to say that the Lieutenant-Governor attaches very great importance to the early completion of this main line of railway, and urges that no delay may be allowed to occur in according sanction to the estimates, and especially to that of the last section. The present communication with Assam is acknowledged to be as bad as it can well be, and at the same time it is incapable of any practical improvement even by temporary expedients. The completion of the great scheme to which these papers refer will bring incalculable advantages to that province, especially in the promotion of its tea industry, and in the facilities to a free immigration from over-crowded districts for the clearance of its waste lands; and it is only by bridging the four intervening rivers, and thus enabling the metre-gauge engine to pass without interruption to Dhubri, that an effective and permanent solution of the difficulty can be arrived at.

Note by H. C. LEVINGE, Esq., *Chief Engineer, Bengal, Railway Branch, on the project for a line of railway from Sonepore, nearly opposite Patna, to Dhubri in Assam, dated 11th March 1883.*

It is desired that the line of railway from Sonepore, the terminus of the Bengal and North-Western Railway nearly opposite Patna, to Dhubri on the river Brahmaputra in Assam be considered as one project. This line, which passes through the Tirhoot and Northern Bengal Railway systems, and thus connects them, will be 410½ miles in length. Of this, some portions have been opened for traffic, and some are under construction, while for others estimates have been submitted, and for others again only surveys have been made, as follows :—

	Miles.	
I.—From Sonepore, the terminus of the Bengal and North-Western Railway, to Hajipore, including the bridge across the Gunduck	2·5	Estimate and plan submitted herewith.
II.—From Hajipore to Mozufferpore ...	34·0	Estimate sanctioned, and work in progress.
III.—From Mozufferpore to Jhinjharpore ...	79·5	Line open for traffic.
IV.—From Jhinjharpore to Gongareria ...	16·5	Estimates submitted for sanction with No. 1082R., dated 5th March 1883.
V.—From Gongareria to the Kosi ...	25·50	Line has been located; approximate estimate given; detailed estimates are under preparation.
VI.—Ferry across the Kosi	4·	
VII.—From the Kosi (left bank) to Purneah ...	55·0	Preliminary investigation made and approximate estimate prepared.
VIII.—From Purneah to Dinagepore ...	87·0	Estimate submitted for sanction with No. 1581R., dated 22nd March 1883.
IX.—From Dinagepore to Parbattipore on the Northern Bengal Railway ...	19·25	Works in progress.
X.—From Parbattipore to Kaunia on the Teesta	33·25	Line open for traffic.
XI.—From Kaunia to Dhubri ...	54·00	Estimates submitted herewith.
Total ...	410·5	

2. It thus appears that of the 410½ miles, 113¾ are open for traffic, and 58½ are under construction. For 103½ miles estimates have been submitted to the Government of India for sanction, and for the remaining 86 miles estimates, more or less in detail, are now submitted. In addition to the above, and in connection with item VIII, estimates for a branch line to Munihari, 13½ miles, and for a steam ferry across the Ganges to Sahebgunge, 5 miles, have been submitted.

3. It will be necessary, in the first place, in order to arrive at a clear understanding of the whole project, to consider each part separately.

4. *I.—Sonepore to Hajipore.*—The terminus of the Bengal and North-Western Railway has been located opposite the race course at Sonepore, somewhat over one mile from the bank of the Gunduck, across which it is considered necessary, for reasons given in the note by the Chief Engineer on the Hajipore-Mozufferpore Railway, to construct a bridge. He remarks: "If this is not done, three ferries—two across the Ganges and one across the Gunduck—will be permanently required, as well as a *dearah* line, estimated by the Manager of the Tirhoot State Railway at 10 miles in length, which would have to be removed annually at great expense; whereas after the construction of the bridge only one ferry will be necessary." The bridge, which has been designed by Mr. Wardon, will be a handsome structure, consisting of 8 spans of 250 feet each, with ample headway for boats, the girders resting on masonry piers, founded on brick cylinders sunk from 33 feet to 80 feet into the bed of the river, where a hard stratum of red clay exists. The banks are hard and quite permanent, so that no danger from their erosion need be apprehended.

5. The approach to the bridge from the west passes through the ground occupied by the great annual fair at Sonepore, and it has been found absolutely necessary to construct it on arches. The reasons for adopting this description of approach have been fully set forth in the letter from this office to the Government of India quoted in the margin, as follows:—

No. 2689R. of the 7th December 1882.

Para. 2. The delay in replying to your letter has been caused by the necessity of making full and careful enquiry regarding the alignment of the railway to the east of the station (Sonepore), and the position of the proposed bridge across the Gunduck. As laid out, the line will run at a high level through the whole length of the fair at which vast numbers of people annually assemble. This alignment was objected to by the owner of the land, who memorialized the Lieutenant-Governor urging alteration of the line, on the ground that the fair would otherwise be virtually destroyed. The Chief Engineer has, however, satisfied himself by personal inspection that it is not possible to alter the line so as to avoid the fair, and at the same time to secure a favorable crossing of the river. Along with the local civil officers and the owner of the land on which the fair is held, he went over the whole of the ground, and it has now been finally decided to adopt the present alignment, * * * and to construct an arched viaduct as the approach to the bridge. This will add to the cost of the line; but on no other condition is it possible to secure at once the advantages of a site for the station near Sonepore, and a good crossing of the river. The zemindar has promised, in the presence of the Magistrate and Collector of the district (Mr. Quinn), to make a free gift of the land required for the viaduct, if he is allowed the use of the arches, and this concession the Lieutenant-Governor considers should be granted.

6. The estimated cost of the bridge and approaches is as follows:—

	Rs.
Bridge as per detailed estimate	11,93,016
Viaduct of 140 arches ditto	1,11,367
Land	5,000
Earthwork	18,331
Ballast	8,400
Permanent-way, 2½ miles	40,000
Plant	40,000
Establishment as per detailed estimate	1,08,000
	14,24,114

In the Note by the Chief Engineer on the Hajipore-Mozufferpore Railway, dated 17th June 1882, it was stated that the cost of the bridge, including approaches, would probably not exceed 12 lakhs of rupees; but at that time it was not anticipated that an arched viaduct would be required on the western side. The viaduct as designed consists of 134 semi-circular brick arches of 15 feet span each and 6 of 5 feet.

7. The estimate now submitted make no provision for a ferry across the Ganges, or a branch line from the East Indian Railway at Bankipore to Deegah on the bank of that river, as it is understood that these works will be carried out by the Bengal and North-Western Railway Company, and that the ferry will be established and worked by that Company.

8. *II.—Hajipore to Mozufferpore.*—The estimates for this part of the line were sanctioned in letter from the Government of India No. 132R.C. of the 8th February last, and the works are in progress. The cost, including 12 miles of permanent-way for temporary lines on the *dearah*, is estimated at Rs. 21,35,464, exclusive of indirect charges.

9. *III.—Mozufferpore to Jhinjharpore.*—This portion of the line is open for public traffic, and may be divided into two portions—*1st*, Mozufferpore to Durbhunga, which has been open some years; and *2nd*, Durbhunga to Jhinjharpore, known as the Eastern Extension, which has only recently been opened. There is no possibility of arriving at the exact cost of the first portion, as the accounts have been kept for the whole line; but as the total cost of the Tirhoot Railway up to November last was Rs. 55,91,708, and the length open was 78 miles, the mileage cost was Rs. 71,688, which would give for the 55 miles from Mozufferpore to Durbhunga

the sum of Rs. 39,42,840. For the Eastern Extension, 24½ miles, to Jhinjharpore, the estimate is Rs. 15,80,353. The cost of the third section may therefore be taken as Rs. 55,23,193 for the length, 79·5 miles, or Rs. 69,476 per mile.

10. *IV.—Jhinjharpore to Gongareria.*—The estimates for this short length, 16½ miles, were submitted to the Government of India for sanction with this office letter No. 1082R. of the 5th March 1883. Exclusive of indirect charges, the estimate is Rs. 10,85,485, or Rs. 65,787 per mile.

11. *V.—Gongareria to the right bank of the Kosi near Bulloonah.*—This portion of the line, 25¼ miles in length, has been located during the present season, and the plans and estimates are under preparation. The estimated cost of the line has been approximately stated by the Manager of the Tirhoot State Railway at Rs. 21,37,000, exclusive of rolling stock, and allowing Rs. 5,000 per mile on that account, the cost will be Rs. 22,64,500, or Rs. 88,803 per mile. The mileage rate for this length is therefore higher than in any other part of the Tirhoot system; but this is accounted for by the larger amount of waterway required.

12. *VI.—Ferry across the river Kosi.*—The Manager, Northern Bengal Railway, in his report No. 127W. of the 8th February last, states that "the width of the river is about three miles, of which, on the 20th January, only ¼ mile was running water, the remainder being a sandy *chur*. Between Nawabgunge and the Kosi are two considerable channels, and two smaller ones, which would probably require 1,000 feet of bridging to enable trains to run throughout the year to the ferry. No better position can be obtained for a ferry within British territory, as the river widens very rapidly, and at Nathpore only about five miles south of Nawabgunge it is five miles in breadth. From enquiry made on the spot, there would appear to be sufficient water in the running channel of the Kosi for a steamer of two feet draught to ply throughout the year." The distance may be taken at four miles, and for the ferry itself three steamers of light draught and four flats should be provided; the cost of all this will amount to Rs. 4,09,000 *

		Rs.
* 4 miles permanent-way @	... 16,000 =	64,000
3 Steamers @ .	... 75,000 —	2,25,000
4 Flats @ ...	... 30,000 —	1,20,000
		409,000

13. *VII.—Left bank of the Kosi to Purneah.*—With the exception of the four miles of line between the bank of the river and Nawabgunge, and of about five miles of low ground between Kusbah and Purneah, "the line," says the Manager, "will run on a high ridge of country shown as nearly as possible on the map by yellow dots, which is free from floods; no rivers are crossed, and only local drainage will have to be dealt with. The country traversed is highly cultivated, and a very heavy traffic leads to Kusbah." The estimated cost Rs. 30,24,975, or Rs. 55,000 per mile, which, judging from the very easy character of the country to be traversed, should be sufficient.

14. *VIII.—Purneah and Dinagepore.*—This protion of the railway has been fully described in the Chief Engineer's note of the 23rd February last, and in the report of the Manager of the Northern Bengal Railway. The distance *viâ* Saifgunge is 87 miles, and the estimated cost Rs. 66,11,055, or Rs. 75,987 per mile, exclusive of indirect charges. To this must, however, be added the sum of Rs. 9,04,635 for the branch to Munihari, 13½ miles, and Rs. 3,50,000 for the Sahebgunge ferry flotilla, making the total Rs. 78,65,690. Between Purneah and Dinagepore there are several large rivers and some heavily flooded country to be encountered, which raise the cost of construction; but the traffic receipts calculated in two different ways quite independently of each other show that a net profit of nearly 5½ per cent. on the capital may be expected soon after the opening of the line.

15. *IX.—Dinagepore to Parbattipore on the Northern Bengal Railway.*—Length 19¼ miles. This line is under construction and in an advanced state. The works are being carried out with *Provincial* funds at an estimated cost of Rs. 11,49,334.

16. *X.—Parbattipore to Kaunia.*—This length, 33¼ miles, which is open for traffic, forming part of the Northern Bengal Railway, brings the line up to the right bank of the Teesta. As in the case of item No. 3, there are no means of arriving at the actual cost of this portion of the Northern Bengal Railway, the average mileage cost of the whole line must be ascertained and applied to the length under notice. The total cost of the 230 miles of the Northern Bengal Railway has been Rs. 1,95,00,000, which gives an average of Rs. 84,783 per mile. The cost of the 33¼ miles from Parbattipore to Kaunia may, therefore, be taken as Rs. 28,19,033.

17. *XI.—Kaunia to Dhubri*—For the whole distance, 54 miles, the embankment has been thrown up, and the earthwork completed in a most satisfactory manner; it is, in fact, throughout the whole length ready to receive the rails; but the rivers and streams have not been bridged. On so much of the road as lies in the province of Assam, and in places in Bengal also, substantial wooden bridges have been constructed at the larger flood openings and brick culverts for the minor drainages; the latter in Assam only. It will be necessary, however, to substitute permanent bridges for the wooden structures now existing, and to bridge the main rivers and streams. For all this, the estimates, now submitted, provide. Between the rivers Teesta and Dhurla opposite Mogulhat a railway of 2' 6" gauge has been laid down, and is being worked with fair success. It is proposed, as soon as the bridge across the Teesta has been constructed, to take up the rails and utilise them elsewhere.

18. The estimates of the cost of the whole 54 miles, which were originally prepared by Mr. White, amounted to Rs. 1,22,26,473. Since then most of the land has been acquired. The earthwork, except inclined approaches to bridges, has been completed, and several minor bridges have been constructed. The estimates now submitted provide for the works required to complete and equip the line. Opportunity has been taken to ascertain carefully the waterway required at the larger bridges, for which allowance on far too liberal a scale had been made in the first estimates. The designs for the bridges have also been changed. Mr. White proposed brick piers on wells sunk 80 feet in the sand, with spans of 250 feet. In the altered design the spans have been reduced to 100 feet, and cast-iron screw piles substituted for the piers. It is proposed to sink these piles 50 feet, and to protect them with rubble stone brought from Dhubri. Examination of Mr. White's drawings shows that he had allowed in most cases a number of land spans; but as the embankments have for several years been in existence for the full height, far above flood level, and quite up to the margins of the rivers on each side, it is evident that no additional waterway, beyond that included between the banks of the rivers, is required, and all that has been allowed in the designs now prepared is one hundred feet on either side on which to come and go in case of erosion of the bank, and possibly it may be deemed advisable, in actual construction, not to allow even this. The comparison in the case of the four larger rivers is as follows:—

Name of river.	Actual widths between banks.	Waterway allowed by Mr. White.	Waterway now allowed.	Difference saved.
Teesta	3,500	4,194	3,733	461
Dhurla	2,920	4,194	3,200	994
Sunkosh	1,640	2,884	1,813	1,071
Gungadhur	1,900	2,360	2,135	225
Total ...	9,960	13,632	10,881	2,751

19. The whole of the estimates have been most carefully revised by Mr. Warden, with the result that the amount required to complete the railway on the metre gauge from Kaunia to Dhubri is Rs. 55,83,118 only. Even allowing for works already done, the saving on the original estimates is so great that it may be as well to run through the several items and note the principal points of difference:—

Preliminary.—Rs. 14,175 provided in the original estimates not now required, as all preliminary investigation has been done.

Land.—Rs. 1,10,544. Most of the land having been acquired, Rs. 10,000 only have been retained for station sites, &c.

Earthwork.—Most of the earthwork having been done, Rs. 80,000 out of an estimate of Rs. 5,87,190 have been retained.

Bridges.—Culverts already constructed in the province of Assam reduce the estimate of minor bridges from Rs. 1,66,681 to Rs. 1,04,208. The alteration of design and the reduction in water way of major bridges from 17,055 feet to 14,304 feet effect a saving of no less than Rs. 48,13,541. The whole of these reductions in the major bridging are in the four bridges over the Teesta, Dhurla, Sonkosh, and Gungadhur. Each pier has been calculated to, bear, with safety, 190 tons and a wind pressure of 50lbs. per square foot.

Fencing—Has been increased from Rs. 1,35,713 to Rs. 1,72,800, as Mr. White's rates were too low.

Ballast and Permanent-way.—The rates in the original estimates under this head were also too low. The estimates now stand at Rs. 11,17,622 instead of Rs. 10,80,362.

Stations and Offices.—The original estimate of Rs. 3,78,845 has been reduced to Rs. 3,38,200, the provision made for temporary buildings in the original estimate having been considered very unnecessarily large.

Station Machinery.—This item, on the other hand, was under-estimated, only Rs. 30,639 having been provided, whereas not less than Rs. 1,08,000 will be required.

Plant.—For this Rs. 1,62,000 has been allowed in the new estimate, instead of Rs. 3,02,883 as there is a large quantity of plant on the Northern Bengal Railway available for the work which can be transferred at a low rate.

Rolling Stock.—For first equipment of the line Rs. 5,000 per mile should be sufficient Rs. 2,70,000 has, therefore, been provided, instead of Rs. 4,86,000 in the original estimate.

Electric Telegraph.—For this Rs. 67,935 was included in the first estimate. The whole amount has now been struck out as not being required under the rules in force.

Establishment.—Ten per cent. has been taken as usual on all items except rolling stock and plant. This amounts to Rs. 4,68,286 as against Rs. 11,94,033 in the original estimate.

20. The actual expenditure already incurred on works which will be permanently useful for the metre-gauge railway is shown in the accompanying statement. Including the usual allowance for establishments and tools and plant, it may be taken at Rs. 6,42,926, of which Rs. 3,92,859 were expended in Bengal and Rs. 2,50,067 in Assam. This sum added to the estimate now submitted for the completion of the line, Rs. 55,83,148, brings up the total cost of this section to Rs. 62,26,074, and the mileage rate to Rs. 1,15,297.

21. We can now, from the figures above given for each section, summarize the total cost of the 410½ miles from Sonepore to Dhubri:—

	Miles.	Estimate or cost. Rs.
I.—From Sonepore to Hajipore	2·5	14,24,114
II.—From Hajipore to Muzufferpore	34·0	21,35,464
III.—From Mozufferpore to Jhinjharpore	79·5	55,23,193
IV.—From Jhinjharpore to Gongareria	16·5	10,85,485
V.—From Gongareria to the Kosi	25·5	22,64,500
VI.—Ferry across the Kosi	4·0	4,09,000
VII.—From the Kosi to Purneah	55·0	30,24,975
VIII.—From Purneah to Dinagepore	87·0	66,11,055
IX.—From Dinagepore to Parbattipore	19·25	11,49,324
X.—From Parbattipore to Kaunia	33·25	28,19,033
XI.—From Kaunia to Dhubri	54·0	62,26,074
Total ...	410 5	3,26,72,217

The mileage cost of the main line, including the Gunduck bridge and viaduct and the heavy bridging in the XIth section, is only Rs. 79,591, which, it will be observed, is considerably under the actual cost of the Northern Bengal Railway. To this estimate should also be added that of the branch to Munihari, 13½ miles, and that of the steam flotilla for the Sahebgunge ferry, amounting to Rs. 12,54,635. The total estimated cost will therefore be Rs. 3,39,26,852, exclusive of indirect charges.

22. The amount for which sanction is required is, however, Rs. 2,16,47,937 as follows:—

	Miles.	Rs.
I.—Sonepore to Hajipore	2·5	14,24,114
IV.—Jhinjharpore to Gongareria	16·5	10,85,485*
V.—Gongareria to the Kosi	25·5	22,64,500
VI.—Ferry across the Kosi	4·0	4,09,000
VII.—Kosi to Purneah	55·0	30,24,975
VIII.—Purneah to Dinagepore	87·0	66,11,055*
XI.—Kaunia to Dhubri	54	55,83,148
	244·5	2,04,02,277
Munihari branch	13·5	9,04,635*
Sahebgunge ferry	5 0	3,50,000*
Total ...	263·0	2,16,56,912

23. No statistics are available from which to compute the probable receipts on the whole line. There is, however, no reason to believe that they will fall short, proportionally, of those on the Northern Bengal Railway. It is confidently expected that that line will, in the current official year, give a net profit of nearly 6 per cent. on its capital. Now, as the capital cost of this project will be less than that of the Northern Bengal Railway mile for mile, and as the working expenses are invariably less in proportion as the line is longer, it follows that the net profits, if the mileage receipts are equal, will be more than on the Northern Bengal Railway. It must not be forgotten also that on the completion of the line to Dhubri, Assam coal can be introduced for use on this Railway and the Northern Bengal Railway main line, by

* Estimates already submitted for sanction.

which the working expenses will be still further reduced. On this subject further information will be given when particulars have been obtained. If this view of the prospects of the line be accepted, there can be no doubt the work should be pushed on as fast as possible.

Telegram, dated 17th October 1883.

From—Secretary of State, London,
To—Viceroy, Simla.

Your 15th. Assam-Behar Railway commencement sanctioned. Despatch by next mail.

Order.—Ordered, that these papers be published in the Supplement to the *Gazette of India* for general information.

W. S. TREVOR, *Col., R.E.,*
Secy. to the Govt. of India.

Printed and Published for the Government of India *at the* Government Central Branch Press, *Simla.*





The Gazette of India.

PUBLISHED BY AUTHORITY.

No 47.} CALCUTTA, SATURDAY, NOVEMBER 24, 1883.

☞ **Separate paging is given to this Part in order that it may be filed as a separate compilation.**

CONTENTS.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 14th November 1883.

No. 1690.—Under the provisions of Section 9 of the Statute 24 and 25 Vic., Cap 67, the Governor General in Council is pleased to direct that His Excellency's Council shall assemble at Calcutta in the jurisdiction of the Lieutenant-Governor of Bengal.

ESTABLISHMENTS.

Fort William, the 21st November 1883.

No. 228.—The Honorable J. Gibbs, C.S.I., C.I.E., an Ordinary Member of the Council of the Governor General of India, returned to India from the leave of absence granted to him in Notification No. 86, dated 5th April 1883, and resumed his seat on the afternoon of the 24th October 1883.

JUDICIAL.

The 23rd November 1883.

No. 1515.—Under the provisions of Section 3 of Act 26 of 1881 (The Negotiable Instruments Act, 1881), the Governor General in Council has been pleased to appoint V. Masilamony Mudaliyar, a Sub-Registrar in the Madras Presidency, to perform the functions of a Notary Public under that Act.

ECCLESIASTICAL.

The 23rd November 1883.

No. 305.—The Reverend D. B. Morris, M.A., a Junior Chaplain on the Bengal Establishment, to be a Senior Chaplain, with effect from the 24th ultimo.

PATENTS.

The 23rd November 1883.

No. 1204.—Specifications of the under-mentioned inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open to public inspection, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department at the Presidency upon payment of a fee of one Rupee. A certified copy of any specification will be given

to any person requiring the same on payment of the expense of copying:

No. 64 of 1883.—The Gülcher Electric Light and Power Company, Limited, of the City of London, England, for improvements in electric lamps.

No. 77 of 1883.—Joseph Pignatelli d'Aragon of No. 1, Rue Laffitte, Paris, France, for improvements in the construction and arrangement of ventilating apparatus for Railway cars and other vehicles.

No. 81 of 1883.—George Fleming Campbell, Manager, Churrie Tea Estate, Kangra Valley, Punjab, India, for rolling tea leaf.

No. 85 of 1883.—Henry Bull Templer Strangways, of Pump Court Temple, in the City of London, Barrister-at-Law, for improvements in Telephones.

No. 104. of 1883.—James Howden, of Glasgow, in the County of Lanark, North Britain, Engineer, for improvements in means and apparatus for supplying air to the furnaces of marine and other steam boilers and increasing the rapidity and efficiency of combustion therein for diminishing waste of heat and for preventing the overheating of stokeholds.

No. 106 of 1883.—Prankissen Mookerjee, of Buddibatty, Zillah Hooghly, Bengal, and Clerk in the Firm of Messrs Anderson, Wright and Co., Calcutta, for a rope-making machine.

No. 112 of 1883.—Edward Croft Greenway Thomas, of Norland Square, Notting Hill, London, in the County of Middlesex, England, Gentleman, for improvements in breakwaters.

No. 117 of 1883.—Basel Mission Tile-works in India, Mangalore, for the manufacture upon new principles of Mangalore tiles.

No. 118 of 1883.—Pieter Van Gelder, of Sowerly Bridge, in the County of York, England, for improvements in and relating to machinery applicable for separating one kind of grain or seed from another.

No. 119 of 1883.—Pieter Van Gelder, of Sowerly Bridge, in the County of York, England, for improvements in and relating to machinery applicable for separating one kind of grain or seed from another.

No. 122 of 1883.—Joseph Oliphant and Ebenezer Banton Burr, both of London, England, for improvements in galvano-electric batteries.

No. 125 of 1883.—Andrew Charles Guy Thompson, Engineer, Windsor Tea Estate, Darjeeling, for improvements in machinery or apparatus for rolling and twisting tea leaves, relating more especially to patent No. 113 of 1882.

No. 135 of 1883.—Lucian Gaulard of Montague Place, Bedford Square, and John Dixon Gibbs, of Burry Street, St. James, both in the County of Middlesex, England, for a new system of distributing electricity for the production of light and power.

No. 143 of 1883.—Thomas Alva Edison of Menlo Park, New Jersey, United States of America, for improvements in incandescing conductors for electric lamps and in moulds for the carbonization of the same.

No. 149 of 1883.—Muttatt Paranchunni Lazer, residing at Valiapathayathodu Pattom, Cochin Amshom and Taluq, Malabar District, for lifting water, named "Fire pump."

No. 152 of 1883.—James Henry Floyd of Jamalpore, in Bengal, for an improved cement.

No. 158 of 1883.—John Alexander Gibbons, of Singlo Tea Estate, Assam, but at present residing in London, England, Tea Planter, for an improvement in the treatment or preparation of tea-leaf in the green state.

No. 159 of 1883.—John Clark, of Kensington, in the County of Middlesex, England, Metallurgist, for improvements in reducing metals from their ores or chemical compounds and in apparatus employed therefor.

No. 167 of 1883.—William Stroudley, of Brighton, in the County of Sussex and Kingdom of England, Engineer, and Edward John Houghton, of Pilkington Road, Peckham, in the County of Surrey and Kingdom of England, Electrical Engineer, for improvements in the means and apparatus for electric lighting on railway trains and other vehicles, also partly applicable for the production and distribution of electric currents generally.

A. MACKENZIE,

Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Fort William, the 23rd November 1883.

No. 1606.—Mr. E. Rule, having returned from privilege leave, received charge of his duties as Comptroller of Indian Treasuries, from Mr. T. H. Biggs, after noon, on the 17th November 1883.

No. 1611.—Privilege leave for three months having been granted to Mr. T. W. Biss, Deputy Accountant General, Bombay, and Mr. A. F. Cox, M.C.S., having, in consequence, been appointed to officiate as Deputy Accountant General, Bombay, Mr. Biss made over, and Mr. Cox received, charge of the said office, after noon, on the 9th November 1883.

No. 1613.—Mr. A. H. Anthony, having been appointed to officiate as Assistant Accountant General, Bombay, made over charge of his duties as Assistant Comptroller, Indian Treasuries, before noon, on the 15th November 1883.

No. 1607.—Mr. D. M. Barbour, B.C.S., made over, and Mr. J. Westland, B.C.S., received, charge of the office of Secretary to the Government of India in the Department of Finance and Commerce, after noon, on the 21st November 1883.

No. 1614.—Mr. J. Westland, B.C.S., made over, and Mr. E. F. T. Atkinson, B.C.S., received, charge of the offices of Comptroller General and Head Commissioner of Paper Currency, before noon, on the 21st November 1883.

No. 1612.—Mr. A. C. Tupp, B.C.S., having been directed to join his substantive appointments as Accountant General, North-Western Provinces and Oudh, and Deputy Commissioner of Paper Currency at Allahabad, made over charge of the office of Accountant General, Bengal, to Mr. J. E. Cooke, after noon, on the 10th November 1883.

No. 1604.—Mr. A. C. Tupp, B.C.S., received charge of the offices of Accountant General, North-Western Provinces and Oudh, and Deputy Commissioner of Paper Currency at Allahabad, from Mr. E. J. Sinkinson, B.C.S., after noon, on the 13th November 1883.

No. 1610.—Mr. E. J. Sinkinson, B.C.S., having been appointed to officiate as Accountant General, Bengal, received charge of the said office from Mr. J. E. Cooke, after noon, on the 22nd November 1883.

No. 1609.—*Abstract of the Accounts of the Department of Issue of Paper Currency on the 31st October 1883, published as required by Section 27 of the Indian Paper Currency Act XX of 1882.*

Circles of Issue.	Whole amount of Notes in circulation.	Reserve in Silver Coin and Bullion.		
		Coin.	Bullion.	Total.
	R	R	R	R
Calcutta	6,29,07,860	35,10,249	47,62,000	82,72,249
Allahabad	67,78,305	90,61,360	...	90,61,360
Lahore	78,72,630	76,54,175	...	76,54,175
Bombay	4,92,43,040	4,30,94,966	38,27,319	4,69,22,285
Kurrachee	28,97,075	29,27,340	18,530	29,45,870
Madras	1,23,36,985	58,97,425	8,10,000	67,07,425
Calicut	10,60,345	5,24,595	...	5,24,595
Rangoon	17,60,575	27,68,890	...	27,68,890
TOTAL	14,48,56,815	7,54,39,000	94,17,849	8,48,56,849
Price paid for Government Securities of the nominal value of R6,25,37,700 held under Section 19 of the Act				5,99,99,966
GRAND TOTAL				14,48,56,815

J. WESTLAND,

Officiating Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 23rd November, 1883.

APPOINTMENTS.

No. 603.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Secretary of State for India:—

Lieutenant Frederick Campbell, South Lancashire Regiment, Officiating Wing Officer, (Queen's Own) Corps of Guides, Punjab Frontier Force,—18th September, 1882.

No. 604.—PUNJAB FRONTIER FORCE—

4th Sikh Infantry.

Lieutenant J. A. Brown, Officiating Wing Officer, on probation, to be Wing Officer to complete the establishment.

FURLOUGH AND LEAVE.

No. 605.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) R. Murray, Bengal S.C., (p. a.) for two years, under rule IX of the regulations of 1868.

Major C. D. Swete, Bengal S.C., Wing Commander, 10th Native Infantry, (p. a.) for one year, under rule IX of the regulations of 1868, embarking on or after the 18th January, 1884.

Lieutenant G. W. M. Dundas, Bengal S.C., Wing Officer and Quartermaster, 4th Goorkha Regiment, (p. a.) for one year, under rule I of the regulations of 1875.

Lieutenant G. J. Younghusband, Bengal S.C., Squadron Officer, (Queen's Own) Corps of Guides, (p. a) for one year, under rule I of the regulations of 1875.

No. 606.—Major R. Patch, Bengal S.C., Assistant Commissary General, 2nd class, is granted leave in India, (p. a.) for the 27th October, 1883, under rule XXV of the regulations of 1868, in extension of privilege leave.

No. 607.—Sub-Conductor J. J. Carter, Commissariat Department, is granted leave in India, (m. c.) for 182 days, under rule X of the regulations of 1875, with effect from the 21st September, 1883.

No. 608.—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India:—

Lieutenant-Colonel F. F. Rowcroft, Bengal S.C., (m. c.) for six months.

Captain M. A. Gray, Bengal S.C., (p. a.) for six months.

Lieutenant E. Blunt, R.E., (p. a.) for ten months.

Lieutenant A. E. P. Burn, Bengal S.C., (p. a.) for 122 days.

Lieutenant F. A. Harris, Bengal S.C., (m. c.) for six months.

PROMOTIONS.

No. 609.—The following promotions are made, subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major Norman Macleod Thomas Horsford,—20th November, 1883.

Major William Leycester Samuells,—20th November, 1883.

Major William Lynd Noverre,—20th November, 1883.

No. 610.—The following Lieutenant-Colonels of the Bengal Staff Corps are promoted to the rank of Colonel by brevet, from the 22nd November, 1883, subject to Her Majesty's approval:—

Charles Smith Maclean, C.B.
Harry Chippindale Plunkett Rice.
Charles Edward Stewart.
Frederick John Keen, C.B.
Benjamin Williams.
Henry Collett, C.B.
Robert Byng Patricia Price Campbell.
Robert Adam Wauchope.
Alfred FitzHugh, C.B.
George Nicolas Channer, V.C.
Hamilton Chapman.
George Stewart.
Arthur Power Palmer.
Alexander George Ross.
Charles Lorrain Woodruffe.

No. 611.—ORDNANCE DEPARTMENT—

The undermentioned Sub-Conductors, on probation, are confirmed in their present grade, from the dates specified:—

George Henry Briggs,—1st April, 1883.
George James Stokes,—1st October 1883.
William Paunell,—11th October, 1883.

No. 612.—NATIVE ARMY—

6th Bengal Cavalry.

Duffadar Thakur Singh to be Jemadar, *vice* Ala Singh, invalided,—1st May, 1883.

38th Native Infantry.

Havildar Kulloo to be Jemadar, *vice* Lowton Singh, invalided,—1st May, 1883.

PAY AND ALLOWANCES.

No. 613.—Expunge paragraph 2 of G. G. O., No. 1220 of 1878, and substitute the following:—

"2. The claim to the gratuity will be preferred and adjusted by the regimental paymaster."

VOLUNTEER CORPS.

No. 614.—The corps designated "Toungoo Volunteer Rifles" is hereby constituted a company of the Rangoon and Irrawaddy State Railway Volunteer Rifle Corps.

No. 615.—The Akyab Volunteer Rifle Corps is constituted a company of the Rangoon Volunteer Rifle Corps.

E. H. H. COLLEN,
Officiating Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 23rd November, 1883.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the undermentioned Commissioned Officer, on the date specified, was received in the Military Department from 30th October to 23rd November, 1883:—

Corps.	Rank and Name.	Date of Decease.	Place of Decease.	Testate or Intestate.	Remarks.
Indian Medical Service.	Surgeon-Major H. W. Spry	3rd Nov., 1883	Ferozepore.		

Statement of Deposits on account of Estates from the 13th to the 23rd November, 1883.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					R a. p.		
Sidney Parry (a)	Major (Bt. Lt.-Col.).	Royal Artillery.	14th July, 1883.	Intestate	217 6 8	..	
Indian Military Service.							
Charles Mason Johnston (b).	Surgeon	Army Medical Department.	17th June, 1883.	Intestate	463 10 5	..	23rd Jan., 1884.

(a) *Widow.*—Ellen Parry.
Children.—Methold Sidney.
Guy Sidney.
Father.—Frederick John Sidney Parry, 18, Onslow Square, London, S. W.
Administrator General, Bengal, administering.
(b) *Next-of-kin.*—Dr. Johnston, Park View, Cork, Ireland.

E. H. H. COLLEN,
Officiating Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 24, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 27th October 1883.

From the 24th of November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 17th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurrumtollah Street Calcutta.

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts is R5 per annum, payable in advance. When sent by post, R2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

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Subscription for *Gazette* and Supplement per annum	15	0	0
Postage	6	8	0
Subscription for Supplement only	6	0	0
Postage	3	0	0
For a single copy of the *Gazette*	0	8	0
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E. J. DEAN,

Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 9th October 1883.

Mr. C. T. Davis having obtained extension of furlough for twelve months from the 23rd September 1883, the Honorable the Chief Justice has, with the approval of His Excellency the Governor General of India in Council, directed that the following arrangements be continued during the absence on furlough of Mr. Davis, or until further order, *viz.* :—

W. R Fink, Assistant Registrar, Original Side, to officiate as Chief Clerk.

S. Tremearne, Private Secretary and Clerk to the Chief Justice, to officiate as Assistant Registrar.

Baboo Grees Chunder Bonnerjee, Assistant Clerk, Original Side, to officiate as Private Secretary and Clerk to the Chief Justice.

By Order,

R. BELCHAMBERS,

Registrar.

SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 22nd November 1883.

No. 388.—Major W. Barron, Deputy Superintendent, 3rd Grade, having proceeded on subsidiary leave on the forenoon of the 1st November 1883, preparatory to availing himself of the furlough granted him in Military Department No. 569, dated 26th October 1883, the following temporary promotions are made, with effect from the same date :—

Lieutenant-Colonel A. Pullan, Deputy Superintendent, 3rd Grade, to officiate as Deputy Superintendent, 2nd Grade.

Major J. R. McCullagh, R.E., Deputy Superintendent, 4th Grade, to officiate as Deputy Superintendent, 3rd Grade.

Lieutenant the Honorable M. G. Talbot, R.E., Assistant Superintendent, 1st Grade, to officiate as Deputy Superintendent, 4th Grade.

No. 389.—Mr. J. McGill, Deputy Superintendent, 4th Grade, having proceeded on subsidiary leave on the forenoon of the 25th October 1883, preparatory to availing himself of the furlough granted him in Revenue ond Agricultural Department Notification No. 503—114 S., dated the 2nd November 1883, the following temporary promotion is made, with effect from the same date :—

Captain J. R. Hobday, Assistant Superintendent, 1st Grade, to officiate as Deputy Superintendent, 4th Grade.

No. 390.—Mr. J. O. N. James, Assistant Surveyor General and Deputy Superintendent, 3rd Grade, Officiating 2nd Grade, is granted privilege leave for three months under the provisions of Chapter V, Section 71, of the Civil Leave Code, with effect from the forenoon of the 27th October 1883.

No. 391.—Major E. H. Steel, Assistant Superintendent, 1st Grade, having returned to duty on the forenoon of the 22nd October 1883, is appointed to officiate as Deputy Superintendent, 4th Grade, with effect from the same date :—

The following reversion will have effect from the same date :—

Captain J. R. Hobday, Officiating Deputy Superintendent, 4th Grade, to revert to his substantive post of Assistant Superintendent, 1st Grade.

G. C. DEPRÉE, *Colonel*,
Offg. Surveyor General of India.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 8th November 1883.

No. 31.—Third Grade Assistant Surgeon Troilokya Nath Moitra, of the supernumerary list, is permitted to resign the service, with effect from the 3rd September 1883.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.

Indore Residency, the 14th November 1883.

No. 3040.—CORRIGENDA.—In Notification No. 2102 of 14th August 1883, the name should be Emam *Buksh* not Emam *Bux*, and *16th* April 1883 should be *6th* April 1883.

No. 3041.—The undermentioned Hospital Assistant, who has passed his Septennial Professional Examination is promoted to the next higher class, with effect from the date specified against his name :—

NAME.	DATE OF COMPLETION.		Date of passing the professional examination.	Date of promotion.
	14 years' service.	7 years' service.		
WITHOUT ENGLISH QUALIFICATION.				
To be 2nd Class Hospital Assistant.				
Govindram . . .	. . . .	. . . .	Oct. 19, 1883	Oct. 19, 1883

C. W. RAVENSHAW, *Lieut.*,
2nd Asst. Agent, Govr. Genl.,
for Central India,
In charge of the Residency.

CHIEF COMMISSIONER, AJMER-MERWARA.

NOTIFICATION.

Mount Abu, the 15th November 1883.

No. 986.—Surgeon-Major J. H. Newman, Civil Surgeon and Superintendent of Jail, Ajmir, availed himself of fifteen days' privilege leave from the forenoon of the 8th to the forenoon of the 23rd October 1883.

By Order,
E. A. FRASER,
1st Asst. to the Chief Commr.

CHIEF COMMISSIONER OF COORG.

PROCLAMATION.

The 10th November 1883.

The lands specified in the undermentioned Schedule having been sold by public auction under Regulation III of 1880, being an Act for the recovery of arrears of revenue in the Province of Coorg, it is hereby declared, under Section 39 of the said Regulation, that all the rights and property of the former landholders in the said lands are lawfully transferred to the purchasers named in the said Schedule :—

SCHEDULE.

Name of former holder.	Name of Estate.	SITUATION OF THE LAND AND DESCRIPTION OF BUILDINGS, IF ANY.				EXTENT.		Name of purchaser.	Date of purchase.
		Taluk.	Nad.	Village.	Buildings, if any.	Survey No.	Acres.		
M. Jamal-saib and Sidaji.	Kanachamuri.	Mercara .	Mercara .	Karanangeri	None .	1745	2·81	Maniyar Budan-saib.	16th July 1883.
Bittiyandra Kareyapa.	Kallugani Kadu.	Ditto .	Ditto .	Ditto .	Ditto .	2094	4·67	Kasayi Hyat-saib.	Ditto.
Shivachar Sivaya.	Kote Kadu .	Ditto .	Ditto .	Ditto .	Ditto .	3662	0·30	De Rangamana Maribasavaya.	Ditto.
V. Neelaya.	Kayem Kadu.	Ditto .	Kagodlu .	Mude .	Ditto .	1458	4·84	Kunshetti Kudrapa.	Ditto.

W. HILL, *Lieut.-Colonel*,
Commissioner of Coorg.

COORG COMMISSIONER'S OFFICE,
The 29th September 1883.

By Order,
H. WYLIE, *Major*,
Secretary to the Chief Commr. of Coorg.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th November 1883.

PARTICULARS.	3½ per cent. Transfer Loan of 1853-54	4 per cent. Loans: Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	Reduced 4 per cent. Loan of 1879.	Total.	4½ per cent. Loans: Of 1870.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.	Total.	Transfer Loan of 1879, Seven Shillings per cent. Portion.	5 per cent. Debenture Loan of 1867-68.	5 per cent. Loan of 1866-67.	Grand Total.
Balance of 31st October 1883	54,100	12,96,320	29,50,900	2,40,38,300	1,02,56,200	2,75,32,137	2,67,92,300	9,28,66,157	47,44,100	1,04,58,100	10,15,64,700	11,67,66,900	1,23,500	2,000	60,200	20,98,72,897
Add—																
Amount enfaced at Madras between 1st and 15th November 1883	. .	. . .	. . .	1,38,500	3,000	27,700	2,000	1,71,200	. . .	. . .	6,000	6,000	. . .	. .	. . .	1,77,200
Amount enfaced at Bombay between 1st and 15th November 1883	. .	. . .	. . .	1,700	. . .	. . .	. . .	1,700	. . .	. . .	2,000	2,000	. . .	. .	. . .	3,700
Amount enfaced at Calcutta between 1st and 15th November 1883	. .	36,053	4,400	94,600	3,500	37,000	5,000	1,80,553	2,500	5,000	61,000	68,500	. . .	. .	. . .	2,49,053
	54,100	13,32,373	29,55,300	2,42,73,100	1,02,62,700	2,75,96,837	2,67,99,300	9,32,19,610	47,46,600	1,04,63,100	10,16,33,700	11,68,43,400	1,23,500	2,000	60,200	21,03,02,810
Deduct—																
Amount written off in the London Registers	. .	. . .	13,500	12,000	. . .	3,48,300	. . .	3,73,800	. . .	30,500	1,97,000	2,27,500	. . .	. .	. . .	6,01,300
Balance on 15th November 1883	54,100	13,32,373	29,41,800	2,43,61,100	1,02,62,700	2,72,48,537	2,67,99,300	9,28,45,810	47,46,600	1,04,32,600	10,14,36,700	11,66,15,900	1,23,500	2,000	60,200	20,97,01,810

NOTE.—From 9th June 1867 to 15th Sep. 1883, enfaced from India 4,925 lakhs; re-transferred from London, 4,103 lakhs.

	Enfaced from India	Re-transferred from London
From 9th June 1867 to 15th Sep. 1883	4,925 lakhs	4,103 lakhs
„ 16th Sep. 1883 to 30th „	5 „	7 „
„ 1st Oct. „ to 15th Oct.	1 „	2 „
„ 16th „ „ to 31st „	26 „	1 „
„ 1st Nov. „ to 15th Nov.	4 „	6 „
	4,961 lakhs.	4,119 lakhs.
	4,119 „	
Balance against India	742 lakhs.	

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 17th November 1883.

R. HARDIE,
Secretary and Treasurer.

No. 1958.—*Account of Revenue and Expenditure of the Government of India for the first three*

N. B.—Amounts are converted into

	REVENUE.	Estimates, 1883-84.	April to June 1882.	April to June 1883.	COMPARISON OF TWO YEARS.	
					Increase.	Decrease.
		£	£	£	£	£
I	Land Revenue*	22,338,200	6,274,867	6,293,023	18,156	...
II	Opium	9,200,000	2,315,127	2,334,824	19,697	...
III	Salt	6,167,000	1,649,506	1,617,895	...	31,611
IV	Stamps	3,427,200	876,931	897,867	20,936	...
V	Excise	3,623,300	905,023	950,453	45,430	...
VI	Provincial Rates	2,688,200	841,201	851,369	10,168	...
VII	Customs	1,255,100	376,064	349,008	...	27,056
VIII	Assessed Taxes	523,400	260,149	286,972	26,823	...
IX	Forest	933,300	85,118	162,896	77,778	...
X	Registration	280,400	77,569	77,246	...	323
XI	Tributes from Native States	701,000	107,086	120,926	13,840	...
XII	Post Office	1,010,900	249,374	251,854	2,480	...
XIII	Telegraph	514,100	104,572	102,980	...	1,592
XIV	Mint	102,000	64,045	12,873	...	51,172
XV	Law and Justice	645,000	127,695	126,966	...	729
XVI	Police	226,200	55,143	70,964	15,821	...
XVII	Marine	207,100	36,276	34,000	...	2,276
XVIII	Education	204,900	44,186	48,772	4,586	...
XIX	Medical	46,600	5,707	12,603	6,896	...
XX	Scientific and other Minor Departments.	70,000	9,028	13,102	4,074	...
XXI	Interest	646,000	192,545	191,726	...	820
XXII	Receipts in aid of Superannuation, &c.	193,500	22,867	26,714	3,847	...
XXIII	Stationery and Printing	57,200	13,527	9,452	...	4,075
XXIV	Miscellaneous	260,100	48,045	44,867	...	3,178
		55,320,700	14,741,652	14,889,352	147,700	...
	Productive Public Works.					
XXV	State Railways (Gross Earnings)	2,730,500	642,423	878,715	236,292	...
XXVI	Guaranteed and Subsidized Railways (Net Traffic Receipts).	3,539,000	1,649,483	2,048,641	399,158	...
XXVII	East Indian Railway (Net Traffic Receipts).	2,907,000	726,594	985,639	259,045	...
XXVIII	Irrigation and Navigation (direct Receipts).	885,400	44,307	231,002	186,695	...
XXIX	Madras Irrigation and Canal Company (Net Traffic Receipts).	...	...	...	...	...
	Unproductive Public Works.					
XXXI	State Railways	191,900	...	20,718	20,718	...
XXXII	Subsidized Railways	10,000	...	...	...	...
XXXIII	Irrigation and Navigation	141,300	6,028	23,266	17,238	...
XXXIV	Military Works	39,200	...	6,202	6,202	...
XXXV	Civil Buildings, Roads and Services	463,900	94,615	108,449	13,834	...
XXXVI	Army	824,800	213,915	183,098	...	30,817
XXXVII	Military Operations in Afghanistan	...	4	...	...	4
	Do. do. in Egypt	...	...	761	761	...
		67,053,700	18,119,021	19,375,843	1,256,822	...
	England, including Army, Public Works, &c.	220,300	65,666	79,345	13,679	...
	GRAND TOTAL	67,274,000	18,184,687	19,455,188	1,270,501	...

* Includes Land Revenue due to Irrigation, which cannot be separated in the Monthly Accounts.

THE TREASURY,

Calcutta, the 22nd November 1883.

months of the year 1883-84, as compared with the corresponding period of 1882-83.

sterling at R10 to the pound sterling.

	Expenditure.	Estimates, 1883-84.	April to June 1882.	April to June 1883.	Comparison of two years. Increase.	Decrease.
		£	£	£	£	£
1	Interest on Ordinary Debt†	3,713,100	962,937	920,251	...	42,686
2	Do. on Deposits	437,400	60,851	35,164	...	25,687
3	Refunds and Drawbacks	195,900	112,383	64,412	...	47,971
4	Assignments and Compensations	1,246,100	252,686	279,331	26,645	...
5	Land Revenue	3,210,800	700,743	698,886	...	1,857
6	Opium (including cost of production)	2,164,300	1,340,942	958,052	...	382,890
7	Salt (do. do.)	546,300	104,533	110,426	5,893	...
8	Stamps	79,600	20,541	21,256	715	...
9	Excise	94,400	24,151	23,104	...	1,047
10	Provincial Rates	51,100	8,910	9,153	243	...
11	Customs	143,700	47,761	34,061	...	13,700
12	Assessed Taxes	14,000	2,710	2,952	242	...
13	Forests	671,500	74,207	126,461	52,254	...
14	Registration	186,300	43,535	46,788	3,253	...
15	Post Office	1,120,800	262,514	267,366	4,852	...
16	Telegraph	543,600	107,873	118,188	10,315	...
17	Mint	71,200	22,889	21,037	...	1,852
18	General Administration	1,315,900	304,078	313,577	9,499	...
19	Law and Justice	3,345,100	778,592	785,630	7,038	...
20	Police	2,708,000	616,401	649,748	33,347	...
21	Marine (including river Navigation)	378,700	80,280	82,552	2,272	...
22	Education	1,199,800	256,275	265,993	9,718	...
23	Ecclesiastical	167,300	40,843	37,921	...	2,922
24	Medical	715,200	158,133	174,934	16,801	...
25	Political	415,100	144,171	103,738	...	40,433
26	Scientific and other Minor Departments	475,000	101,869	135,245	33,376	...
27	Territorial and Political Pensions	664,100	173,671	176,420	2,749	...
28	Civil Furlough and Absentee Allowances	1,500	623	187	...	436
29	Superannuation Allowances and Pensions	756,300	238,364	240,425	2,061	...
30	Stationery and Printing	329,000	78,096	82,059	3,963	...
31	Miscellaneous	334,900	57,879	78,970	21,091	...
32	Famine Relief	12,500	1,398	213	...	1,185
33	Protective Works—Railways	1,012,500	101,127	55,700	...	45,427
34	Do. do. Irrigation	343,300	70,196	63,900	...	6,296
35	Reduction of Debt	131,700	...	...	...	...
51	Exchange on transactions with London	3,548,000	432,171	1,117,295	685,124	...
		32,344,000	7,784,333	8,101,395	317,062	...
	Productive Public Works.					
36	State Railways (Working and Maintenance)	1,572,800	395,382	436,658	41,276	...
37	Guaranteed and Subsidized Railways (Interest and Profits).	588,500	96,338	107,959	11,621	...
38	East Indian Railway (Interest and Profits)	188,400	...	83,514	83,514	...
39	Irrigation and Navigation (Working and Maintenance).	549,300	40,286	118,000	77,714	...
40	Madras Irrigation & Canal Co. (Interest, &c.)	...	...	...	...	...
	Unproductive Public Works.					
42	State Railways (Capital Account)	510,400	48,133	83,376	35,243	...
43	Do. (Working and Maintenance)	184,800	..	30,097	30,097	...
44	Subsidized Railways	71,300	8,322	8,144	...	178
	Southern Mahratta Railway	84,800	...	42,893	42,893	...
45	Frontier Railways	67,500	80,735	46,611	...	34,124
46	Irrigation and Navigation	802,000	130,341	185,030	54,689	...
47	Military Works	999,600	...	178,386	178,386	...
48	Civil Buildings, Roads and Services	4,202,000	511,270	767,772	256,502	...
49	Army	12,018,800	3,146,010	2,904,775	...	241,235
50	Military Operations in Afghanistan	...	8,377	...	...	8,377
	Do. do. in Egypt	...	...	21,896	21,896	...
		54,184,200	12,249,527	13,116,506	866,979	...
	England, including Army, Public Works, Guaranteed Interest, &c.	14,132,100	3,208,957	[illegible],356,506	147,549	...
		68,316,300	15,458,484	16,473,012	1,014,528	...
	Productive Public Works—Capital Expenditure.					
	In India—					
52	State Railways	1,583,000	234,335	271,151	36,816	...
53	East Indian Railway	424,000	96,835	81,567	...	15,268
54	Irrigation and Navigation	955,500	112,695	143,114	30,419	...
55	Miscellaneous Public Improvements	23,000	6,168	6,871	703	...
	In England—					
	State Railways	812,000	101,529	218,782	117,253	...
	Irrigation and Navigation	22,600	...	2,257	2,257	...
	East Indian Railway	...	130,981	155,062	24,081	...
		3,820,100	682,543	878,804	196,261	...
	GRAND TOTAL	72,136,400	16,141,027	17,351,816	1,210,789	...

† Includes Interest on Debt incurred for Productive Public Works, which cannot be separated in the Monthly Accounts.

E. W. KELLNER,
Deputy Comptroller General.

E. T. ATKINSON,
Offg. Comptroller General.

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Statement of the Affairs of the Bank of Bengal for the week ending 20th November 1883.

LIABILITIES.				R	a.	p.
Capital paid-up				2,00,00,000	0	0
Reserve Fund				35,10,291	4	4
	R	a.	p.			
Public Deposits at Head Office	1,02,80,370	3	6	2,35,25,282	3	11
Public Deposits at Branches	1,32,44,912	0	5			
Other Deposits at Head Office and Branches				2,35,58,639	11	1
Bank Post Bills, &c.				3,45,192	0	10
Sundries				14,93,254	2	6
RUPEES				7,24,32,659	6	8

ASSETS.				R	a.	p.
Government Securities				53,86,076	5	4
Other authorized Investments				57,28,041	4	0
Loans on Government and other authorized Securities				1,32,91,239	9	2
Accounts of Credit on Government and other authorized Securities				56,69,032	3	9
Bills discounted and purchased				1,74,49,439	12	5
Balances with other Banks				5,79,899	10	8
Bullion				46,962	15	0
Dead Stock				12,04,051	15	7
Stamps				7,939	5	9
Sundries				5,50,042	9	8
				4,99,12,725	10	7
	R	a.	p.			
Cash and Currency Notes at Head Office	97,44,575	8	6	2,25,19,933	12	1
Cash and Currency Notes at Branches	1,27,75,358	3	7			
RUPEES				7,24,32,659	6	8

By order of the Directors,

BANK OF BENGAL,
Calcutta, 22nd November 1883.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED OF General Treasury.	CERTIFICATES ISSUED OF Currency Department	BALANCE OF BULLION Under Assay.	BALANCE OF BULLION Assayed.	BALANCE OF BULLION Held on account of the Currency Department.
1883.	R	R	R	R	R	R
Nov. 12	...	...	...	4,13,196	64,71,012	50,55,563
" 13	...	...	1,25,116	2,95,598	65,99,712	51,83,363
" 14	...	...	...	2,95,598	65,99,712	51,83,363
" 15	...	...	3,14,234	193	69,20,687	55,04,336
" 16	...	...	...	193	69,20,687	55,04,336
" 17	...	...	...	193	69,20,687	55,04,336

J. F. TENNANT, *Major-Genl., R.E.,*
Mint Master.

CALCUTTA MINT,
The 19th November 1883.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. R	Name of Claimant.
228	P 44—50049	100	Hafez Kurrimbux.
	O 97—56969	100	
229	O 71—95871	500	Babu Brojo Lal Bose.
	" —97778	500	
230	P 76—05114	100	Babu Manohur Lall.
231	P 76—27190	100	Babu Harinath Roy.
	" —27191	100	
232	P 48—05784	1,000	Babu Baroda Kanto Dey.
236	P 39—28745	50	Rahamut Khan. Jalalzai Cabuli.
237	P 39—43485	50	Ahmud Khan.

CALCUTTA,
The 23rd November 1883.

J. TAYLOR,
Asstt. Comptlr. Genl., in charge, Paper Currency.

MILITARY WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 9th November 1883.

No. 32.—Conductor J. Inglis, Barrack-Master, 2nd Class, on return from furlough, is posted to the Sirhind-Lahore Command, Military Works.

No. 33.—Lieutenant H. J. W. Jerome, R.E., Assistant Engineer, 1st Grade, is transferred from the Presidency-Oudh Command, Military Works, to the Beluchistan Agency.

The 12th November 1883.

No. 34.—Captain A. C. Bruce, R.E., Executive Engineer, 4th Grade, on return from furlough, is posted to the Meerut Command, Military Works.

The 13th November 1883.

No. 35.—Lieutenant C. A. R. Browne, R.E., Assistant Engineer, 2nd Grade, is transferred from the Meerut Command, Military Works, to the Beluchistan Agency.

J. J. McLEOD INNES, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

Presidency & Oudh Command.

Lucknow, the 17th November 1883.

No. 17.—Lieutenant J. Kellie, R.E., Temporary Executive Engineer, 4th Grade, has been transferred from the Fort William Division, Military Works, to the Head Quarters of the Command, to be Assistant to Superintending Engineer, which he joined on the forenoon of the 16th November 1883.

H. McV. CRICHTON, *Major, R.E.,*
Supdg. Engr., Presdy. & Oudh Command, Military Works.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Simla, the 12th November 1883.

No. 66.—With reference to Public Works Department Notification No. 275, dated 9th November 1883, Mr. H. E. Haddon, Executive Engineer, 4th Grade, temporary rank, is posted to the Rajputana-Malwa State Railway.

H. F. HANCOCK, *Col., R.E.,*
Offg. Director General of Railways.

ORDNANCE DEPARTMENT.

NOTICE.

Calcutta, the 14th November 1883.

It is notified that the Government of India, with the object of giving European and Eurasian lads the opportunity of qualifying as mechanics and tradesmen, has decided, as a tentative measure, to entertain 12 apprentices to be trained, 8 as Carpenters, Fitters, Smiths, Turners and Moulders in the Foundry and Shell Factory at Cossipore, near Calcutta, and 4 as Tanners, Curriers, Saddlers and Smiths in the Harness and Saddlery Factory at Cawnpore. Applicants desirous to avail themselves of the opening are invited to send in their names to the Inspector General of Ordnance, Bengal, at Nos. 3 and 4, Garstin's Buildings, Calcutta.

2. Applicants not to be less than 14 or above 16 years of age, and to be able to read and write. They will be required to serve as apprentices for a period of 5 years.

3. The terms under which the apprentices are to be employed can be ascertained by application, either personally or in writing, to the Inspector-General of Ordnance.

NAPIER CAMPBELL, *Lieut.-Genl.,*
Inspector-General of Ordnance.

Report of a Deserter from the Bengal Unattached List, stationed at Kasauli Hill Depôt, dated at Kasauli, this 17th day of November 1883.

Number, Rank, and Name,—Orderly Room Color Sergeant James Charles Stuart.
Age,—34 years 4 months.
Size,—5 feet 6¼ inches.
Colour of—
Complexion, fresh; Hair, brown; Eyes, grey.
Date of Desertion,—9th November 1883.
Place of Desertion,—Kasauli Hill Depôt.
Date of Enlistment,—20th June 1870, 11th Hussars.
At what Place Enlisted,—Aldershot.
Parish and County in which Born,—Kirkwell, Orkney, Scotland.
Marks,—Cicatrix on preface of right groin, and letter D. Slightly bald.
Trade,—Clerk.
Coat or Jacket,—Blue patrol uniform coat and dark brown overcoat; helmet with spike and chain.
Waistcoat,—None.
Trowsers,—Uniform, Infantry.
REMARKS,—A well educated man, and of good address.
Under 14 years' service.

——————, *Captain,*
Comdg. 9th Lancer, L. S. Officer, Kasauli Hill Depôt.

Report of a Deserter from the 1st Battalion, Royal Welsh Fusiliers, dated at Dum-Dum, this 17th day of November 1883.

Number, Rank, and Name,—No. 2806, Private William James Condon *alias* William Quinn.
Age,—24 years 10 months.
Size,—5 feet 5½ inches.
Colour of—
Complexion, fresh; Hair, brown; Eyes, grey.
Parish and County in which Born,—Athlone, Westmeath.
Marks,—None.
Trade,—Clerk.
Coat or Jacket,— Waistcoat,— Breeches or Trowsers,— } Regimental.
Date of Desertion,—15th November 1883.
Place of Desertion,—Dum-Dum.
Date of Enlistment,—25th May 1880.
Place of Enlistment,—Woolwich.
REMARKS,—
Under 4 years' service.

C. ELGEE, *Colonel,*
Comdg. 1st Battn., Royal Welsh Fusiliers.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 21st November 1883.

No. 8618.—Appointment in the Post Office Department made by the Director General of the Post Office of India:—

Baboo Wooma Charan Das is appointed to be 2nd Assistant to the Comptroller, Post Office.

G. J. HYNES,
Asst. Director General of the Post Office of India.

Unclaimed Letters held in the Calcutta General Post Office on 22nd November 1883

Archer, Mr.
Bun, Edward H.
Craster, Lieut. J. C. B.
Crow, W
D'Castro, D.
Fluker, W. H.
Hartnett, Mrs. A.
Logate, William.
Leveroy, J. R.
Morris, Charles.
Plummer, Fred. H.
Reece, Mrs W.
Rickards, Capt.
Solano, Mrs. G. L.

Letters marked "Care of Post Office."

A B., No. 100.
A. M.
A X Y Z.
Allen, J. H.
Allanby, Thomas.
Ashton, Thomas.
Barber, C. J.
Barber, R. J.
Battersby, Leslie C.
Bayas, J. W.
Berry, J
Bradley, Walter.
Branson, T. F.
Brown, D.
Brown, John.
Campbell, Dr. R. N.
Colvin, Cecil.
Cocorra, Loreto.
Coutt, P. S.
Cowie, Miss.
Curtis, George Cotton.
C. S.
Dean, William Edward.
DeCruz, Mr.
Dominico Angeli.
Dyett, W. H. R.
Edden, Sergeant J.
Erler, Frau Merrie.
Erler, Albert.
Filker, Jebb.
Fometzko, Gustoso.
Forrest, Francis.
Fount, P. S.
Fowler, James William.
Fraser, Mrs. F.
Gahan, Capt. R. L.
Gregory, Miss.
G O.
Hall, Mrs. P.
Hallett, W. O.
Hallewell, J. A.
H. R. A.
Hillard, Mrs.
Hughes, Pringle.
Karoly, S
Kimmins, W. J.
King, Edward.
Kirkbride, J
Lane, William
Laughlin, F C.
Lawson, Lieut. Herbert.
Lee, Frederick.
"Lilly."
Lloyd, John Henry.
Lynam, R.
Lyon, Percy Cummins.
M. J. L. S.
MacConnell, Capt. R. J.
Marshall, W.
McKay, James B.
McLean, John.
Mercer, Robert.
M. M. M.
Muir, John C.
"Nemo."
O'Farrell, Surgeon-Major.
Parker, G. E.
Pereira, J.
Peacod, J. J.
Phillips, F. D.
Rachel.
Rathergurd, R. C.
Ross, C. Henry.
Ryan, J. H.
Ryckman, E. H.
Schaeffler, F. B.
Schulmann, T.
Seillier, Madame.
Shiphan, Rev A.
Stevenson, Mrs.
Swainson, Mrs. George.
Thomson, C W.
Tirelli, G. E.
Tuck, Serjeant J.
VansAgnew, Lieut. P. A.
Watson, G.
Williams, Mrs. F. A.
Williamson, W. F.

Registered Letters.

Arderne, H. M.
Boscolo, F. A.
Brettan, A M.
Curtis, George Cotton.
DeDidier, Mons. A.
Geyer, Alfred.
Kuller, Marie.
Morafit, Allessandro.
Peteghi, Antonino.
Smith, Mrs. A.
Stevenson, Col. T. R.

The 24th November 1883.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date.	Per Steamer
	1883.	
Persian Gulf	24th Nov.	From Bombay.
Persian Gulf	1st Dec.	From Bombay.
Madras, Ceylon, and Intermediate Ports .	30th Nov.	Str. *Husara*.
Madras and Ceylon	1st Dec.	P. & O. Str. *Khedive*.
Colombo, Penang, Singapore, Hong-Kong, Shanghai, Yokohama, and Australian Colonies	27th Nov.	From Bombay.
Foreign Mails *viâ* Bombay	27th „	From Bombay.*
Do. Book Post and Pattern Packets .	26th „	From Bombay.
Rangoon, Moulmein and Straits . . .	29th „	Str. *Pemba*.†
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	29th „	Str. *Commilla*.

* Also for South Africa *viâ* England can be forwarded.

† Also for Port Blair can be forwarded by this opportunity.

N.B.—The letter-box will close at 7 P. M. precisely; after which hour, foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

It is hereby notified for general information that the following mail despatches to Ceylon will be made from the Calcutta General Post Office during December 1883 :—

DATE OF CLOSING.	ROUTE.
1st December 1883 .	By P. & O. Steamer from Calcutta.
1st December 1883* .	By Star Line private vessel.
7th December 1883 .	By French Steamer.
7th December 1883* .	By B. I. S. N. Co.'s private vessel.
11th December 1883 .	By P. & O. Steamer from Bombay.
15th December 1883 .	By P. & O. Steamer from Calcutta.
21st December 1883* .	By B. I. S. N. Co.'s private vessel.
25th December 1883 .	By P. & O. Steamer from Bombay.
29th December 1883 .	By P. & O. Steamer from Calcutta.
11th December 1883* .	By Star Line private vessel.

* These dates are subject to alteration in the event of departure of the vessels being delayed.

N.B.—The letter-box will close at 7 P.M. precisely, after which hour letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

The rate of postage on letters conveyed by private vessels is two (2) annas per ½ oz. (prepayment compulsory).

The postage on letters conveyed by the P. & O. and French steamers is three (3) annas (prepayment optional).

E. HUTTON,

Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin *R4-8;* per eight ounce tin, *R8-8;* per pound tin, *R16-8.* The general public can be supplied by the Superintendent, Botanical Gardens, *for cash only*, at the under-noted rates :—per four ounce tin *R5-8;* per eight ounce tin *R10-8;* per pound tin, *R20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فیوج

یہہ دوا کونینائین کا خوب قائم مقام هی اور کلکتہ کے بوٹانکل گارڈن یعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرایک ملازم سرکاري واسطے سرکاري کام اور خیرات کے اور سیواے اونکے جو کوئي ایک مشت بیس پونڈ خرید لینے سے بقیمت نقد حسب نرخ ذیل خرید کرسکتے هین یعنے نرخ چار اونس کے ٹین کا چار روپیہ آٹھہ آنہ ; آٹھہ اونس کے ٹین کا آٹھہ روپیہ آٹھہ آنہ; یک پونڈ کے ٹین کا سولہ روپیہ آٹھہ آنہ'

اور عوام‌الناس بوٹانکل گارڈن یعنے کمپني با کے سپرنٹنڈنٹ صاحب سے بقیمت نقد حسب نرخ ذیل خرید کرسکتے هین یعنے نرخ چار اونس ٹین کا پانچ روپیہ آٹھہ آنہ ; آٹھہ اونس کے ٹین کا دس روپیہ آٹھہ آنہ ; ایک پونڈ کے ٹین کا بیس روپیہ

یہہ دوا کلکتہ کے بڑے بڑے ولایتي اور دیسي دوا خانونمین بکتي هی ماسیواے قیمت مذکورۂ بالا کے محصول ڈاک چار ور آٹھہ اونس کے ٹین کا آٹھہ آنہ ; اور ایک پونڈ کے ٹین کا بارہ آنہ

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	R	a.	p.
Report on the Meteorology of India, in 1875, 4to, 89 pages text, 297 pages tables, 3 charts .	8	0	0
Report on the Meteorology of India, in 1876, 4to, 97 pages text, 340 pages tables, 3 charts . . .	8	0	0
Report on the Meteorology of India in 1877, 4to, 173 pages text, 375 pages tables, 3 charts . . .	8	0	0
Report on the Meteorology of India, in 1878, 4to, 149 pages text, 380 pages tables, 3 plates, 4 charts .	8	0	0
Report on the Meteorology of India in 1879, 4to, 164 pages text, 273 pages tables, 4 plates, 4 charts .	8	0	0
Report on the Meteorology of India in 1880, 4to, 174 pages text, 286 pages tables, 6 plates, 4 charts .	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to, 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to, 63 pages, 4 plates .	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to, 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to, 62 pages, 8 plates .	1	8	0
Indian Meteorological Memoirs, Vol. I, Part V, 4to, 57 pages, 10 plates .	1	8	0
Indian Meteorological Memoirs, Vol. I, Part VI, 4to, 62 pages . . .	1	8	0
Indian Meteorological Memoirs, Vol. I, cloth bound, 4to, 438 pages, 33 plates	10	0	0
Indian Meteorological Memoirs, Vol. II, Part I, 4to, 78 pages, 9 plates .	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors) . . .	1	0	0

	R	a.	p.
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to, 87 pages, 4 plates .	2	0	0
Report on the Madras Cyclone, May 1877, 4to, 117 pages text, 97 pages tables, 4 plates . .	2	8	0
Register of Original Observations of six stations in India, in 1879, corrected and reduced . . .	2	0	0
Register of Original Observations of six stations in India, in 1880, corrected and reduced . . .	2	0	0
Register of Original Observations of six stations in India, in 1881, corrected and reduced . . .	2	0	0

HENRY F. BLANFORD,

Meteorological Reporter to the Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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" ALLAHABAD SERIES .	" 8	" 9
Complete set . . .	" 45	" 47-8

The price of each Part purchased separately will vary according to the amount of matter it contains, and will be printed on the wrapper. It will, however, never be below the following:—

	R	
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Persons desiring to subscribe for or purchase the Reports, should apply to—

MESSRS. THACKER, SPINK AND CO., CALCUTTA;
MESSRS. THACKER AND CO., BOMBAY;
MESSRS. HIGGINBOTHAM AND CO., MADRAS;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1875 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at R375 a set.

For sale in Rajputana to Officers stationed there.

Moore's Manual of Family Medicine for India, 4th Edition. *Price—*

To Government Officers (except those mentioned below) and to the public at large, *R4.*

To all Officers employed in Government Departments who are in receipt of salaries under R500 per mensem, on a certificate being furnished declaring that the book is to be purchased only for the personal use of the officer, *R3; packing and postage, 8 annas.*

Apply to the Superintendent, Commissioner's Office, Ajmer.

☞ The following books may be purchased from the Office of Superintendent of Government Printing, India, No. 166, Dhurrumtollah Street, for private use only, which should be stated in the requisition.

No orders can be attended to unless accompanied by a remittance. When postage stamps are forwarded, one anna additional should be sent for every Rupee's worth of stamps, for discount in exchanging them for cash. Service labels or Court Fee stamps are not received.

Books required for the public service cannot be supplied on payment; they are only issued on the authority of the Department to which the indenting officer is subordinate. Applications for them should be made through the Local Government under which the applicant serves.

Just published.

Report of the Indian Education Commission, with Appendices and Statistical Tables. *Price, R5; packing and postage, R1.*

Army List—New Number.

The Official Quarterly Bengal Army List corrected up to 30th September 1883.

☞ *From January 1881 the price of the Army List has been reduced to 1 Rupee per copy; packing and postage, 6 annas.*

Statistics of population of the Indian Empire, collected at the Census of 1881, Vol. II. *Price, R2-8; packing and postage, 8 annas, extra.*

Statistics of British-born subjects recorded at the Census of India, 17th February 1881. *Price, annas 8; packing and postage, 1 anna 6 pie, extra.*

Statistics of population in the Andamans, 17th February 1881. *Price, 8 annas; packing and postage, 1 anna 6 pie, extra.*

Pack Gear for Elephants. B. G. P. SANDERSON, Superintendent of Kheddahs, Dacca. *Price R1; packing and postage, 2 annas.*

A List of Agricultural Implements and Machines which have been experimented with and found efficient and useful in India. *Price, annas 8; packing and postage, 2 annas.*

Copies (in English) of Bills before the Legislative Council of the Governor General, and of Statements of Objects and Reasons and Reports of Select Committees upon them, are obtainable at the Offices of Superintendents of Government Printing, at Calcutta and Simla. They will be sold to casual purchasers at the rate of three pies per sheet (of four pages) or part of a sheet, but a reduction will be made where the papers cover more than sixty-four pages. The whole set of papers published in a year will also be supplied to annual subscribers at the rate of R2, exclusive of postage, or R3, including postage, to any part of British India.

Revised Edition.

Moore's Manual of Family Medicine for India. *Price —*

To Government Officers (except those mentioned below) and to the public at large, *R4.*

To all Officers employed in Government departments who are in receipt of salaries under R500 per mensem, on a certificate being furnished declaring that the book is to be purchased only for the personal use of the officer *R3; packing and postage, 6 annas.*

Transport Regulations, Part I.

Transport of Troops by Sea. *Price, R2-8; packing and postage, 4 annas.*

Transport Regulations, Part II

Transport of Troops, Inland. *Price, R2-8; packing and postage, 4 annas.*

Public Works Department Classified List and Distribution Return of Establishment, corrected up to 30th June 1883 *Price R2; packing and postage, 4 annas.*

Preliminary Administration Report on the Railways in India for 1882-83 by Colonel F. S. Stanton, R.E., Director General of Railways *Price, R1; packing and postage, 3 annas.*

The Report of the Rent Law Commission, with draft of Bill to amend the Law of Landlord and Tenant in Bengal, in two volumes *Price, R3, packing and postage, 12 annas.*

Report of the Government of Bengal on the proposed amendment, with revised Bill and Appendices, in two volumes. *Price, R4; packing and postage, R1.*

Correspondence between the Government of India and the Secretary of State regarding the proposed amendment. *Price, annas 8; packing and postage, 4 annas.*

The Bengal Tenancy Bill, with annexures. *Price, annas 4; packing and postage, 3 annas.*

INDEX to the Enactments relating to India. Compiled, under the orders of the Government of India, by Stephen Jacob, B.C.S., to which are prefixed Chronological Tables of the Acts and Regulations of the Indian Legislatures. First Edition.
Price reduced from R10 to R5; packing and postage, 12 annas.

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Sanitary Primers in English and in Ben-gali. *Price, R6 per hundred, including transit and packing charges; single copies, 1 anna each.*

The Book named below having been de-clared a part of the obligatory equipment of Emigrant vessels, is now obtainable at the Bengal Secretariat Press at the price noted :—

West India Pilot, Vol. II . . . R6 0 0

☞ *Cash must be sent with order.*

Apply to Accountant, Bengal Secretariat, Writers' Buildings, Calcutta.

NOTICE.

The 9th February 1883.—The subscription to, and postage for, the *Calcutta Gazette* will henceforward be at the following rates, payable in advance:—

For the Mofussil.

	R	a.	p.	
Entire Gazette	15	0	0	per annum.
Postage	5	0	0	"
Supplement	6	0	0	"
Postage	3	0	0	"
Parts III, IV, V, and VI, containing the Acts and Bills of the Legislative Councils of India and Bengal	5	0	0	"
Postage	2	8	0	"
For a single copy—				
Entire Gazette	0	8	0	
Postage	0	2	0	
Supplement	0	4	0	
Postage	0	1	0	
Parts III, IV, V, and VI	0	1	0	for 4 sheets or under with an additional charge of 1 anna for every 4 sheets in excess of 4.
Postage	0	1	0	

For Calcutta.

The same rates as those for the mofussil, with the exception of the charge for postage.

E. N. BAKER,

Offg. Under-Secy. to the Govt. of Bengal.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 24, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

"BULL'S PATENT BRICK WORKS."

Notice is hereby given that the business of makers and burners of bricks, tiles, pipes, and other similar articles heretofore carried on at Champdany, Serampore and Ooterparrah in Zillah Hooghly, and in Calcutta, between the undersigned, under the style of "Bull's Patent Brick Works," has been dissolved by mutual consent as from the 31st day of October 1883.

The business at Champdany and at Calcutta will hereafter be carried on by Messrs. Bird & Co., under the same style of "Bull's Patent Brick Works," and the business at Serampore and Ooterparrah will be carried on by Mr. Henry Bull.

BIRD & Co.
H. BULL.

39, STRAND, CALCUTTA,
The 20th November 1883.

NOTICE.

The interest and responsibility of Mr. William Watson in our firm ceased from 30th September 1883.

THOMAS WATSON & Co.

CALCUTTA,
The 5th November 1883.

PROMISSORY NOTES.

Lost or Stolen

The following Government Promissory Notes, originally standing in the name of Dinshaw Framjee, the proprietor, by whom they were never endorsed to any other person. Payment of these Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor :—

1. Government Promissory Note No. 146298 of the 4 per cent. of 1865, for R1,000, interest payable at the Rawalpindi Treasury, originally standing in the name of Dinshaw Framjee.
2. Government Promissory Note No. A021261, reduced 4 per cent. loan of 1879, for R1,000 interest payable at the Rawalpindi Treasury, originally standing in the name of Dinshaw.

DINSHAW FRAMJEE,
Firm of H. Dinshaw & Co.

RAWALPINDI,
The 28th August 1883.

Lost or Destroyed

The Government Promissory Notes No. 028811, for R1,000, No. 028812, for R1,000, No. 028813, for R1,000, No. 028814, for R1,000, and No. 028488, for R500, belonging to Sirdar Baj Singh, deceased.

M. L. FERRAR,
Deputy Commissioner, Bahraich.



SUPPLEMENT TO

The Gazette of India.

No 47.} CALCUTTA, SATURDAY, NOVEMBER 24, 1883.

OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time, containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

Non-Subscribers to the GAZETTE may receive the SUPPLEMENT separately on a payment of six Rupees per annum if delivered in Calcutta, or nine Rupees if sent by Post.

No Official Orders or Notifications, the publication of which in the GAZETTE OF INDIA is required by Law, or which it has been customary to publish in the CALCUTTA GAZETTE, will be included in the SUPPLEMENT. For such Orders and Notifications the body of the GAZETTE must be looked to.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY TRAFFIC.

RETURNS OF ACCIDENTS ON INDIAN RAILWAYS FOR THE SECOND QUARTER OF 1883.

No. 1244R. T., dated Simla, the 7th November 1883.

RESOLUTION—By the Government of India, Public Works Department.

Read again—

Public Works Department Resolution No. 1040R.T., dated 19th October 1882.

Public Works Department Resolution No. 933R.T., dated 27th August 1883.

Read also—

Returns of accidents to trains, &c., on the open lines of railway in India for the quarter ending 30th June 1883.

OBSERVATIONS.—As compared with the corresponding quarter of the previous year, with an increase of 398 miles, or 4 per cent. in the open mileage, and of 1,987,479 miles, or 19·84 per cent. in the train mileage, the number of accidents to trains, rolling stock, permanent way, &c., shows an increase of 21, or 1·94 per cent. only. The numbers chiefly vary on the following railways :—

	Increase.	Decrease.
South Indian	30	...
Great Indian Peninsula	...	24
Sind, Punjab and Delhi	30	...
Oudh and Rohilkhand	24	...
Punjab Northern	26	...
Indus Valley and Kandahar	22	...
Rajputana-Malwa	...	18
Wardha Coal	...	35
Tirhoot	...	17
Rangoon and Irrawaddy Valley	10	...

2. On the South Indian Railway the increase principally took place under "trains running over cattle" and "fire in trains," the number of

accidents under the former being 74 against 52, and under the latter 9 against 2.

3. Of the decrease of 24 accidents on the Great Indian Peninsula Railway, 14 were under "goods trains, or parts of goods trains, engines, &c., leaving the rails," and 9 under "slips in cuttings or embankments."

4. On the Sind, Punjab and Delhi Railway the number of cases of "failure of machinery, &c., of engines" increased from 3 to 17, and that of "failure of couplings" from 1 to 15.

5. The increase on the Oudh and Rohilkhand Railway chiefly occurred under "cattle accidents," the number being 43 against 22.

6. On the Punjab Northern State Railway the increase was due to the number of cases of "fire in trains" having been 32 against 5 in the corresponding quarter of 1882.

7. On the Indus Valley and Kandahar State Railway the increase was the largest under "bursting of boilers or tubes, &c., of engines" and "miscellaneous accidents." The number of accidents under each of these two heads was larger by 11. Under "trains running over cattle" there was a decrease of 10 accidents.

8. On the Rajputana-Malwa Railway, while the number of catte accidents decreased from 76 to 66 and that of miscellaneous accidents from 37 to 3, there were increases under other heads, the total showing a decrease of 18 accidents.

9. Of the decrease of 35 accidents on the Wardha Coal Railway 14 were under "failure of tyres" and 15 under "fire in trains." The number of accidents under the former was *nil* against 14, and under the latter 8 against 23.

10. The decrease on the Tirhoot Railway was almost wholly due to there being not a single case of "failure of machinery, &c., of engines" during the quarter under review, while in the corresponding previous period there were 16 accidents of this description.

11. On the Rangoon and Irrawaddy Valley State Railway there was no noticeable increase under any particular head.

12. The casualties resulting from accidents to trains, &c., were, among passengers, 19 injured against 1 killed and 9 injured, and among servants 12 injured against 13 killed and 16 injured. The increase in the number of casualties to passengers appears to be due to six passengers having received slight bruises by a collision which took place on the Madras Railway, on the 31st May 1883, between a mail and a goods train, due to the pointsman turning the former on to the main line instead of on to the platform siding; and five passengers having been slightly injured by a collision on the Calcutta and South-Eastern Railway between two passenger trains, caused by the carelessness of the pointsman in allowing both the trains into the same siding.

13. As regards the decrease in the casualties to servants, it is observed that in the corresponding quarter of 1882 four men were killed on the Great Indian Peninsula Railway by a collision between a goods train and a pump truck, and 1 killed and 5 injured on the Madras Railway by a wagon getting away while being shunted, and colliding with an Inspector's trolly.

14. The following table exhibits the number of accidents under the different classes, and the number of persons killed and injured thereby :—

Description of Accidents.	Number of Accidents.	Number of Passengers and Others.		Number of Servants.		Total.	
		Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Collisions between passenger trains, or parts of passenger trains	2	. .	5	. .	. .	. .	5
Collisions between passenger trains and goods or mineral trains, engines, and vehicles standing foul of the line	20	. .	10	. .	. .	. .	10

Description of Accidents.	Number of Accidents.	Number of Passengers and others.		Number of Servants.		Total.	
		Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Collisions between goods trains or parts of goods trains	28	. .	. .	. .	3	. .	3
Collisions between light engines	5	. .	. .	. .	2	. .	2
Passenger trains, or parts of passenger trains, leaving the rails	14	. .	. .	. .	. .	. .	. .
Goods trains, or parts of goods trains, engines, &c., leaving the rails	75	. .	. .	. .	1	. .	1
Trains or engines travelling in the wrong direction through points	11	. .	. .	. .	1	. .	1
Trains running into stations at too high a speed	8	. .	. .	. .	. .	. .	. .
Trains running over cattle on the line	413	1	. .	. .	. .	1	. .
Ditto over obstructions on the line	37	1	. .	. .	. .	1	. .
Ditto through gates at level crossings	21	. .	. .	. .	1	. .	1
The bursting of boilers or tubes, &c., of engines	34	. .	. .	. .	. .	. .	. .
The failure of machinery, springs, &c., of engines	74	. .	. .	. .	. .	. .	. .
Ditto of tyres	1	. .	. .	. .	. .	. .	. .
Ditto of wheels	2	. .	. .	. .	. .	. .	. .
Ditto of axles	13	. .	. .	. .	. .	. .	. .
Ditto of couplings	44	. .	. .	. .	. .	. .	. .
Broken rails	10	. .	. .	. .	. .	. .	. .
The flooding of portions of permanent way	9	. .	. .	. .	. .	. .	. .
Slips in cuttings or embankments	12	. .	. .	. .	. .	. .	. .
Fire in trains	158	. .	. .	. .	. .	. .	. .
Fire at stations, or involving injury to bridges or viaducts	21	. .	. .	. .	. .	. .	. .
Other accidents	92	1	4	. .	4	1	8
Total	1,104	3	19	. .	12	3	31

15. The number of derailments of goods trains or parts of goods trains, engines, &c., decreased from 109 to 75, or by 34, of which 6 are due to the East Indian Railway, and 14 to the Great Indian Peninsula Railway.

16. While the number of cattle accidents increased by 10 on the East Indian Railway, 9 on the Madras, 22 on the South Indian, and 21 on the Oudh and Rohilkhand Railway, the number on the Indus Valley and Kandahar and the Rajputana-Malwa Railways decreased by 10 on each line.

17. The number of cases of "bursting of boilers or tubes, &c., of engines" rose from 16 to 34, of which 10 were on the Sind, Punjab and Delhi Railway, 18 on the Indus Valley and Kandahar, and 5 on the Rajputana-Malwa. The number of cases of "failure of machinery, springs, &c., of engines" were also large on these lines, being 17, 22, and 15 respectively out of a total of 74. It is noteworthy that there was no accident of this kind on the Tirhoot State Railway, although 16 such cases occurred on that line during the corresponding period of the previous year.

18. Out of a total of 44 cases of failure of couplings, 15 were on the Sind, Punjab and Delhi Railway, and 11 on the Rajputana-Malwa.

19. On the Muttra-Hathras Railway the number of cases of broken rails shows a large decrease, being only 2 against 14.

20. Fire broke out in trains in 158 instances, of which 57 or 36 per cent. were on the Great Indian Peninsula Railway, 32 or 20 per cent. on the Punjab Northern, and 30 or 19 per cent. on the Indus Valley and Kandahar Railway.

21. The casualties to passengers from causes other than accidents to trains, &c., were —

———	Killed.	Injured.
From falling between carriages and platforms	. .	2
Falling on to the platform, ballast, &c., when getting into or out of trains	2	3
Whilst crossing the line at stations	1	. .
Falling out of carriages during the travelling of trains	7	31
Other accidents	. .	3
TOTAL	10	39

22. And the accidents to servants in the employ of railways, or of contractors, whilst performing duties connected directly with the transit of passengers and goods, from causes other than accidents to trains, &c., were—

———	Killed.	Injured.
During shunting operations	6	15
Falling off engines, vans, wagons, &c.	4	16
Coming in contact with overbridges, &c., during the travelling of trains	. .	3
Coming in contact, while shunting with vehicles, &c., standing in adjoining lines	1	. .
Getting on or off trains, engines, &c.	1	13
Whilst loading, unloading, or sheeting	. .	14
Whilst breaking, spragging, or chocking wheels	. .	1
Whilst working at cranes or capstans	1	. .
Whilst working on the permanent way or in sidings	1	. .
Whilst walking along the line on the way home or to work	1	. .
Whilst walking, crossing, or standing on the line	12	12
Whilst passing between vehicles	2	. .
Whilst attending to the machinery of engines, cleaning them, &c.	. .	2
Whilst attending to gates at level crossings	1	2
Falling or being caught between vehicles and platforms	1	1
Falling off ladders, scaffolds, platforms, &c.	. .	1
By falling of lamps, wagon-doors, timber, weights, &c.	. .	2
Whilst coupling or uncoupling wagons	. .	9
Miscellaneous	3	25
TOTAL	34	116

23. Of other persons killed and injured by running trains, &c., 1 was killed and 1 injured whilst passing over the line at level-crossings; 31 were killed and 3 injured whilst trespassing on the line; 7 are supposed to have committed suicide; and 6 were killed and 2 injured from miscellaneous causes.

24. The following table shows the total number of persons killed and injured from causes connected with the working of trains as compared with the corresponding quarter of 1882 :—

———	2ND QUARTER, 1882.		2ND QUARTER, 1883.	
	Killed.	Injured.	Killed.	Injured.
PASSENGERS.				
From causes beyond their own control	. .	10	. .	22
From misconduct or want of caution	5	26	10	36

	2nd Quarter, 1882.		2nd Quarter, 1883.	
	Killed.	Injured.	Killed.	Injured.
Servants.				
From causes beyond their own control	16	33	2	28
From misconduct or want of caution	26	91	32	100
Others.				
Whilst passing at level crossings	7	1	1	1
Trespassers, including suicides	26	8	38	3
Other persons	3	1	6	2
Total	83	170	89	192

25. In addition to the above, 17 persons are reported to have been killed and 73 injured in yards, workshops, &c., and 72 passengers to have met death in carriages and at stations from causes unconnected with the working of trains.

Resolution.—The attention of the officers concerned should be invited to the increase in the number of cases of failure of "machinery, springs, &c., of engines" and of couplings on the Sind, Punjab and Delhi Railway, and cases of "fire in trains" on the Punjab Northern State Railway.

Order.—Ordered, that this Resolution, together with the abstract returns compiled by the Government of India, be communicated to the Governments, Administrations, and Officers noted in the margin for information.

The Governments of Madras, Bombay, Bengal, the North-Western Provinces and Oudh, and the Punjab.
The Chief Commissioners, Central Provinces, Assam, and British Burma.
The Residents, Hyderabad and Mysore.
The Agents to the Governor General for Rajputana, Central India, and Beluchistan.
The Director General of Railways.
The Consulting Engineers to the Government of India for Guaranteed Railways.

Ordered also, that copies be forwarded to the Secretary of State for the information of Her Majesty's Government.

Ordered further, that this Resolution, with the abstract returns, be published in the Supplement to the *Gazette of India*.

G. F. L. MARSHALL, *Major, R.E.*,
Under-Secretary.

TABLE No. 1.

GENERAL TOTAL.

NUMBER of PERSONS reported during the Second Quarter of 1883 as KILLED or INJURED on the several RAILWAYS open for Traffic in INDIA, distinguishing between PASSENGERS, RAILWAY SERVANTS, and OTHER PERSONS; and distinguishing also, in the case of the two former Classes, between ACCIDENTS happening from Causes beyond their own Control and ACCIDENTS happening otherwise.

Mean mileage open.	RAILWAYS.		Passengers.						Railway Servants or Servants of Contractors.						Other Persons.								Total all Classes.	
			From Causes beyond their own Control.		From their own Misconduct or want of Caution.		Total.		From Causes beyond their own Control.		From their own Misconduct or want of Caution.		Total.		Whilst passing over Railways at Level-Crossings.		Trespassers and Suicides.		Miscellaneous not included in preceding columns.		Total.			
			Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
(a) 1,652	East Indian	1882	...	4	1	3	1	7	...	9	7	28	7	37	...	...	11	2	...	...	11	2	19	46
1,653		1883	...	1	3	12	3	13	1	10	14	17	15	27	...	...	12	1	1	1	13	2	31	42
	GUARANTEED.																							
858	Madras	1882	...	...	1	3	1	3	1	5	1	4	2	9	...	...	...	...	1	...	1	...	4	12
861		1883	...	6	...	...	...	6	...	2	1	6	1	8	...	...	...	...	...	...	...	...	1	14
(b) 655	South Indian	1882	...	...	...	...	...	...	...	1	...	3	...	4	1	1	...	1	...	...	1	2	1	6
655		1883	...	...	...	3	...	3	...	...	1	6	1	6	...	...	2	1	1	...	3	1	4	10
(c) 1,450½	Great Indian Peninsula	1882	...	1	...	1	...	2	8	7	4	22	12	29	...	...	2	1	...	...	2	1	14	32
1,456½		1883	...	3	...	...	...	3	...	4	6	18	6	22	...	...	5	1	...	1	5	2	11	27
(d) 460½	Bombay, Baroda and Central India	1882	...	...	1	...	1	...	2	...	2	9	4	9	2	...	...	...	...	...	2	...	7	9
461		1883	...	2	...	1	...	3	...	..	3	10	3	10	...	1	2	...	...	...	2	1	5	14
(e) 172½	Eastern Bengal	1882	...	...	...	...	...	...	...	1	2	1	2	2	1	...	3	1	...	...	4	1	6	3
(f) 206½		1883	...	...	...	...	...	...	...	3	...	1	...	4	...	...	...	...	...	...	...	...	...	4
(g) 668½	Sind, Punjab and Delhi	1882	...	2	...	7	...	9	2	4	1	7	3	11	...	...	3	...	...	...	3	...	6	20
(h) 734½		1883	...	2	3	7	3	9	1	2	1	19	2	21	...	...	3	...	2	...	5	...	10	30
547	Oudh and Rohilkhand	1882	...	...	...	2	...	2	1	...	1	3	2	3	...	...	3	1	...	...	3	1	5	6
547		1883	...	...	1	2	1	2	...	...	3	2	3	2	...	...	5	...	...	...	5	...	9	4
	IMPERIAL STATE.																							
397	Punjab Northern	1882	...	1	...	4	...	5	...	...	1	5	1	5	...	...	...	2	1	...	1	2	2	12
421		1883	...	...	...	4	...	4	...	...	...	5	...	5	...	...	...	...	...	...	...	...	...	9
(i) 660	Indus Valley and Kandahar	1882	...	2	1	1	1	3	1	3	2	3	3	6	...	...	2	...	...	...	2	...	6	9
660		1883	...	...	...	3	...	3	...	3	1	...	1	3	...	...	1	...	1	...	2	...	3	6
(j) 1,130½	Rajputana-Malwa	1882	...	...	1	4	1	4	...	...	5	2	5	2	1	...	...	...	...	...	1	...	7	6
(k) 1,138		1883	...	...	1	3	1	3	...	...	2	10	2	10	1	...	8	...	...	...	9	...	12	13
45	Wardha Coal	1882	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
45		1883	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

Mileage	Railway	Year																						
	PROVINCIAL STATE.																							
29	Calcutta and South-Eastern	1882	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
53		1883	...	5	...	...	...	5	...	...	...	1	...	1	...	...	...	...	...	...	...	...	...	6
27½	Nalháti	1882	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
27½		1883	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
238	Northern Bengal	1882	...	...	...	1	...	1	1	3	...	2	1	5	...	...	...	...	...	...	...	...	1	6
230		1883	...	...	...	...	...	...	...	3	...	1	...	4	...	...	...	...	...	...	...	...	...	4
32	Kauniá-Dharla	1882	...	...	...	...	...	...	...	...	...	...	...	...	2	...	...	...	...	...	2	...	2	...
32½		1883	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
85	Tirhoot	1882	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	1	...	2	...	2	...
166		1883	...	...	2	...	2	...	...	...	...	1	...	1	...	...	...	...	...	...	...	...	2	1
29	Muttra-Háthras	1882	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
29		1883	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	1	...	1	...
86½	Cawnpore-Farukhabad	1882	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	1	...	1
86½		1883	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
98	Nágpur and Chhattisgarh	1882	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
149		1883	...	...	...	...	...	...	...	...	...	2	...	2	...	...	...	...	...	...	...	...	...	2
161	Rangoon and Irrawaddy Valley ...	1882	...	...	...	...	...	...	...	...	...	1	...	1	...	...	1	...	...	...	1	...	1	1
161		1883	...	...	...	1	...	1	...	...	...	1	...	1	...	...	...	...	...	...	...	...	...	2
	NATIVE STATES.																							
194	Bhavnagar-Gondal	1882	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
198		1883	...	3	...	...	...	3	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	3
59½	Gaekwar of Baroda's	1882	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
59½		1883	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
121	Nizam's	1882	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
121		1883	...	...	...	...	...	...	...	1	...	...	...	1	...	...	...	...	...	...	...	...	...	1
86	Mysore	1882	...	...	...	...	...	...	...	...	...	1	...	1	...	...	...	...	...	...	...	...	...	1
86		1883	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	Jodhpore	1882	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
19		1883	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
9,941½	Total ...	1882	...	10	5	26	5	36	16	33	26	91	42	124	7	1	26	8	3	1	36	10	83	170
10,340		1883	...	22	10	36	10	58	2	28	32	100	34	128	1	1	38	3	6	2	45	6	89	192

(a) Includes the Sindia, Dildarnagar-Ghazipore, and Patna-Gya State Railways and 3 miles Barh Branch of the Tirhoot State Railway.
(b) Exclusive of the Pondicherry Branch.
[illegible] of the Branch State lines worked by the Company.

(g) Exclusive of 13 miles between Ghaziabad and Delhi worked over by the Sind, Punjab and Delhi Railway Company.
(h) Exclusive of 13 miles of the East Indian Railway from Ghaziabad to Delhi, but inclusive of the lengths of the Sirhind Canal, and Ráewind to Gundasing Walla Branch lines, worked by the Company.
(i) Includes 7 miles from Mooltan to Mozufferabad Junction of the Sind, Punjab and Delhi Railway, worked over by the Indus Valley Railway.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY TRAFFIC.

No. XLII OF 1883.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Latest return received	Railways.	Total mean length open.	Receipts for week ending 28th October 1882		Total mean length open.	Receipts for week ending 27th October 1883		Total Receipts from 1st April to 28th October 1882		Total Receipts from 1st April to 27th October 1883.		Total Increase in 1883-84.	Total Decrease in 1883-84
			Total.	Per mile open		Total.	Per mile open	Total.	Per mile open per week.	Total.	Per mile open per week		
			R	R		R	R	R	R	R	R	R	R
	Guaranteed												
3rd Nov. 1883	Eastern Bengal (a)	172	1,27,875	743	172	92,086	535	33,86,997	643	26,95,271	522	. . .	6,41,726
27th Oct. 1883	Oudh and Rohilkhand	547	94,363	173	547	99,377	182	27,78,348	169	32,58,296	199	4,79,948	. . .
27th ditto	Sind, Punjab & Delhi	676	2,01,638	298	735	1,95,968	267	53,08,131	260	65,45,789	295	12,37,658	. . .
27th ditto	Madras	861	1,27,862	149	861	1,35,509	157	40,85,332	158	38,53,391	149	. . .	2,31,941
27th ditto	South Indian	655	80,277	123	655	84,851	130	22,35,419	113	23,46,020	119	1,10,601	. . .
3rd Nov. 1883	Great Indian Peninsula	1,456	6,33,119	434	1,451	4,78,558	330	1,77,88,102	410	1,82,17,228	418	4,29,126	. . .
27th Oct. 1883	Bombay, Baroda and Central India	461	1,65,879	360	461	1,81,666	394	54,08,334	389	62,64,435	453	8,56,101	. . .
	TOTAL	4,830	14,31,013	296	4,882	12,68,015	260	4,09,40,653	281	4,31,80,420	294	22,39,767	. . .
	State.												
3rd Nov. 1883	East Indian	1,507	7,79,600	517	1,509	9,60,703	637	2,46,62,295	543	2,85,56,264	631	38,93,969	. . .
27th Oct. 1883	Calcutta and South-Eastern	33	8,274	251	56	6,850	122	1,15,392	120	1,71,859	106	56,467	. . .
27th ditto	Nalhati	27	874	32	27	1,401	52	39,804	49	46,569	57	6,765	. . .
27th ditto	Northern Bengal	230	38,884	169	239	39,390	165	11,22,849	161	11,89,464	169	66,615	. . .
27th ditto	Tirhoot	75	12,757	170	166	15,638	94	3,61,461	150	4,94,383	100	1,32,922	. . .
29th Sep. 1883	Patna-Gya	57	8,259	145	. .	(b)	.	(c)2,36,311	159	(d)2,20,855	149	. . .	15,456
27th Oct. 1883	Cawnpore-Achnera	138	10,338	75	138	10,320	75	2,96,735	71	3,07,819	74	11,084	. . .
27th ditto	Dildarnagar-Ghazipur	12	859	72	12	808	67	25,564	71	26,307	73	743	. . .
3rd Nov. 1883	Rajputana-Malwa	1,116	1,76,026	158	1,117	2,22,950	199	56,65,700	168	67,96,270	203	11,30,570	. . .
27th Oct. 1883	Wardha Coal	45	13,084	291	45	14,282	317	2,99,088	220	3,94,967	203	95,879	. . .
27th ditto	Nagpur & Chhattisgarh	98	6,091	62	149	9,988	67	2,86,102	97	6,80,412	152	3,94,310	. . .
27th ditto	Rangoon and Irrawaddy Valley	161	40,909	254	161	24,184	150	7,90,923	163	7,67,267	159	. . .	23,656
3rd Nov. 1883	Sindia	75	7,413	99	75	8,281	110	1,75,241	78	1,77,725	79	2,484	. . .
27th Oct. 1883	Punjab Northern	409	55,850	137	421	58,212	138	16,78,756	138	17,66,341	140	87,585	. . .
27th ditto	Indus Valley and Kandahar	660	1,33,039	202	660	89,799	136	24,97,037	125	41,65,975	210	16,68,938	. . .
27th ditto	Kaunia-Dhurla	32	1,454	45	32	3,419	107	45,401	47	60,328	63	14,927	. . .
3rd Nov. 1883	Rewari-Ferozepore	. . .	. . .	.	89	4,260	48	. . .	. .	2,31,550	87	2,31,550	. . .
	TOTAL	3,168	5,14,111	162	(e)3,387	5,09,782	151	1,36,36,364	143	1,74,98,091	169	38,61,727	. . .
	Assisted Company.												
3rd Nov. 1883	Bengal Central	21	624	30	35	2,076	59	(f)1,207	31	63,436	60	62,229	. . .
	Native States.												
27th Oct. 1883	Bhavnagar-Gondal	193	11,383	59	193	14,200	74	4,96,789	85	5,44,531	94	47,742	. . .
27th ditto	Nizam's	121	15,169	125	121	13,540	112	4,98,667	137	4,61,381	127	. . .	37,286
20th ditto	Mysore	86	7,180	83	. .	(b)	.	(g)1,72,794	69	(h)1,61,246	65	. . .	11,548
3rd Nov. 1883	Jodhpore	19	503	26	19	1,060	56	(i)9,576	28	22,134	39	12,558	. . .
	TOTAL	419	34,235	82	(j)333	28,800	86	11,77,826	95	11,89,292	95	11,466	. . .
	GRAND TOTAL	9,945	27,59,583	277	(k)10,146	27,69,376	273	8,04,18,345	269	9,04,87,508	298	1,00,69,158	. . .
	Gross Estimated Expenses	. .	. . .	.	. .	. . .	.	4,17,50,344	139	4,59,26,167	149	. . .	. . .
	Net Receipts	. .	. . .	.	. .	. . .	.	3,86,68,001	130	4,45,61,336	144	58,93,335	. . .

(a) Exclusive of the Company's share of the earnings of the Bengal Central Railway.
(b) Return not received.
(c) Total receipts from 1st April to 30th September 1882.
(d) Total receipts from 1st April to 29th September 1883.
(e) Excludes mileage of Patna-Gya State Railway (57).
(f) Total receipts from 16th to 28th October 1882.
(g) Total receipts from 1st April to 21st October 1882.
(h) Total receipts from 1st April to 20th October 1883.
(i) Total receipts from 24th June to 28th October 1882.
(j) Excludes mileage of Mysore State Railway (86).
(k) Excludes mileages of Patna-Gya and Mysore State Railways (57+86).

H. F. HANCOCK, *Colonel, R.E.,*
Offg. Deputy Secretary.

SIMLA,
The 19th November 1883.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

MEMORANDUM ON THE WEATHER EXPERIENCE IN INDIA DURING THE SIX MONTHS, MAY TO OCTOBER 1883.

No. 111 Met.

Extract from the Proceedings of the Government of India, in the Revenue and Agricultural Department,—dated Calcutta, the 23rd November 1883.

METEOROLOGY.

RESOLUTION.

Read the following—

Memorandum on the Weather experience in India during the six months, May to October 1883.

The weather of May, in Northern India, was far from uniform. During the first two-thirds of the month in North-Western and Central India, the temperature was excessive and the atmosphere very dry; while in Bengal and Assam the weather was cool and wet. In the latter Province, the rainfall was very heavy (27 inches having fallen in ten days at Silchar), causing the river Barák to rise 41½ feet above its zero level. After the 21st, however, these conditions were reversed. Showery weather set in over the Punjab and North-Western and Central Provinces, and the temperature fell to about 20° below the average; while in Assam and Bengal, the weather cleared and became warm and dry. In the Peninsula and Burma, there was but little worthy of note.

The monsoon rains were ushered in in Bengal and Orissa by a small cyclonic storm, which was apparently formed over the head of the Bay on the 13th June, reached the land on the 14th, and travelling to the north-west, occasioned heavy rain as far as Behar, beyond which Province the rains did not extend until quite the close of the month. The heaviest fall attributable to this depression was 12½ inches at Mozufferpore. On the Bombay side, the earlier portion of the month was characterized either by strong winds from a non-monsoon direction, or by light variable breezes; but, on the 24th, the regular monsoon current set in, and from that time onward blew steadily. About the 26th of the month a second cyclone of the weaker or monsoon type was formed over the Bay of Bengal. Thence it passed to Cuttack on the 30th, reached Seoni on July 1st, Indore on the 2nd, and lay between Rajkot and Karachi on the 3rd of that month. It thus passed on a due westerly course right across the Peninsula. The rain accompanying this cyclone was very heavy, and the resulting floods of the Taptee and in Gujarat were very destructive, interrupting railway communication and submerging much of the city of Surat.

As the general result, the monsoon rains were late in setting in on the Bombay side and throughout Western and North-Western India, and in the Peninsula the rainfall of the month was deficient; only in Bengal was it up to or above the average amount. These latter peculiarities were more or less characteristic of a large part of the season.

The disappearance of the cyclonic storm noticed above was followed by two or three days of fine weather and high barometric pressure. Rain then recommenced, and in Southern India, Bengal and the Eastern Peninsula, continued more or less steadily till the close of July. But in the Punjab, Rajputana and a large part of the North West and Central Provinces, the rain ceased about the 19th, and a drought set in, which lasted without intermission till nearly or quite the end of August.

August was a month of deficient rainfall in all parts of India, except the Provinces of Madras, Berar and Assam. The drought increased in extent and intensity during the earlier part of the month, the air became dry, the temperature high, and, on some days during the height of the drought, no rain fell over the whole of that part of the country lying to the northward of Belgaum and to the westward of Benares. On the 19th, however, when the prospects of the season were becoming critical, the weather changed, the air became damper, rain fell in the Central Provinces, and extending slowly to the North-West, reached the extreme north of the Punjab by the end of the month.

This changed weather lasted in North-Western India till about the middle of September, when the sky cleared, and the fine bright weather characteristic of the close of the rainy season set in. But, in the meantime, the amount of rainfall over the Punjab, Rajputana and Central Provinces was so heavy as considerably to exceed the normal total of the month. In other parts of India, rain continued to fall more or less steadily till near the close of September, and on the whole, the meteorological conditions of the month were of about the usual character. The rains apparently ceased in—

The Punjab, on the 10th.
Rajputana, on the 14th.
The North-Western Provinces, on the 18th.
Central Provinces, on the 25th.

With the cessation of the rains, the usual rise of temperature occurred in these Provinces.

In October, the fine dry weather which had already become established in North-Western India, extended further to south and east, and the autumnal rains of the transitional period set in on the Coromandel Coast. In each case, the change occurred rather earlier than usual. Over

Bengal and Assam, in the first ten days of the month, the rainfall was very light as compared with the normal average. There were sharp showers on the 12th, 13th and 14th, and with these showers the rains ceased, apparently for the season, so that the total at the end of the month was very small. The deficiency was greatest in Orissa and Lower Bengal, where it amounted to over 9 inches, while at Darjeeling it was 6 and at Burdwan 4 inches. The Madras reports shew that north winds were felt on the Ganjam Coast on October 9th, whence they gradually extended towards Madras. The sky during this time became much more cloudy all over the Presidency, and from the 12th, heavy rain fell almost daily until the 18th, the wind on many occasions blowing from a south-east rather than from a north-east direction. After that date, until the 27th, the weather was much more settled. But quite at the close of the month conditions again changed; a small barometric depression was formed in the south-west of the Bay, and proceding slowly northward, occasioned a good deal of rain all along the Coromandel and Ganjam Coasts. On the Bombay side, generally, fine weather, chequered by occasional showers, prevailed till the 18th, when a small disturbance was formed over the Presidency, accompanied with very unsettled weather and heavy rain. This lasted for three days, when the depression broke up, the sky cleared, and the wind changed. From the 22nd to the end of the month the weather was fine.

Summing up the rainfall of the whole season from June 1st to October 31st, it appears that five-eighths of the stations enumerated in the daily reports had less than the average amount and three-eighths more than the average. Akyab shows the greatest deficiency, *viz.*, 38 inches, and Akola the greatest excess, *viz.*, 41½ inches. And taking the mean of the stations as classified under their respective Provinces, there has been a mean deficiency in—

The Punjab of	3·4 inches.	Central India of	8·8 inches.
The North-Western Provinces	12·0 „	Rajputana	6·8 „
Assam	7·1 „	Sind, Gujrat, &c.	2·7 „
Bengal	3·7 „	Burma of	14·2 „

and a mean excess in—

The Central Provinces, of	2·8 inches.	Madras, Mysore and Coorg	1·1 inches.
Berar	33·8 „	Ceylon	12·0 „
Bombay	7·4 „		

W. L. DALLAS,
Asst. Metl. Reporter to the Govt. of India.

ADDITIONAL NOTE.

In a note appended to the last semi-annual weather report, after adverting to the unusually heavy winter and spring snowfall on the North-West Himalaya, to which the latest addition was made on the 28th and 29th May, it was stated—"If the mountains of Lahoul, Spiti and other more distant ranges have shared this fall, if it is as extensive as it is apparently heavy on the visible ranges, and if the views which the experience of recent years seems to justify, *viz.*, that an unusual extent and thickness of snow on the Himalaya is productive of dry north-west and west winds in North-Western India are valid, we must be prepared for a long spell of dry weather and a retarded rainfall in the Upper Provinces. The present season will serve as a test of the validity of the above view."

The result has been stated in the foregoing memorandum. It was not exactly in accordance with the terms of the above forecast, inasmuch as the setting in of the rains in the Upper Provinces took place only a few days later than on the average, and rather more than a fortnight of rainy weather preceded the period of drought which had been foreseen, and which set in on the 19th July. But there were indications that throughout this rainy interval the influence of the snowfall was operative. On the North-West Himalaya the rain of the first half of July was accompanied with frequent thunder-storms and hail-storms (always a sign of an unsteady monsoon), and in clear intervals the upper clouds could be seen drifting steadily from the north-west, proving the existence at no great height of the dry current which, about the 19th, descended and replaced the monsoon, prevailing over the whole of North-Western India and Rajputana, and influencing the winds even down to the Deccan on the south and to Behar on the east.

Notwithstanding then, that, as subsequent information showed, the heavy snowfall of the winter did not extend to Lahoul, Spiti, the Pangi Valley and Ladak, but was restricted to the outer snowy range, even this sufficed to cause a prolonged drought, and I am decidedly of opinion that the experience of the present season has given strong confirmation of the validity of the view on which the forecast was based.

H. F. BLANFORD,
Meteorological Reporter to the Govt. of India.

ORDER.—Ordered that the papers be printed in the Supplement to the *Gazette of India.*

(True Extract.)
E. C. BUCK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASONS AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 13th NOVEMBER 1883.

GENERAL REMARKS.—Rain continues in Madras and the southern districts of Bombay, and general prospects are good in both Presidencies, though some damage has been done by unusually heavy rain in parts of the former. Scarcity of water is still felt in Sind. In Hyderabad, Central India, and Rajputana the *rabi* crops are generally in good condition and promise well. Recent rain in Burma has improved the condition of rice on high lands and later transplanting and clear weather is now needed. In Assam and Bengal there has been no rain, and serious injury has been done to the rice crop in the western and southern districts of Bengal, the crop on high lands having been mostly destroyed.

Prospects continue excellent in the Central Provinces. In the North-Western Provinces and Oudh slight showers have fallen in a few districts; the *rabi* crops are fair but require rain.

The *kharif* harvest is now approaching completion in most provinces; *rabi* sowings continue, but are backward in Bengal owing to absence of rain.

Prices are rising in Bengal and Burma and are generally steady elsewhere.

The public health is good, but cholera still lingers in some districts in Southern India.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects
Madras—(Nov. 14th)		
Bellary	·14 (average of 4 stations).	Standing crops generally good; harvest *cholum*, *cumbu*, yield below average; gingelly, *ragi*, *karra*, about average; 14 deaths from cholera.
Kurnool	1·22 (average of 6 stations).	Harvest *cholum*, *sajja*, *karra*, indigo, yield below average.
Ganjam	·71 (average of 6 stations).	Standing crops generally good; fever and small-pox slight in one taluk.
Kistna	·9 (average of 11 stations).	Standing crops good; those submerged recovering; harvest black paddy, *cholum*, *karra*, yield below average; small-pox, fever and cattle-disease in parts.
Chingleput (Madras)	3·4 (average of 11 stations).	Standing crops injured by excess of rain in parts, elsewhere in good condition; harvest *kar*, paddy, &c., yield half; 12 deaths from cholera; small-pox slight in 3 talukas.
Coimbatore	2·79 (average of 16 stations).	Standing crops damaged by excessive rain in parts, elsewhere in good condition; harvest paddy, *cholum*, *ragi*, *cumbu*, yield about average; 83 deaths from cholera; fever, small-pox, and cattle-disease slight.
Tanjore	3·33 (average of 14 stations).	Standing crops generally good; harvest paddy, *cholum*, *ragi*, *cumbu*, yield about average; 14 deaths from cholera.
Madura	2·74 (average of 8 stations).	Standing crops fair; harvest dry crops, yield average; cholera in parts.
Malabar	3·4 (average of 14 stations).	Second crop cultivation progressing; small-pox and fever slight.
Travancore	·668	Sowing over; fever in parts. *General Remarks.*—General prospects good.
Bombay—(Nov. 14th)		
Kurrachee	*Nil*	River at Kotri on 11th 6 ft. 2 inches against 6 ft. 9 inches on same date last year; fever generally prevalent; cattle-disease in 2 talukas; some loss of cows in Mirpur Batoro; harvesting in progress; small pox prevalent in 3 villages in district; 9 fresh cases, 6 deaths; wheat, red rice and *bajri* in Kurrachee 24, 28, and 36; in Kotri 32 and 32; in Sakro 16, 26 and 44, and in Mirpur Batoro 22, 30 and 36 lbs. per rupee respectively.
Hyderabad	. . .	Cold has set in fairly; small-pox in 5, fever in 9 and cattle-disease in 5 talukas; wheat 26, *bajri* 38, *jowari* 42, red rice 26, and white rice 22 lbs. per rupee.
Ahmedabad	. . .	*Kharif* harvest progressing; *rabi* sowing commenced; standing crops healthy; fever in some talukas; *bajri* 28¾ and wheat 25½ lbs. per rupee
Baroda	. . .	Slight cholera in Navsari, Mahuwa and Sangad mahals; fast disappearing from Attansamba; harvesting of *kharif* and sowing of *rabi* in progress; *bajri* 31 and rice 24 lbs. per rupee.
Surat	. . .	Sowing of *rabi* crops continues; fever generally prevailing in district; cholera in Surat; 6 cases, 5 deaths; in Jalalpur 40 cases, 14 deaths, and in Bulsar 9 cases, 2 deaths; few locusts remain to be destroyed; *jowari* 38 and *nagli* 43 lbs. per rupee.
Nasik	*Nil*	*Kharif* reaping and *rabi* sowing vigorously continued; locusts diminishing; full grown locusts have appeared from other parts; public health good; fever in Chandor Taluka; *bajri* 33, wheat 28½ and rice 22½ lbs. per rupee.
Colaba (Bombay)	*Nil*	Abnormal temperature 1° warm to 3° cool; vapour in air excessive on 7th and 13th; abnormal wind southerly from 9th to 11th.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay—*contd.*		
Poona	. . . . .	Weather clear; *rabi* sowing progressing; prices—*bajri* 44 and *jowari* 52 lbs. per rupee; in Poona *bajri* 34 and *jowari* 43 lbs
Ahmednagar	·12 in Parner	*Bajri* reaping and *rabi* sowing in progress; cholera in Karjat, 7 attacks, 2 deaths; locusts in Shrigonda; cattle-disease in Newasa; *bajri* maximum 57 lbs. per rupee in Shrigonda; minimum 39 lbs. in Nagar; *jowari* maximum 72 lbs. in Shrigonda, minimum 54 lbs. in Akola.
Sholapore	At Sholapore ·01, total 39·93.	Cholera in Malsiras taluka, 15 cases, 3 fatal; reaping of *kharif* and sowing of *rabi* crops being completed; *jowari* 65 and *bajri* 57 lbs. per rupee.
Dharwar	Slight rain throughout the district.	Reaping of rice generally commenced; other early crops good and in ears; sowing of late crops nearly completed; fever and cattle-disease in 2 talukas; rice 24 to 41 lbs. and *jowari* 49 to 88 lbs. per rupee.
Kanara	In Karwar ·23, in Kumta 1·65, Sirsi 1·42, and in Halial ·52, total 147·61.	Rice harvest continues above ghât but nearly completed on coast; fever prevails above ghât talukas; small-pox in Panawar; common rice in Karwar 11 seers 51 tolas, in district average 15½ seers.
Rajkot	. . . . .	In some parts of Sorath Halar and Goholvad fever prevailing, in other parts general health good; weather cool; *bajri* 30 and *jowari* 35 lbs. per rupee.
		General Remarks.—River still low in Sindh; slight rain in 7 districts; agricultural prospects generally good; *kharif* harvesting and *rabi* sowing nearly completed in some districts, in progress in others; fever in most districts; cholera in parts of Guzerat and the Deccan; cattle-disease and small-pox in a few places.
Bengal—(14th Nov.)		
Chittagong	*Nil*	Weather fine with cloudy mornings at times; prospects of crops fair, but rain is wanted; prices somewhat high; general health good; cattle-disease continues.
Dacca	*Nil*	Paddy being harvested; rain wanted for winter crops.
24-Pergunnahs	*Nil*	Prospects of late paddy crop continue very unfavourable; yield not expected more than average eight annas, except in south of district; cultivation of winter crops hindered by early cessation of the rains; common rice 13 to 19 seers per rupee; health of people generally good, though cases of fever reported from Baraset, Bussirhat and Sudder Sub-divisions.
Moorshedabad	*Nil*	Weather cool and dry; *amun* on high land in a bad state, on low land and in irrigated places it is good; on the whole an eight-anna crop expected; *rabi* sowings being hindered owing to want of rain fever prevalent in thana Dewanserai and in Jungipore town.
Rajshahye	*Nil*	Weather cool; *amun* on high land being used as fodder; *rabi* being sown in most places; fever here and there; cholera has appeared in Nattore town.
Burdwan	*Nil*	Prospects of crops unfavourable; public health fair.
Rungpore	*Nil*	Weather seasonable; prospects of *amun* paddy bad; other crops good; prices of food-grains stationary; fever prevalent.
Bhagulpore	*Nil*	Rice on high land withering up and being used as fodder, on low land still reported good; *rabi* cultivation going on, but prospects not favourable; fever prevalent in Soopole Sub-division; rice 13 seers 14 chittacks per rupee.
Purneah	*Nil*	Prospects of rice crop not favourable; *rabi* sowings being pushed on; common rice 16 seers per rupee; fever raging; cases of cholera reported here and there.
Patna	*Nil*	Rice crop failing except where water can be obtained; *rabi* sowing continues, but rain is required; *rahar*, cotton and sugarcane growing well; public health good.
Durbhanga	*Nil*	Paddy on high land withering; *rabi* germinated looks green yet, but wants rain; prices rising; fever prevalent in south.
Hazareebagh	*Nil*	Weather clear and cold; prospects of rice not improved, a four to six-anna crop expected; *rabi* plants doing well; public health good.
Cuttack	*Nil*	Late rice crop ripening, in some places being cut; partial loss of crops apprehended for want of rain; price of rice almost unchanged; public health good.
		General Remarks.—The week has been rainless throughout these provinces, and the cold weather is fairly setting in; the reports on the state and prospects of the crops continue to be satisfactory from the eastern districts with the exception of Furreedpore and Mymensingh, and from the districts of Julpigoree and Cooch Behar; from Orissa and Manbhoom also the reports are not bad, as the injury done to the rice crop is said to have been partial and not considerable; from all other parts, however, the accounts are very unfavourable; the rice crop has been mostly destroyed on the high land, and has also been damaged to a greater or less extent on the low land; in these parts the *rabi* crops also are not favourable; in some places cultivation is going on, but not satisfactorily for want of sufficient moisture in the ground, in others it is quite at a standstill; prices of rice generally continue to rise; in some districts the rise is said to have been already very considerable; general health of these provinces is pretty satisfactory, though fever is reported to be prevalent in some districts.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
N.-W. Provinces and Oudh—(Nov. 14th)		
Benares (Nov. 13th)	*Nil*	Weather colder; no fever; *rabi* prospects good; prices rising slightly.
Allahabad („ 14th)	*Nil*	*Rabi* sowings in great part completed and young crops germinating well; health good; prices stationary.
Gorakpur („ 12th)	*Nil*	*Rabi* ploughings well advanced; late rice lost; tanks nearly dry; health fair; prices steady.
Jhansi („ 13th)	*Nil*	Cutting of *juar* and *tili* commenced; *kharif* outturn will be below average owing to insufficiency of rain; *rabi* sowings are in progress; prices falling; health of people and cattle good; fodder and water for cattle becoming scarce.
Cawnpore („ „)		Weather clear; harvesting of late *kharif* crops approaching completion and *rabi* sowings in progress; health good; prices slightly fallen.
Farukhabad („ „)		Weather seasonable; fever still lingers in Chibramau, otherwise health of people fair; *kharif* outturn moderate; *rabi* sowings still going on in some villages.
Agra . („ „)	*Nil*	*Kharif* crops suffering; *rabi* sowings continue; slight fever in four parganas; but general health good.
Bareilly („ „)	Slight shower in parts.	*Kharif* harvest nearly finished; *rabi* crops doing well; market stationary except a fall in rice; health of people and cattle good.
Meerut („ „)	Slight rain, prospect of more	Weather cloudy; *rabi* sowings nearly completed; health good; supplies sufficient; prices stationary.
Kumaun („ „)	. . . . .	Rain on the 11th probably general over the district and enough for the present for sowing the *rabi*; public health good; cattle-disease continues; prices unchanged.
Lucknow („ „)	No appearance of rain.	Weather becoming colder; *rabi* sowing finished; *hewat* crops doing well; rain wanted; condition of cattle normal and of people good; markets well supplied; prices stationary.
Partabgrah („ „)	. . . . .	Grain cheap; *rabi* crops germinating fairly; rain is much wanted.
Rae Bareli („ 12th)	*Nil*	Weather seasonable; no rain; on unirrigated land *rabi* sowings retarded for want of rain; general health good; prices steady; supplies sufficient.
Sitapur („ 13th)	. . . . .	Weather cloudy during the week for 2 days; wind variable; rain much wanted; *rabi* sowings almost completed; markets well supplied.
Fyzabad („ „)	. . . . .	*Rabi* sowings nearly finished; condition of cattle and people good. *General Remarks.*—Rain has fallen in Kumaon and Saharanpore; clouds and slight showers are reported in several other northern districts; elsewhere the weather is clear with falling temperature; *rabi* prospects fair; public health good.
Punjab—(Nov. 14th)		
Delhi	. . . . .	Health good; *rabi* sowings in progress; prices stationary.
Hissar . . .	Slight rain in Hissar and Sirsi.	Health good; prices stationary.
Umballa	1·9	*Rabi* sowings in progress; health good; prices steady.
Jullundur . . .	. . . . .	Health good; *kharif* harvested; *rabi* sowings continue; prices steady
Amritsar . . .	·9	Health good; prices fluctuating.
Lahore . . .	·7	Crop prospects improved; prices steady.
Ferozepore . . .	. . . . .	Health and crop prospects good; prices fluctuating.
Sialkot . . .	. . . . .	Health and crop prospects good; *rabi* sowings in progress; prices stationary.
Rawalpindi . . .	·9	Health good; prices falling.
Peshawar . . .	1·05	Fever decreasing; *rabi* sowings commenced; prices fluctuating.
Mooltan . . .	. . . . .	Health good; *rabi* sowings in progress; prices steady.
Dera Ismail Khan .	·8	Health good; *rabi* sowings in progress; prices steady. *General Remarks.*—Rain in a few districts; health good; *rabi* sowings in progress.
Central Provinces—(Nov. 14th)		
Nagpur . . .	. . . . .	Weather clear and cool; *rabi* sowings completed; prospects good; public health good; prices stationary.
Jubbulpore . . .	. . . . .	Weather clear and cold; reaping of *kharif* crops and cotton-picking continue; *rabi* sowings in progress; wheat 25 and rice 14 seers per rupee; health good.
Saugor (Nov. 13th) .	. . . . .	Weather cloudy; *rabi* sowings finished; *kharif* crops being harvested; cotton being picked; prices stationary; health fair.
Seoni . . .	. . . . .	Weather cool; *rabi* sowings nearly finished; inferior rices nearly all reaped; fever very prevalent and fatal; price of wheat stationary, of rice risen.
Hoshangabad . .	. . . . .	Weather seasonable; prospects good; *rabi* sowings in progress; fever prevalent; wheat 16 and rice 10 seers per rupee.
Khandwa . . .	. . . . .	Weather clear; *rabi* sowings continue; prospects good; 9 deaths from cholera; prices steady.
Raipur . . .	. . . . .	Rice being harvested; outturn of *kodo* and *til* expected to be better than last year; cotton-picking in hand; *rabi* prospects good; public health good; prices steady.
Sambalpur (Nov. 10th) .	. . . . .	Weather cold and seasonable; prospects good; health good; common rice 33½ seers per rupee. *General Remarks.*—*Rabi* prospects very favourable; sowings continue; weather pleasant and seasonable.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
British Burmah—(Nov. 14th)		
Akyab	0·16	Total rainfall 179·73; public health good; 43 cattle died in two townships; elsewhere health of plough cattle good; in Naaf crops in very good condition, not suffering from want of rain; in Myohung where crops were suffering, late rains caused improvement; in Kyelet appearance of crops good.
Rangoon	2·19	Three deaths from small-pox, otherwise public health good; price of paddy Rs. 100 to 103 per 100 baskets; total rainfall 79·86 inches.
Bassein	0·29	Public health good; rain of last few days has improved the crop; price of paddy Rs. 100 to 120 per 100 baskets; total rainfall 88·75 inches.
Prome	2·41	Public health good; 24 deaths of cattle in Mahathaman; rain has fallen but it is feared too late; crops on the higher lands have not matured; in many places the ears are without grain; some are being reaped for fodder; from information given by Thugyes it would appear that loss from drought will be comparatively small; total rainfall 48·16 inches.
Kyoukpyu	0·49	Public health good; health of cattle good; no alteration in price of paddy; total rainfall 156·87.
Sandoway	1·98	One death from cholera in Sandoway town, elsewhere public health good; agricultural prospects favourable; total rainfall 208·85 inches.
Hanthwaddy	. . . .	Public health good; health of cattle good; ploughing and sowing completed; general appearance of crops good; price of paddy Rs. 80 to 100 per 100 baskets.
Pegu	3·50 inches rain fell in last two days, accompanied by high wind.	Public health good; cattle-disease rare; crop prospects good; damage to crops by wind near sea, but not excessive; crops on high lands excellent; price of paddy Rs 85 to 90 per 100 baskets.
Thongwa	4·19	Public health good; 5 deaths of cattle; crops throughout the district much benefited by the rain, which has fallen everywhere; slight damage from drought previous to rainfall, reported from Dedaye and Donabyoo townships; price of paddy Rs. 85 to 100 per 100 baskets; total rainfall 87·22 inches.
Henzada	Rain throughout Henzada sub-division. 045	Public health and health of cattle good; prospects of crops much improved and now good; total rainfall 80·73 inches.
Thyetmyo	1·27	Public health good; paddy area 45,077, 16,927 acres less than last year; prospects little altered by rainfall; total rainfall 41·inches.
Moulmein	0·73	Public health and health of cattle good; about 1,315 acres under paddy or 270 less than last year; prospects and general appearance not bad; crops have suffered from insects and in high lands from drought; reaping of early paddy commenced on the 23rd October; price of paddy Rs. 90 to 100 per 100 baskets; total rainfall 165·07 inches.
Amherest (Moulmein)	. . . .	Public health and health of cattle good; slight damages to crops from insects in 7, from floods in 3 townships; about 10 per cent. of crops liable to damage from drought.
Tovoy	2·97	Public health and health of cattle good; prospect of crops very good; yield expected to be over the average; area under paddy about 51,670 acres or about 700 acres more than last year; total rainfall 194·79 inches.
Shwegyin	0·58	Public health and health of cattle good; harvest prospects promising; about 80,200 acres under paddy against 79,100 last year; price of Rs. 85 per 100 baskets; total rainfall 138·22 inches.
Toungoo	1·32	Public health and health of cattle good; general appearance of crops good; total rainfall 79·07 inches. *General Remarks.*—Rainfall for the week in excess of the rainfall for the corresponding week last year, but total for the year still very deficient; public health and health of cattle good; the rain during the week has revived much of the failing crop on the high lands and has done good to the later transplanted paddy; if fine ripening weather sets in soon now the prospects of the crop will be good; price of paddy rising a little.
Assam—(Nov. 14th).		
Gauhati	*Nil*	Weather seasonable; mornings foggy and nights cool; rain much wanted; prospects of crops not good; public health good.
Sylhet	*Nil*	State and prospects of crops good except in Karimganj sub-division where the prospects of *sali* crop is said to be not favourable; public health is also on the whole good.
Cachar	*Nil*	Days warm, nights cool; sowing of winter crops in progress; prospects of *sail* crops good; common rice 16¼ seers per rupee; small-pox abating.
Dibrugarh	*Nil*	Weather cloudy; prospects of crops good; district healthy.
Mysore and Coorg—		
Bangalore (Nov. 14th)	·03	Rain has fallen throughout the province; crops in a thriving condition; agricultural operation in active progress; prospects good; prices satisfactory; seven deaths from cholera reported in the Hannalli and Davangeri taluks, Shimoga district, otherwise public health good.
Mysore	1·30	(See Bangalore)
Mercara	·22	Picking of coffee proceeding; crop good; paddy crop coming into ear; fair weather desired.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Berar & Hyderabad—		
Amraoti (Nov. 14th)	. . . .	Weather cool and pleasant; cotton-picking commenced; *rabi* sowings in progress; wheat 16 and *jowari* 26 seers per rupee.
Akola . . .	. . . .	Weather cool; *rabi* sowings progressing; prospects good.
Hyderabad (Nov. 14th)	Average rainfall during week ·12. Total from 1st January 31 inches.	Sowings *rabi* and *tabi* and reaping of *kharif* crops continue; cholera continues in one taluka; no cattle disease; prices, wheat 15¼, coarse rice 12, white *jowar* 23, yellow *jowar* 27½ and *tur* 21 seers per hali sicca rupee.
Central India States— (Nov. 14th)		
Indore . . .	*Nil*	Weather cloudy; days warm, nights cold; weather good; prices stationary.
Sutna	. . . .	Health and prospects good.
Neemuch . . .	*Nil*	Health good; weather seasonable.
Goona . . .	. . . .	Health fair; crops good; wheat 26 seers per rupee.
Agar	*Nil*	Crop prospects satisfactory; *rabi* sowing commenced; health good.
Sehore	. . . .	Weather clear; crops and public health good.
Nowgong . . .	. . . .	Weather unseasonably hot; rain wanted; agricultural prospects fair; harvest failed in Datia; prices steady.
Bhopawur, Manpur . .	*Nil*	Prospects good; two fatal cases of cholera reported from Burwani between 23rd and 29th October 1883.
Rajputana—		
Abu (Nov. 14th)	Drops	Weather cloudy and windy; fever prevalent.
Sirohee (" 11th)	Drops	Tanks and wells in good condition; health good; crops all cut; sowing for barley crops begun; weather fairly cool; cloudy last day or two.
Marwar . . .	. . . .	Only 8 months' water in Jodhpur city; tanks and wells almost full; health good; crops good; weather clear; nights moderately cool; prices stationary; *rabi* sowings in progress.
Meywar (Nov. 11th)	. . . .	Tanks, wells and health very good; sowing completed; young crops thriving; weather seasonable.
Harowtee (" 10th)	. . . .	Crop prospects fairly good; health good.
Jhallawar (" 9th)	. . . .	Weather seasonable; health and prospects good.
Ajmere (" 13th	. . . .	Sowing for *rabi* proceeds; weather cloudy and warm.
Jeypore (" ")	Drops	Weather cloudy; prices unchanged; health fair.
Ulwur (" ")	. . . .	*Rabi* sowings continue; prices rising; health good.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 20th NOVEMBER 1883.

General Remarks.—There has been no noticeable alteration in the weather and prospects recorded in the previous week's summary. The rainfall has been lighter in Madras and entirely absent from Bombay. The crops in those Presidencies and in Central India, Rajputana, Punjab, North-Western Provinces and Oudh and the Central Provinces are generally doing well, but an early rainfall would much benefit the young *rabi* crops in Northern and Central India.

In Bengal the weather continues clear and rainless, and prospects are unchanged. No report has been received from British Burma.

The public health continues fair, except for the prevalence of fever and slight cholera in parts.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Madras—		
Bellary . . .	. . . .	Standing crops generally good; harvest *cholum*, *cumbu*, *ragi*, oil-seeds, yield below average; twenty-seven deaths from cholera.
Kurnool . . .	. . . .	Standing crops good; harvest yellow *cholum*, *koora*, indigo, yield below average.
Ganjam . . .	. . . .	Standing crops generally good; harvest paddy; cholera, small-pox slight in one taluk.
Kistna . . .	. . . .	Standing crops good; harvest *cholum*, maize, gingelly, black paddy, *koora*, yield below average; fever increasing; small-pox, cattle-disease in parts.
Chingleput (Madras) .	. . . .	Standing crops injured by excess of rain in two taluks, elsewhere in good condition; harvest *kar*, &c., yield half; eight deaths from cholera; small-pox slight.
Coimbatore . . .	·24 (average of 6 stations).	Standing crops damaged by excessive rain in two taluks, elsewhere fair; harvest paddy, *cholum*, *ragi*, *cumbu*, yield about average; twelve deaths from cholera; fever, small-pox, cattle-disease slight.
Tanjore . . .	2·38 (average of 10 stations).	Standing crops generally good; harvest paddy, *cholum*, *ragi*, *cumbu*, yield below average; forty deaths from cholera.
Madura . . .	·57 (average of 7 stations).	Standing crops fair; harvest dry crops, yield average; cholera severe in Madura town and slight elsewhere.
Malabar . . .	·99 (average of 9 stations).	Second crop cultivation progressing; small-pox, fever, cattle-disease slight.
Travancore . . .	1·122	Standing crops good; fever in parts. *General Remarks.*—General prospects good.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay—(Nov. 21st)		
Kurrachee . . .	No rain	River at Kotri on 14th 5 feet 10 inches, against 6 feet 15 inches on same date last year; fever generally prevalent; cattle-disease in 3 talukas; harvesting operations in progress; prices—in Karachi wheat 24, red rice 28 and *bajri* 36; in Dadú 30 and 48; Tatta 24, 32 and 36, and in Jate 20, 32 and 40 respectively.
Hyderabad . . .	. . . . .	Cotton-picking has commenced; fever in eight, small-pox in four, and cattle-disease in four talukas; wheat 25, *bajri* 35½, *jowari* 40, red rice 26, and white rice 28 pounds per rupee.
Ahmedabad . . .	. . . . .	*Kharif* crops nearly harvested; *rabi* sowing continued; fever in some talukas; *bajri* 29 and wheat 25½ pounds.
Baroda . . .	. . . . .	Slight cholera in Navsari and Mohwa mahals; fever in some parts of Navsari and Kadi divisions; harvesting of *kharif* and sowing of *rabi* in progress; *bajri* 32 and rice 24 pounds.
Surat	. . . . .	Crops healthy; fever and cholera more or less in some talukas; *jowari* 37 and *nagli* 45 pounds.
Nasik . . .	No rain	*Kharif* reaping and *rabi* sowing vigorously continued; crops damaged by locusts in parts of Baglan, Kalwan and Dindori; locusts in flight southwest; public health good; fever in Kalwan taluka; wheat 31, *bajri* 32, and rice 25.
Colaba (Bombay) . .	No rain	Abnormal temperature 1° cool to 1° warm; vapour in air normal; wind normal.
Poona . . .	. . . . .	*Kharif* crops being reaped; *rabi* sowing completed; two deaths from cholera in Indapur taluka; *bajri* 44 and *jowari* 52 pounds, in Poona *bajri* 34 and *jowari* 43.
Ahmednagar . .	No rain	*Bajri* reaping nearly finished and *rabi* sowing in progress; cholera in Karjat one attack; locusts in Shrigonda; cattle-disease in Newasa; *bajri* maximum 54 pounds in Jamkhed, minimum 39 in Nagar: *jowari* maximum 72 pounds in Jamkhed, minimum 54 in Akola.
Sholapore . . .	No rain	Cholera in Malsiras taluka; four cases, one fatal; reaping of *kharif* and sowing of *rabi* crops being completed; *jowari* 64 and *bajri* 55 pounds.
Dharwar . . .	. . . . .	Reaping of rice crop in progress; that of early *jowari* commenced in 6 talukas; other early crops good; sowing of late crops nearly completed; fever and cattle-disease in 2 talukas; rice 25 to 41 and *jowari* 52 to 88 pounds per rupee.
Kanara . . .	. . . . .	Weather fair; small-pox continues in Kumpta, Nonalvar and Siddapur; reaping of *bakal* crops such as *ragi*, &c., continues above ghat; common rice *Karwar* 11 seers 51 tolas, district average 15½ seers per rupee.
Rajkot . . .	. . . . .	Weather cool; fever continues in some parts; *bajri* 30 and *jowari* 35 pounds.
		General Remarks.—River continues low in Sind; *kharif* reaping and *rabi* sowing being completed in some districts; injury from young locusts in parts of Satara and Nasik; fever generally prevalent; slight cholera; cattle-disease and small-pox in few places.
Bengal—(Nov. 21st)		
Chittagong . . .	*Nil*	Weather clear and cold; there are complaints of want of rain causing short outturn, but the harvest will be generally good; prices steady; health good; cattle-disease lingers in a few places.
Dacca	*Nil*	Paddy being harvested; sowing of pulses going on; prospects good, but rain wanted.
24-Pergunnahs . .	*Nil*	Prospects of late rice continue unfavourable; average yield estimated at from eight to ten annas; *rabi* sowings partly retarded by drought; price of common rice varies from 11½ to 19 seers per rupee; public health generally good, except in Bussirhat where fever rather prevalent.
Moorshedabad . .	*Nil*	Weather getting cooler; *amun* in south-east of district promises a 12 to 14-anna crop; on irrigated lands it is doing well; want of rain prevents *rabi* sowings, and will impair the crop that is on the ground; fever prevalent in Jungipore town, and in several other places of the sub-division.
Rajshahye . . .	*Nil*	Weather cold; outturn of paddy on high lands considered likely to be from two to four annas, and of paddy on low lands four annas; *rabi* except in low lands requires rain.
Burdwan . . .	*Nil*	Yield of *amun* will be about one-third of a full crop; prospects of *rabi* crops also not favourable.
Rungpore . . .	*Nil*	Weather cool; prospects of *amun* paddy bad; other crops good; prices stationary; fever prevalent.
Bhaugulpore . .	*Nil*	Rice on high lands is a failure; crop on low ground will yield from six to ten annas outturn; prospects of *rabi* crops also not favourable; a good deal of *rabi* lands not sown this year; much fever in north; price of rice 13 seers 14 chittacks per rupee.
Purneah . . .	*Nil*	Yield of rice crop very poor; *rabi* sowing progressing; price of common rice 15 seers per rupee, with tendency to rise daily; public health not good; much fever and a few cases of cholera.
Patna	*Nil*	Rice on high lands has withered; on low lands the *rabi* crop will be fair, but on high lands rain is still wanted; public health good.
Durbhunga . . .	*Nil*	Paddy on high-lands drying up; *rabi* sowings still going on, but rain is much wanted; prices rising; fever prevailing in Tajpore and Madhubani sub-divisions.

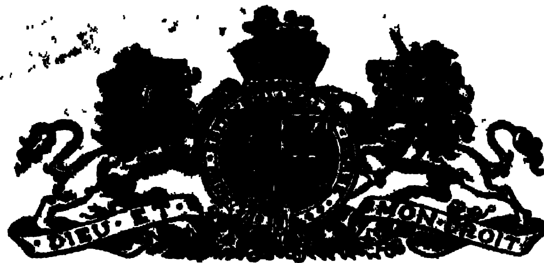
Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bengal—*contd.*		
Hazareebagh . .	*Nil*	Weather seasonably cold; rice harvest commenced; a 4-anna crop expected; prospects in the Giridi sub-division gloomy; a total failure of rice in portions of three or four thanas reported; rices rising; a few cases of small-pox reported; general health good.
Cuttack . . .	*Nil*	Earlier sorts of rice crop being cut; later sorts ripening; partial loss of rice crop apprehended for want of rain; *rabi* crops promising well; price of common rice 21 seers per rupee; public health good. *General Remarks.*—The cold weather has now fairly set in; there has been no rain in any part of the province during the week; in almost all parts of Eastern Bengal and Orissa, and in Julpigoree and Cooch Behar the rice harvest, as already reported, will be fair, but in all other parts of the Province it will be very poor; in these parts most of the crop on the high lands has been lost, and even on the low lands the rice has suffered; the state of the *rabi* cultivation also is backward; sowings are being retarded for want of rain, except where means of irrigation exist; fever is prevalent in some districts, otherwise the public health is good.
N. W. Provinces and Oudh—(Nov. 21st)		
Benares .(Nov. 20th)	*Nil*	Rain required in Chandauli Tahsil; health of men and cattle good; outturn of sugarcane crop only half the average; bazars well supplied; prices fluctuating slightly.
Allahabad .(„ 21st)	*Nil*	*Rabi* sowings nearly finished; young *rabi* doing well; health good; *kuari* rice risen 3 seers the rupee; no other material change.
Gorakhpore .(„ 19th)	*Nil*	Tanks nearly empty; *rabi* sowings in progress; health fair; prices steady.
Jhansi .(„ „)	*Nil*	*Kharif* crops suffering; area sown with *rabi* crops is much smaller than in former years for want of moisture; prices almost stationary; health of people and cattle good.
Rai Bareli .(„ „)	*Nil*	*Rabi* crops germinating fairly; *kharif* is being harvested; general health good; markets well supplied; prices almost steady.
Cawnpore .(„ 20th)	. . . . .	Outturn of late *kharif* crops on unirrigated land poor; *rabi* sowings progressing; health of people and cattle good; market steady.
Farukhabad .(„ „)	. . . . .	Weather seasonable and occasionally cloudy; fever in parts of the district; *rabi* sowings going on in some places.
Agra („ „)	*Nil*	*Kharif* continues to suffer; *rabi* being sown and irrigated; slight fever in 2 parganas; general health good; prices steady.
Bareilly („ „)	. . . . .	Rain required for *rabi*; prices steady; health good.
Meerut („ „)	. . . . .	Weather cold and clear; *rabi* sowings nearly completed; cane pressing commenced; health good; supplies sufficient; prices stationary.
Kumaun („ „)	. . . . .	Weather fair; wheat has been sown; general health good; cattle-disease continues; prices unchanged.
Lucknow („ „)	. . . . .	Weather becoming colder; some of the *kewat* crops are being cut; rain wanted; condition of people and of cattle normal; markets well supplied; prices stationary.
Partabgarh („ „)	. . . . .	*Rabi* sowings continue; fields have to be irrigated before being sown; *jarhan* where irrigated ripening; where unirrigated, drying up; prices steady; health good.
Sitapur („ „)	*Nil*	*Rabi* germinating well and so far prospects are favourable; general health good.
Fyzabad („ „)	*Nil*	Wind westerly; rain wanted; *mash* and *jarhan* suffering from drought in part of district; public health and condition of cattle good. *General Remarks.*—No rain has fallen during the weak; the *rabi* sowings continue with irrigation where possible; the public health is good and the markets sufficiently supplied; cattle-disease is still reported from Kumaon.
Punjab—(Nov. 21st).		
Delhi	. . . . .	Health good; *rabi* sowings nearly completed; prices stationary.
Hissar	. . . . .	Health good; *rabi* sowings continue; prices stationary.
Umballa . . .	. . . . .	Health good; *kharif* harvested; yield below average; *rabi* sowings continue; prices falling.
Jullunder . . .	. . . . .	Health good; *kharif* harvested; *rabi* sowings in progress; prices steady.
Amritsar . . .	. . . . .	Health good; prices stationary.
Lahore . . .	. . . . .	Health and crop prospects good: fall in price of Indian-corn; prices of other food-grains stationary.
Ferozepur . . .	·6 at Sadr, ·4 at Ferozepur city and ·2 at Jellalabad.	Health and crop prospects good; prices steady.
Sialkot	1	Health and crop prospects good; *rabi* showings continue; slight fall in prices.
Rawalpindi . . .	1·9	Health good; prices falling.
Peshawar . . .	. . . . .	Small-pox prevalent; *rabi* sowings completed; prices steady.
Mooltan . . .	. . . . .	Health good; *rabi* sowings continue; slight rise in prices.
Dera Ismail Khan .	. . . . .	Health good; *rabi* sowings in progress; prices stationary. *General Remarks.*—Rain in the Sialkot, Ferozepur, Rawalpindi and Shapur districts; small-pox is prevalent in Peshawar; health elsewhere good; *rabi* sowings in progress.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Central Provinces—		
Nagpur (Nov. 21st)	. . . .	Weather clear and cool; *rabi* crops promise well; health generally good; prices stationary.
Jubbulpore („ „)	. . . .	Weather clear and cold; reaping of *kharif* crops and cotton-picking progressing; *rabi* sowings continue; wheat 25 seers, rice 15 seers per rupee; health good.
Saugor („ 20th)	. . . .	Weather cloudy; *kharif* harvest in progress; cotton being picked; *rabi* crops favourable; prices stationary; health fair.
Seoni („ 21st)	. . . .	Weather clear and cool; *rabi* sowings completed; *kharif* harvest produced average outturn; fever prevalent; prices stationary.
Hoshangabad („ „)	. . . .	Weather seasonable; prospects good; *rabi* sowings continue; *juari* being harvested; fever prevalent; wheat 18 seers, rice 10 seers per rupee.
Raipur („ „)	. . . .	Weather cool; cutting of rice and *tili* progressing; *rabi* sowings almost completed; cotton-picking continues; health good; prices steady.
Sambalpur („ 17th)	. . . .	Weather cold and clear; inferior rices cut; prospects favourable; health good; common rice 33½ seers per rupee.
Khandwa . . .	. . . .	Weather clear; prospects good; *rabi* sowings continue; two deaths from cholera; prices steady.
		General Remarks.—Harvesting of *kharif* crops in progress; *rabi* sowings almost completed; a few cases of cholera in the Narbada valley, and the Nimar district.
Assam—(Nov. 20th)		
Gauhati . . .	No rain	Weather seasonable; *paddy* crop doing rather poorly owing to want of rain; mustard cultivation in progress; public health fair.
Sylhet	No rain	State and prospects of crops fair; public health good.
Cachar . . .	2·20	Weather cold; reaping of *sail* crops commenced; sowing of winter crops nearly finished; common rice 16 seers per rupee; no small-pox reported.
Dibrugarh . . .	0·13	Weather cold; prospects of crops good; district healthy.
Mysore and Coorg—		
Bangalore . . .	·35	There has been an absence of rain throughout the province; the break has benefited the crops which are in excellent condition; prospects very good; cholera still prevalent in the Shimoga district; health of the province otherwise good; prices satisfactory.
Mysore . . .	No rain	(see above)
Mercara . . .	·43	Showers of rain which have fallen have done more harm than good to the standing rice crops; picking of coffee proceeding.
Berar & Hyderabad—		
Amraoti . . .	. . . .	Weather cool; cotton-picking progressing; *rabi* sowings nearly completed; wheat 16, *jowari* 26 seers.
Akola . . .	. . . .	*Rabi* sowings progressing; *kharif* crops being cut.
Hyderabad . . .	No rain	Sowing of *abi* and reaping of *abi* crops continue; fever and ague prevail in two taluks and cholera in one; no cattle disease; prices—wheat 15½, coarse rice 11¼, white *juar* 23, yellow *juar* 29½, and *tur* 20 seers per hali sicca rupee.
Central India States—		
Indore . . .	No rain	Health good; weather seasonable; prices stationary.
Morar (Gwalior) . .	No rain	Health good; weather seasonable; rain wanted for *rabi* crops; prices stationary.
Sutna . . .	No rain	Health good.
Neemuch . . .	. . . .	Crops thriving; public health good.
Goona . . .	. . . .	Health and crops good.
Sehore . . .	No rain	Weather clear; crops and public health good.
Nowgong . . .	No rain	Rain wanted; prospects fair; weather seasonable; general health good; prices steady.
Bhopawur . . .	No rain	Prices steady; health good; one fatal case of cholera occurred at Bawi Bagot on 10th instant.
Manpur . . .	(see above)	(see above)
Rajputana—		
Abu . (Nov. 21st)	. . . .	Seasonable and cold; fever abated.
Sirohee . („ 18th)	. . . .	Tanks, wells and health good; crop sowing, seasonable; cold nights and mornings.
Marwar . („ 16th)	. . . .	Three months' water in Jodhpore city; tanks and wells almost full; health good; *kharif* almost gathered; *rabi* sowings in progress; partially cloudy; few drops on night of 10th; cold increasing; prospects of existing crops good; prices stationary.
Meywar . („ 18th)	. . . .	Tanks, wells and health very good; young crops thriving; seasonable.
Harowtee . („ 17th)	. . . .	Crop prospects fairly good but rain needed; cool, clear; health good; prices stationary.
Jhallawar („ 16th)	. . . .	*Rabi* sowing continues; fever reported in some districts.
Ajmere . („ 20th)	No rain	Seasonable; health good.
Jeypore . („ „)	. . . .	Seasonable; prospects fair; health good.
Ulwur . („ „)	. . . .	*Rabi* sowings continue; prices falling; health good.

E. C. BUCK,

Secretary to the Government of India.

Printed & published for the GOVT. OF INDIA *at the Office of* SUPDT. GOVT. PRINTING, *166, Dhurrumtollah Street, Calcutta.*





The Gazette of India.

PUBLISHED BY AUTHORITY.

No 48.} CALCUTTA, SATURDAY, DECEMBER 1, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

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Government of India Notifications, Appointments, Promotions, &c.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Calcutta, the 30th November, 1833.

PROGRAMME
FOR
THE ARRIVAL IN CALCUTTA
OF
HIS ROYAL HIGHNESS THE DUKE OF CONNAUGHT.

Their Royal Highnesses the Duke and Duchess of Connaught will arrive in Calcutta by a Special Train on Monday, the 3rd December 1883, at 8 A.M. Railway time, or 8-33 Calcutta time.

Their Royal Highnesses will be received at the Howrah Railway Station by the Military Secretary and an Aide-de-Camp to the Viceroy, the Deputy Commissioner of Police, Calcutta, and the Magistrate of Howrah.

A Guard of Honor of the East Indian Railway Volunteers will be drawn up on the platform of the Howrah Railway Station, and a Guard of Honor of Native Troops with Band outside the Station.

The route taken will be by the Strand Road to Fairlie Place, down Fairlie Place, Clive Street to Dalhousie Square, Dalhousie Square North, Dalhousie Square East, and Old Court House Street to Government House, and will be lined by the Police.

Their Royal Highnesses will be escorted from Howrah Station to Government House by His Excellency the Viceroy's Body-Guard.

Guards of Honor of British Infantry and of the Calcutta Volunteer Rifle Corps with Bands will be drawn up in front of the Grand Staircase of Government House.

A Royal Salute will be fired from the ramparts of Fort William as Their Royal Highnesses pass the Hooghly Bridge.

At Government House Their Royal Highnesses will be received by His Excellency the Viceroy, attended by his Personal Staff, His Honor the Lieutenant-Governor and his Personal Staff, the Chief Justice of Bengal, the Bishop of Calcutta, the Members of Council, the principal Civil and Military Officers, and other Gentlemen who are desirous of attending.

After being received by His Excellency, an address of welcome will be presented to Their Royal Highnesses by the Corporation of Calcutta and the representative Committee of its inhabitants.

Full dress will be worn by Officers entitled to uniform. Gentlemen not entitled to wear uniform will appear in morning dress.

His Excellency the Viceroy and Governor-General will open the Calcutta International Exhibition in State on Tuesday the 4th December 1883.

Full dress will be worn by officers entitled to uniform. Gentlemen not entitled to wear uniform will appear in morning dress.

By Command,

WILLIAM BERESFORD, *Captain,*
Military Secretary to the Viceroy

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Fort William, the 24th November, 1883

No. 19.—In exercise of the power conferred by the Statute 24 & 25 Vic., cap. 67, section 17, the Governor General in Council has been pleased to appoint Friday, the 7th December next, at 11 o'clock A.M., as the time, and the Council Chamber in the Government House, Calcutta, as the place, for a meeting of the Council of the Governor General for the purpose of making Laws and Regulations.

The 30th November, 1883

No. 20.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 & 25 Vic., cap 67, section 10, has been pleased to nominate Mr. R. Miller to be an additional Member of the Council of the Governor General for the purpose of making Laws and Regulations.

D. FITZPATRICK,
Secretary to the Government of India

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Calcutta, the 29th November 1883.

No. 1722.—With reference to paragraph 5 of Home Department Resolution Nos. 26—953 to 968, dated the 19th July 1883, it is hereby notified that the examination prescribed for the filling up of vacancies in the clerical establishments of the Secretariat Offices of the Government of India and the Departments directly attached thereto, will be held at Calcutta, in the Senate House of the Calcutta University, on Tuesday, the 15th January 1884, and following days. The hours of examination will be from 10 A.M. to 1 P.M., and from 1-30 P.M. to 4-30 P.M., daily.

The probable number of vacancies to be competed for is 4 in the Upper Division of Clerkships and 30 in the Lower Division. These figures represent the number of vacancies which may be expected to occur during the year 1884 in the two Divisions, respectively, but it is not possible to estimate with absolute accuracy the number of vacancies which will actually occur.

Candidates should pay the prescribed fees* into the nearest Treasury and forward the Treasury receipt to the Secretary to the Board of Examiners. Candidates paying their fees in Calcutta should pay them into the Bank of Bengal.

*	R
For Upper Division . . .	20
For Lower Division . . .	10

Application for permission to appear at the examination should, as directed in the Home Department Resolution of 19th July last, be made to the Secretary to the Board of Examiners, Calcutta, between the 1st and 15th days of December next (inclusive).

The attention of intending candidates is called to paragraphs 7 and 8 of the Resolution of 19th July last prescribing the particulars and documents* which should accompany the application for permission to appear at the examination.

* (1) Evidence that the candidate is not less than 18 and not more than 24 years of age
(2) A certificate that the candidate is of good moral character from the head of the institution in which he has last been educated, or (when a year or more has elapsed since his education terminated) from some respectable householder, to whom he is well known in private life, and who is himself personally known to the head of some Government Office—this last fact being certified by the countersignature of the officer in question

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ESTABLISHMENTS.

The 27th November 1883.

No. 232.—The services of Mr. J. Kennedy, B.C.S., are placed at the disposal of the Chief Commissioner of Assam.

MEDICAL.

The 27th November 1883.

No. 419.—The services of Surgeon J. Armstrong, late Officiating Civil Surgeon, 2nd Class, Dehra Dun, are replaced at the disposal of the Military Department, with effect from the forenoon of the 24th October 1883.

No. 421.—The services of Brigade-Surgeon W. Watson, M.D., Officiating Deputy Surgeon-General, Central Provinces, are replaced at the disposal of the Government of the North-Western Provinces and Oudh.

No. 424.—Brigade-Surgeon J. H. Loch, M.D, Civil Surgeon, 2nd Class, Saharanpur, is appointed to officiate as Deputy Surgeon-General, Central Provinces.

JUDICIAL.

The 27th November 1883.

No. 1552.—The services of Mr. W. Macpherson, of the Bengal Civil Service, are replaced at the disposal of the Government of Bengal, with effect from the 17th instant.

No. 1554.—The Hon'ble C. D. Field, a Judge of the High Court of Judicature at Fort William in Bengal, resumed his seat on the Bench of the High Court on the forenoon of the 17th instant.

Mr. Field is granted subsidiary leave for four days, *viz.*, from the 13th to the 16th instant, both days inclusive.

No. 1557.—The Honorable C. J. Wilkinson, an Officiating Judge of the High Court of Judicature at Fort William in Bengal, has obtained privilege leave for three months, with effect from the 19th instant.

The 29th November 1883.

No. 1569.—Under the provisions of section 3, Act XXVI of 1881 (The Negotiable Instruments Act, 1881), the Governor General in Council has been pleased to appoint the following persons in the Bombay Presidency to perform the functions of Notaries Public under that Act. This cancels Home Department Notification, No. 1312, dated the 26th September 1883 :—

Mr.	J. F. Fernandez	City Magistrate.
,,	Vishnu Narsing	Special Sub-Registrar.
,,	Bapalal Lalbhai	,, ,,
,,	Lalitanand Gowrinand	,, ,,
,,	Motilal Dalpatram	,, ,,
,,	Ramchandra Narayen	,, ,,
,,	Pranlal Mathuradass	Huzur Deputy Collector.
,,	Varajdas Lalbai	Special Sub-Registrar.
,,	Ganpatrao Balwant	,, ,,
,,	Kasturchand Girdhar	Pleader.
,,	Balwantrao Atmaram	Special Sub-Registrar.
,,	Chotalal Shewlal	,, ,,
,,	Bolanath Dowlatrai	,, ,,
,,	Chaganlal Parbhashankar	,, ,,
,,	Keshavlal Mulshanker	,, ,,
,,	Karsanlal Mowji	,, ,,
,,	Nanalal Mulji	,, ,,
,,	Vanmalidas Nagardas	,, ,,
,,	Jayanand Harinand	,, ,,
,,	Adarji Jiwanji	Huzur Deputy Collector.
,,	Ratiram Motiram	Special Sub-Registrar.
,,	Bapalal Danatram	,, ,,
,,	Dayabhai Dirojdas	,, ,,
,,	Balkrishna Abaji	,, ,,
,,	Trimbak Krishna	,, ,,
,,	Luxumon Janardan	,, ,,
,,	Wamnaji Vithal	,, ,,
,,	Trimbuck Narayen	,, ,,
,,	Sadashew Eshwant	,, ,,
,,	Jagannath Keshao Kulkarni	District Government Pleader.
,,	Govind Nilkant	Special Sub-Registrar.
,,	Ramkrishna Balwant	,, ,,
,,	Mahadeo Dadshet Kháde	,, ,,
,,	Kuvarji Kawasji	Huzur Deputy Collector.
,,	Sitaram Trimbak	Special Sub-Registrar.
,,	Trimbuck Ballal	,, ,,
,,	Mahipat Ramchundra	,, ,,
,,	Balkrishna Keroji	,, ,,
,,	Madhowrao Balaji	,, ,,
,,	Mahadeo Sadasheo	,, ,,
,,	W. R. Hamilton	Huzur Deputy Collector.
,,	Gunpat Lingo	Special Sub-Registrar.
,,	Govind Pundlik	,, ,,
,,	Daji Ballal	,, ,,
,,	Ramchandra Sadasheo	,, ,,
,,	Bapu Purshotum	Huzur Deputy Collector.
,,	Eshwant Balkrishna	Special Sub-Registrar.
,,	Ramchandra Chintamon	,, ,,
,,	Ganesh Ramchundra	,, ,,
,,	Balkrishna Mahadeo	,, ,,
,,	Damodar Ganesh	,, ,,

Name	Designation
Mr. Shridhar Wamon	Special Sub-Registrar.
" Balkrishna Mahadeo	" "
" Balwant Pandurang	" "
" Balkrishna Devrao	Huzur Deputy Collector.
" Sukaram Datatrya	Special Sub-Registrar.
" Appaji Balkrishna	" "
" Ganpatrao Sakharam	" "
" Govind Ramchandra	" "
" Luxumon Pandurung	" "
" Syed Ahmed Ali	" "
" C. W. Richardson	City Magistrate.
" D. H. Plunkett	Cantonment Magistrate.
" Madhavrao Malhar	Special Sub-Registrar.
" Khanderao Bapuji	" "
" Wasudeo Sakharam	" "
" Mahadaji Sakharam	" "
" Ganpatrao Mahadeo	" "
" Shitaram Chintamon	" "
" Mohoniraj Sadasheo	" "
" Vinayek Gopal Wagh	Pleader.
" E. T. Richardson	Huzur Deputy Collector.
Nabab Abdool Rahiman	Special Sub-Registrar.
Mr. Ramchundra Anant	" "
" Kashinath Ramchandra	" "
" Amrit Bapuji	" "
" Govind Martand	" "
Surgeon-Major J. Davidson	Superintendent, Malcolm Peth.
Mr. Wasudeo Sakharam	Special Sub-Registrar.
" Bapuji Vinayak	" "
" Venkaji Sakharam	" "
" Balkrishna Nilkant Joshi	Pleader.
" Ghanasham Bapaji	Special Sub-Registrar.
" Vittulroo Appaji	" "
" Ramchundra Gundo	" "
" Appaya Hooshuti	...
" Annaji Kalyanrao	Special Sub-Registrar.
" Hanmant Govind	" "
" Rango Govind	" "
" Ramchundra Bapuji	Huzur Deputy Collector.
Mahomed Akberkhan	Special Sub-Registrar.
Mr. Laxuman Raghavendra	" "
" Hunmant Binduroo	" "
" Babaji Sidheshwar	" "
" Gundo Rajirao	" "
" Bhimrao Udapi	Pleader.
" J. Hearn	Huzur Deputy Collector.
" Ramchandra Vithal	Special Sub-Registrar.
" Ramchundra Anaji	" "
" H. Ingle	Huzur Deputy Collector.
" M. R. Saldanha	Special Sub-Registrar.
" B. Theodore	" "
" Rangappa Subrao	" "
" Shamrao Sakharam	" "
" Luksmi Narayen Shesgiri	" "
" E. Leggett	Solicitor.
" R. H. Alexander	Attorney-at-Law.
Kazi Abdul Satar	Special Sub-Registrar.
Mr. Haji Khoodabux	" "
Haji Ahmed	" "
Syud Umed Ali Shah	" "
Munshi Fattechand	" "
Mirza Gulam Haider	" "
Rao Bahadur Navalrai Shokiram	Huzur Deputy Collector.
Kazi Umed Ali	Special Sub-Registrar.
" Mahomed	" "
" Mahomed Hassan	" "
Mr. Akhund Nalechango	" "
Meya Gowhar Ali	" "
Kazi Mahomed Saki	Special Sub-Registrar.
" Khan Mahomed	" "
" Abdul Hafiz	" "
" Abdul Latif	" "
Mr. Dowlutram Suratsing	Pleader.
" E. Nash	Barrister-at-Law.
Kazi Mahomed Azam	Special Sub-Registrar.
" Sumar Ali	" "
Major J. M. Hunter	First Asst. Political Resident.
Mr. Muncherji Rustomji	Sub-Registrar.

PORT BLAIR.

The 28th November 1883.

No. 501.—Lieutenant-Colonel T. Cadell, V.C., Chief Commissioner of the Andaman and Nicobar Islands, and Superintendent of Port Blair and the Nicobars, is granted subsidiary leave from the 30th October to the 28th November 1883, to enable him to resume charge of his duties on return from furlough.

ECCLESIASTICAL.

The 26th November 1883.

No. 311.—The Reverend F. Horton, B.A., a Junior Chaplain on the Bengal Establishment, reported his arrival at Calcutta on the afternoon of the 12th instant.

Mr. Horton is appointed to be Chaplain of Nowgong, Bundelcund, with effect from the date of assuming charge.

The 28th November 1883.

No. 316.—Privilege leave for six weeks is granted to the Venerable B. T. Atlay, Officiating Archdeacon of Calcutta, with effect from the 15th ultimo, or from such subsequent date as he may have availed himself of it.

The 29th November 1883.

No. 318.—The services of the Reverend R. J. Langford, M.A., Chaplain of Kamptee in the Central Provinces, are placed at the disposal of the Government of the North-Western Provinces and Oudh with effect from the 15th instant.

The Reverend J. O'F. Willcocks, M.A., is appointed to be Chaplain of Kamptee with effect from the date of his taking over charge from the Reverend R. J. Langford.

The 30th November 1883.

No. 322.—The services of the Revd. T. B. Speedy, B.A., Chaplain of Nowgong, Bundelcund, are placed at the disposal of the Government of Bengal, with effect from the date of giving over charge to the Reverend F. Horton, B.A.

FORESTS.

The 29th November 1883.

No. 878 F.—Consequent on the retirement from the service of Mr. H. Leeds, Deputy Conservator of Forests of the 1st Grade in the Punjab, the following promotions are made among Deputy Conservators of Forests, with effect from the 1st October 1883:—

Mr. W. R. J. Brereton, Deputy Conservator of the 2nd Grade, in the North-Western Provinces and Oudh (on furlough)—to be a Deputy Conservator of the 1st Grade.

Mr. M. H. Ferrars, B.A., Deputy Conservator of the 2nd Grade, in British Burma (on deputation to the Andamans)—to officiate in the 1st Grade of Deputy Conservators, until the issue of further orders.

A. MACKENZIE,
Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 28th November, 1883.

No. 2677 G.—Mr. H. S. Barnes, C.S., Political Agent of the 3rd Class, and Political Agent in Quetta and Pishin, is granted privilege leave for one month, with effect from the 25th November, 1883, or the subsequent date on which he may avail himself of the same

No. 2679 G.—Hak Nawaz Khan, Native Assistant to the Agent to the Governor General in Biluchistan, at Harnai, was on leave on medical certificate from the 1st April to the 25th August, 1883.

This cancels that part of Foreign Department Notification, No. 1276 G., dated the 1st May, 1883, which granted three months' privilege leave to Hak Nawaz Khan.

POLITICAL.

The 28th November, 1883.

No. 2681 G.—Subject to the confirmation of Her Majesty's Government, the Governor General in Council is pleased to recognize the appointment of Mr. Alfred Ritz as Acting Consul for the Austro-Hungarian Empire at Calcutta during the absence of Mr. H. Reinhold.

H. M. DURAND,
Officiating. Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Fort William, the 29th November 1883.

No. 1681.—Privilege leave for one month and eighteen days having been granted to Surgeon-Major H. W. Graham, Assay Master, Bombay Mint, and Surgeon J. Scully having, in consequence, been appointed to officiate as Assay Master, Bombay Mint, Surgeon J. Scully received charge of the said office from Surgeon-Major H. W. Graham, after noon, on the 19th November 1883.

The 30th November 1883.

No. 1673.—Whereas under the terms of Notification in the Department of Finance and Commerce, No. 3646, dated 15th November 1880, the Municipality of Calcutta have paid to the Collector of Stamp Revenue, Calcutta, R459 as composition for the stamp duty chargeable on a sum of R97,800 which the said Municipality were authorised to borrow and which has been raised by the issue of the undermentioned debentures, dated 1st August 1883, *viz.*:—

Nos.		R	Amount. R
1 to 15	@	1,000 each	15,000
16 " 26	"	500 "	5,500
27 " 40	"	1,000 "	14,000
41 " 43	"	4,000 "	12,000
44 & 45	"	1,000 "	2,000
46 " 47	"	500 "	1,000
48 to 53	"	5,000 "	30,000
54			5,400
55			2,400
56			500
57			10,000

In exercise of the powers conferred by Section 8 of the Indian Stamp Act, 1879, the Governor General in Council has exempted the above-mentioned debentures from any stamp duty with which they might otherwise be chargeable, whether on issue, renewal, or sub-division.

No. 1659.—The following addendum to the Codes of the Financial Department is published for general information:—

CODES OF THE FINANCIAL DEPARTMENT.

Definitions.

Page iii.

Insert the following under ACTIVE SERVICE:—

In the case of Engineers appointed from the Royal Indian Engineering College at Cooper's

Hill who passed out of the College from the years 1878 to 1886, inclusive, Active Service includes also the whole period from date of appointment to the service to date of joining their appointments in India, provided they fulfil the conditions in regard to date of landing in India specified in Section 64 (a) of the Civil Pension Code.

[NOTE.—The exception in favour of officers of these years is made in consequence of an error in the letters of appointment and in the College prospectus which affected students of these years, as ruled in Secretary of State's Despatch No. 24, dated 26th April 1883.]

J. WESTLAND,
Officiating Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 30th November, 1883.

APPOINTMENTS.

No. 616.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Secretary of State for India:—

Lieutenant Allan Elderton, Wiltshire Regiment, Wing Officer, 7th Native Infantry, 18th December, 1880.

Lieutenant Cecil Sydney deButts Martindale, East Lancashire Regiment, Officiating Wing Officer, 5th Gurkha Regiment,—3rd July, 1882.

Lieutenant Henry Horace Frederick Fagan, Hampshire Regiment, Officiating Squadron Officer, 15th B.C.,—10th July, 1882.

Lieutenant George Hastings Butcher, Bedfordshire Regiment, Wing Officer, 42nd Native Infantry,—11th July, 1882.

Lieutenant Francis Cracroft Colomb, Scottish Rifles, Officiating Wing Officer, 39th Native Infantry,—18th October, 1882.

Lieutenant Charles Edward Johnson, South Yorkshire Regiment, Officiating Wing Officer, 27th Native Infantry,—20th October, 1882.

No. 617.—The undermentioned officers appointed by the Secretary of State probationers for the Indian Staff Corps, are placed at the disposal of the Governments of Madras and Bombay, in view to their appointment to the Staff Corps of those Presidencies respectively, with effect from the date of their arrival in India:—

Madras.

Lieutenant E. W. S. K. Maconchy, East Yorkshire Regiment.

Bombay.

Lieutenant H. W. Raymond, Royal Irish Rifles.

No. 618.—PERSONAL STAFF—

His Excellency the Viceroy and Governor General has been pleased to make the following appointment on His Excellency's personal staff:—

Lieutenant C. R. Burn, 8th (King's Royal Irish) Hussars, to be an extra Aide-de-Camp. Dated 29th November, 1883.

No. 619.—PUNJAB FRONTIER FORCE—

5th Punjab Cavalry.

Lieutenant C. G. F. Edwards, Officiating Squadron Officer, to be Squadron Officer, *vice* Lieutenant E. Inglis, transferred to the 3rd Punjab Cavalry.

FURLOUGH AND LEAVE.

No. 620.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant Colonel F. Knowles, Bengal S.C., Squadron Commander and 2nd-in-Command, 2nd Bengal Cavalry, (p. a.) for one year, under rule IX of the regulations of 1868.

Brigade-Surgeon G. A. Watson, Medical Storekeeper, Allahabad, (p. a.) for two years, under rule IX of the regulations of 1868.

LONDON GAZETTE.

No. 621.—The following extracts are published for general information:—

"London Gazette," dated the 19th October, 1883, page 5001.

India Office, 19th October, 1883.

The Queen has approved of the following promotions among the Officers of the Staff Corps and Indian Military Forces made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major George Scott Hills. Dated 4th August, 1883.

Major Charles James Durand. Dated 4th August, 1883.

Major Henry Gordon Waterfield. Dated 4th August, 1883.

Major Talbot Bradford Middleton Glascock. Dated 11th August, 1883.

Major and Brevet Lieutenant-Colonel Frederick Knowles. Dated 13th August, 1883.

Major Henry John Nuthall. Dated 16th August, 1883.

Major Richard Percival Davis. Dated 22nd August, 1883.

To be Majors.

Captain Robert John Humphrey Wyllie. Dated 4th August, 1883.

Captain William Brydon. Dated 28th August, 1883.

Captain Lorn Robert Henry Dick Campbell. Dated 28th August, 1883.

BENGAL ARMY.

CAVALRY.

To be Lieutenant-Colonel.

Major and Brevet Lieutenant-Colonel Robert Morris. Dated 4th August, 1883.

INFANTRY.

To be Colonel.

Lieutenant-Colonel and Brevet Colonel Rowley Sale Hill, C.B. Dated 29th August, 1883.

"London Gazette," dated the 23rd October, 1883, page 5047.

War Office, Pall Mall, 23rd October, 1883.

MEMORANDA.

Colonel John Doran, C.B., Bengal Staff Corps, has been transferred to the Unemployed Supernumerary List. Dated 2nd October, 1883.

The undermentioned Lieutenant-Colonels of the Indian Staff Corps to be Colonels :—

William Hill, Madras. Dated 15th August 1883.

James Clephane Minto, Bengal. Dated 19th August, 1883.

Henry McDonell DeWendt Douglas, Bengal. Dated 29th August, 1883.

"London Gazette," dated the 26th October, 1883, page 5090.

India Office, 26th October, 1883.

The Queen has approved of the retirement from the Service of the undermentioned Officers of Her Majesty's Indian Military Forces :—

Lieutenant-Colonel and Brevet Colonel John Roberts, of the Bengal Staff Corps. Dated 28th September, 1883.

Lieutenant-Colonel Richard Fisher Angelo, of the Bengal Staff Corps. Dated 1st August, 1883.

Lieutenant-Colonel Richard Charles Evanson, Madras Staff Corps. Dated 1st October, 1883.

BREVET.

The undermentioned Officers are granted a step of honorary rank on retirement :—

To be Major-General.

Lieutenant-Colonel and Brevet Colonel John Roberts, of the Bengal Staff Corps. Dated 28th September, 1883.

To be Colonel.

Lieutenant-Colonel Richard Fisher Angelo, of the Bengal Staff Corps. Dated 1st August, 1883.

Lieutenant-Colonel Richard Charles Evanson, of the Madras Staff Corps. Dated 1st October, 1883.

"London Gazette," dated the 30th October, 1883, page 5148.

India Office, 30th October, 1883.

The Queen has approved of the following Admissions to the Staff Corps made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenant.

Lieutenant George John Younghusband, from the Leicestershire Regiment. Dated 5th October, 1880, but to rank from 15th March, 1880.

* * * * *

PENSIONS.

No. 622.—Conductor Robert Livingstone, Cattle Farm, Hissar, is transferred to the pension establishment, with effect from the 30th October, 1883.

PROMOTIONS.

No. 623.—The following promotion is made subject to Her Majesty's approval :—

BENGAL STAFF CORPS.

To be Major.

Captain John Robert Burlton-Bennet —24th November, 1883.

No. 624.—Under the provisions of the Royal Warrant of the 10th November, 1881, Colonel H. H. James, Bombay S. C., is placed on the list of Major-Generals on the Indian Gradation List, in consequence of the transfer to the Unemployed Supernumerary List of Colonel (Major-General on the Indian Gradation List) J. Doran, C.B., Bengal S. C., on the 2nd October, 1883.

No. 625.—SUBORDINATE MEDICAL DEPARTMENT—

First Class Apothecary William Blackburn Grassby, to be Senior Apothecary from the 25th April, 1883, *vice* Senior Apothecary W. Sinclair, deceased.

First Class Assistant Apothecary William Archelaus Williams to be 2nd Class Apothecary from the 25th April, 1883, *vice* 1st Class Apothecary W. B. Grassby, promoted.

First Class Assistant Apothecary Louis DeCruze to be 2nd Class Apothecary from the 6th June, 1883, *vice* 1st Class Apothecary G. R. Jenkins, pensioned.

Passed Hospital Apprentice James Fraser to be 2nd Class Assistant Apothecary from the 26th April, 1883, *vice* 2nd Class Assistant Apothecary J. Robinson, resigned.

Passed Hospital Apprentice William Dickson to be 2nd Class Assistant Apothecary from the 6th June, 1883, *vice* 1st Class Assistant Apothecary L. DeCruze, promoted.

No. 626.—VOLUNTEER CORPS—

East Indian Railway Volunteer Rifle Corps.

Color Sergeant Henry Dale to be Lieutenant, *vice* Lieutenant J. Craven, promoted.

Corporal Lancelot Crosier to be Lieutenant, *vice* Lieutenant P. Parkinson, deceased.

VOLUNTEER CORPS.

No. 627.—The medal for good shooting sanctioned in clause 151, India Army Circulars, 1880, has been awarded to Sergeant J. H Johnson, 3rd or Sind Punjab and Indus Valley Railways Volunteer Rifle Corps, for the season 1882-83.

MILITARY WORKS DEPARTMENT.

No. 628.—Sergeant W. Greaves, Officiating Barrack Master, reverts to the rank of Barrack Sergeant with effect from the 30th October, 1883.

E. H. H. COLLEN,

Officiating Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Fort William, the 30th November 1883.

No. 280.—The services of Mr. W. K. Stent, Executive Engineer, 3rd Grade, Railway Branch, are, on his return from furlough, placed at the disposal of the Chief Commissioner, Assam.

W. S. TREVOR, *Colonel, R.E.,*

Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 1, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 27th October 1883.

From the 24th of November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 17th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurrumtollah Street Calcutta.

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts is R5 per annum, payable in advance. When sent by post, R2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

	R	a	p.
Subscription for *Gazette* and Supplement per annum	15	0	0
Postage	5	8	0
Subscription for Supplement only	6	0	0
Postage	3	0	0
For a single copy of the *Gazette*	0	8	0
For a single copy of the Supplement	0	4	0

Postage on single copies varies according to weight.

E. J. DEAN,

Publisher, Gazette of India.

SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 23rd November 1883.

No. 392.—The unexpired portion of the six months' furlough in India granted to Mr. J. T. U. Coxen, Surveyor, 4th Grade, by Notification No. 354, dated the 14th May 1883, is cancelled, with effect from the forenoon of the 26th October 1883, the date on which he was recalled to duty.

The 29th November 1883.

No. 393.—The following promotions are made, with effect from the 23rd September 1883, *vice* Mr. W Sinclair, Surveyor, 2nd Grade, who retired with effect from the afternoon of the 22nd idem :—

Mr. J. S. Pemberton, Surveyor, 3rd Grade, to be Surveyor, 2nd Grade.

Mr. E. G. Little, Surveyor, 4th Grade, to be Surveyor, 3rd Grade.

Mr. F. Kitchen, Officiating Surveyor, 4th Grade, is confirmed in that grade.

Mr. J. Newland, Assistant Surveyor, 1st Grade, to officiate as Surveyor, 4th Grade.

Mr. C. W. J. Ford, Assistant Surveyor, 2nd Grade, to be Assistant Surveyor, 1st Grade.

Mr. A. Bryson, Assistant Surveyor, 3rd Grade, to be Assistant Surveyor, 2nd Grade.

No. 394.—The following promotions are made, with effect from the 6th October 1883, *vice* Mr. A. W. Chennell, Surveyor, 4th Grade, who died on the 5th idem :—

Mr. H. Todd, Officiating Surveyor, 4th Grade, is confirmed in that grade.

Mr. C. Tapsell, Assistant Surveyor, 1st Grade, to officiate as Surveyor, 4th Grade.

Mr. A. W. Smart, Assistant Surveyor, 2nd Grade, to be Assistant Surveyor, 1st Grade.

Mr. C. Norman, Assistant Surveyor, 3rd Grade, to be Assistant Surveyor, 2nd Grade.

No. 395.—The following reversion will take effect from the 10th October 1883, the date on

which Mr. P. A. G. Cowley, Surveyor, 2nd Grade, returned from furlough :—

Mr. C. Tapsell, Officiating Surveyor, 4th Grade, to revert to his substantive post of Assistant Surveyor, 1st Grade.

No. 396.—The following reversion will take effect from the 26th October 1883, the date on which Mr. J. T. U. Coxen, Surveyor, 4th Grade, returned from furlough :—

Mr. J. Newland, Officiating Surveyor, 4th Grade, to revert to his substantive post of Assistant Surveyor, 1st Grade.

No. 397.—The following reversions will take effect from the afternoon of the 28th October 1883, the date on which Messrs. J. H. O'Donel, Surveyor, 4th Grade, and J. Connor, Officiating Surveyor, 4th Grade, reverted from the *seconded* list :—

Mr. C. D. Potter, Officiating Surveyor, 4th Grade, to revert to his substantive post of Assistant Surveyor, 1st Grade.

Mr. J. Bond, Officiating Surveyor, 4th Grade, to revert to his substantive post of Assistant Surveyor, 1st Grade.

No. 398.—The following promotions are made, with effect from the 1st November 1883, *vice* Mr. C. W. Campbell, Surveyor, 1st Grade, who retired with effect from the same date :—

Mr. H. E. T. Keelan, Surveyor, 2nd Grade, to be Surveyor, 1st Grade.

Mr. H. R. Littlewood, Surveyor, 3rd Grade, to be Surveyor, 2nd Grade.

Mr. H. T. Hanby, Surveyor, 4th Grade, to be Surveyor, 3rd Grade.

No. 399.—The following promotion is made, *vice* Mr. A. Bryson, Assistant Surveyor, 2nd Grade, resigned, with effect from the 1st November 1883 :—

Mr. D. Campbell, Assistant Surveyor, 3rd Grade, to be Assistant Surveyor, 2nd Grade.

No. 400.—The following temporary promotion is made, with effect from the 6th November 1883, *vice* Mr A G. Wyatt, Surveyor, 3rd Grade, who proceeded on furlough on the same date :—

Mr. J. Bond, Assistant Surveyor, 1st Grade, to officiate as Surveyor, 4th Grade.

G. C. DEPRÉE, *Colonel*,

Offg. Surveyor General of India.

ECCLESIASTICAL.

The 30th November 1883.

The Venerable Brownlow Thomas Atlay, M.A., of St. John's College, Cambridge, has been appointed by the Lord Bishop of Calcutta Archdeacon in the Archdeaconry and Diocese of Calcutta, with effect from 15th September last.

A. B. MILLER,

Registrar of the Diocese.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 22nd November 1883.

No. 4459 *G.*—With reference to Foreign Department Notification No. 2597 G., dated 8th November 1883, Lieutenant C. Herbert and Captain J. H. Newill, respectively, made over and received charge of the Offices of Assistant General Superintendent, Thuggee and Dacoity, Lower Rajputana, and Magistrate of Abu, on the forenoon of the 20th November 1883.

No. 4461 *G.*—With reference to Foreign Department Notification No. 2595 G., dated 8th November 1883, Captain J. H. Newill assumed charge of his duties as Assistant Agent to the Governor General, Rajputana, on the afternoon of the 16th November 1883.

The 23rd November 1883.

No. 4478 *G.*—With reference to this Office Notification No. 3896 G., dated 15th October 1883, Lieutenant-Colonel C. A. Baylay and Major W. J. W. Muir, respectively, delivered over and received charge of the Harowtee and Tonk Agency on the forenoon of the 14th November 1883.

By Order,

E. A. FRASER,

1st Asst. Agent to the Govr. Genl.

RESIDENT IN MYSORE.

NOTIFICATIONS

Camp Mercara, the 15th November 1883.

No. 19.—ERRATUM.—In Resident's Notification No. 16, dated 10th September 1883, under the heading No. VI or High Ground Division, *for the words* "Bounded on the west by Miller's Road and its continuation along the high ground up to Boundary Stone XI," *read* "Bounded on the west by Avenue and Miller's Roads."

The 24th November 1883.

No. 20.—Whereas by the Foreign Department Notification No. 2252 I., dated the 7th August 1883, the Indian Christian Marriage Act, 1872, was, with certain modifications, declared to apply to the Civil and Military Station of Bangalore, so far as regards marriages between persons one of whom is a Native Christian subject of Mysore and neither of whom is a Christian British subject. In exercise of the powers conferred by Sections 7 and 9, respectively, of the Act as so declared in force, the Resident in Mysore is pleased—

(*a*) to appoint the Reverend G. Hiram Greenig, a Missionary of the Methodist Episcopal Church, to be a Marriage Registrar for the territories included in the Civil and Military Station of Bangalore, and

(*b*) to license the said Reverend G. H. Greenig to grant certificates of marriage within the said territories, between Native Christians one of whom is a Native Christian.

By Order,

H. WYLIE, *Major*,

Assistant to the Resident.

MILITARY WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 20th November 1883.

No. 37.—Captain E. Glennie, R.E., Executive Engineer, 4th Grade, on return from furlough, is posted to the Meerut Command, Military Works.

The 22nd November 1883.

No. 38.—Lieutenant J. G. Lutyens, R.E., Assistant Engineer, 2nd Grade, is transferred from the Sirhind-Lahore Command, Military Works, to the Meerut Command, Military Works.

The 23rd November 1883.

No. 39.—Major M. A. Alves, R.E., Executive Engineer, 1st Grade, is transferred from the Meerut Command, Military Works, to the Sirhind and Lahore Command, Military Works.

J. J. McLEOD INNES, *Colonel, R.E.,*
Inspr. Genl. of Military Works.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 21st November 1883.

No. 67.—With reference to Government of India, Public Works Department, Notification No. 277, dated the 10th November 1883, Mr. J. N. D. LaTouche, Assistant Engineer, 2nd Grade, is posted to the Jhansi-Manikpur State Railway.

No. 68.—Mr. W. Michell, Assistant Engineer, 1st Grade, is transferred from the Rajputana-Malwa to the Indus Valley and Kandahar State Railway.

H. F. HANCOCK, *Col., R.E.,*
Offg. Director General of Railways.

PUNJAB NORTHERN STATE RAILWAY,
Manager's Office.

NOTIFICATION.

Rawalpindi, the 19th November 1883.

No. 3.—Mr. H. S. Harrington, Executive Engineer, 4th Grade (temporary rank), has been granted ten days' subsidiary leave and one year's furlough to England, with effect from the afternoon of the 9th November 1883.

E. L. MARRYAT, *Major, R.E.,*
Manager.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that on or about 12th September 1883, treasure consisting of the undermentioned silver jewels valued at R16, was found by Madiga Pichivadu, while scraping grass in a waste field in the village of Vemalur, of the Sidhout Taluq, Cuddapah District, Madras Presidency:—

Description of Jewels.

	R	a.	p.
1 Silver ornament, worn by females on the arm	11	6	0
1 Silver ring, worn by females	1	11	0
1 Piece of a broken silver bangle	2	15	0

All persons claiming the treasure, or any part thereof, are required to appear either in person or by agent before the Collector of Cuddapah, on the 22nd April 1884, in view to the matter being inquired into and determined according to law.

C. A. BIRD,
Acting Collector.

CUDDAPAH COLLECTOR'S OFFICE,
The 23rd November 1883.

Statement of the Affairs of the Bank of Bengal for the week ending 27th November 1883.

LIABILITIES.	R	a.	p.	R	a.	p.
Capital paid-up				2,00,00,000	0	0
Reserve Fund				35,10,291	4	4
Public Deposits at Head Office	95,59,777	6	1	2,25,81,605	9	4
Public Deposits at Branches	1,30,21,828	3	3			
Other Deposits at Head Office and Branches				2,37,62,196	12	10
Bank Post Bills, &c.				·,27,560	8	0
Sundries				15,32,770	3	10
RUPEES				7,17,14,424	6	4

ASSETS.	R	a	p	R	a	p.
Government Securities				50 37,821	0	0
Other authorized Investments				56,81,125	0	0
Loans on Government and other authorized Securities				1,27 03,510	2	11
Accounts of Credit on Government and other authorized Securities				62,23 746	4	3
Bills discounted and purchased				1,73,94,229	14	9
Balances with other Banks				4 99 220	13	6
Bullion				45,661	12	0
Dead Stock				12,04 431	5	3
Stamps				8 031	4	0
Sundries				5 50,012	10	8
				4,93,47,820	3	4
Cash and Currency Notes at Head Office	1,03,57,5'3	15	11	2,23,66 604	3	0
Cash and Currency Notes at Branches	1,20,09,090	3	1			
RUPEES				7,17,14,424	6	4

By order of the Directors.

BANK OF BENGAL,
Calcutta, 29th November 1883

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1883.	R	R	R	R	R	R
Nov. 19	1,17,817	2,25,455	206	1,17,817	69,20,698	52,74,492
„ 20	. . .	1,81,417	. . .	1,17,817	69,22,864	50,89,372
„ 21	1,76,167	2,45,956	. . .	2,91,984	69,22,864	48,38,397
„ 22	. . .	2,10,104	. . .	2,93,984	69,22,864	46,24,002
„ 23	. . .	2,25,133	. . .	2,93,984	69,32,864	43,94,227
„ 24	2,045	29,009	1,25,277	1,78,528	70,50,828	41,92,640

J. F. TENNANT, *Major-Genl., R.E.,*
Mint Master.

CALCUTTA MINT.
The 26th November 1883.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
		R	
W19	. D 20—00901	. 100	The Deputy Conservator of Forests, Kheri Division.

ALLAHABAD,
The 28th November 1883.

W. COWLEY,
Asst. Acctt. General,
In charge of Paper Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		R	
239	. P 76—40440	. 100	Baboo Radhanath Das.
240	. A 89—53958	. 500	Meer Tajumal Ali, Agent for Sharifun Nissa Bibi, of Dulai, Pubna.
	„ —53959	. 500	
	„ —53957	. 500	
	„ —46463	. 500	
	„ —59432	. 500	
	„ —59430	. 500	
	A 46—66963	. 500	
	A 89—54151	. 500	
	„ —53956	. 500	
	„ —53961	. 500	
	„ —53962	. 500	
	„ —53963	. 500	
	„ —53964	. 500	
	„ —53965	. 500	
	„ —53967	. 500	
	„ —53968	. 500	
	„ —53977	. 500	
	„ —53978	. 500	
	„ —54140	. 500	
	„ —51444	. 500	
	A 88—28151	. 1,000	
241	. P 39—44170	. 50	Babu Jodoonath Mondle.
242	. P 9—85165	. 50	Babu Kedarnath Bose.

CALCUTTA,
The 30th November 1883.

J. TAYLOR,
Asstt. Comptlr. Genl., in charge, Paper Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		R	
29	. B 71—55892	. 100	Samayanantri Pamidayya, Shop-keeper, Masulipatam.
30	. B 79—00365	. 100	Presidency Post Master, Madras.

FORT SAINT GEORGE,
The 19th November 1883.

H. S. GROVES,
Assistant Accountant General,
in charge of Paper Currency Dept.,
for Commissioner.

POST OFFICE.

NOTIFICATIONS.

Unclaimed Letters held in the Calcutta General Post Office on 29th November 1883

Archer, Mr.
Baba, David.
Bonninger and Schroder.
Bun, Edward H.
Carmichael, David.
Churchill, J. F.
Crane, H. P.
Faulkner, Mrs. W. A.
Hundsen, F. E. O.
Laws, H.
Legate, William.
Ludlum, H. O.
Mallitte, O.
Mullen, Mrs. Jarlath.
Plummer, Fred. H
Shopland, Mrs. E. R.
Short, B.
Solano, Mrs. G. L.
Timmins, Charles
Whealon, Gerrit S.

Letters marked "Care of Post Office."

A. B., No. 100.
A M.
Alpin, E B.
Allanby, Thomas.
Allen, J. H.
Ashton, Thomas.
Atkins, R.
Bailey and Kerr, Messrs.
Barber, R J.
Bayus, J. W.
Berry, J
Birchall, Walter H.
Borooah, K. N.
Brace, L. J. R.
Bradley, Walter.
Braidwood, Frank.
Branson, T. F.
Brown, John.
Cairns, Sir W.
Capper, J.
Colvin, Cecil.
Cook, Colonel J.
Cowie, Miss.
Curtis, George Cotton.
C. S.
Dean, William Edward.
DeCruz, Mr.
Dyett, W. H. R.
Edden, Sergeant J.
Ellis, S. B.
Erler, Albert.
Filker, Jebb
Fergus, C. B.
Flett, George.
Fometzko, Gustose.
Forrest, Francis.
Fowler, James William.
Fraser, Mrs. F.
Francis, E.
Gahan, Capt. R. L.
Graves, Captain S. H. P.
Gregory, Miss.
G O.
Hallett, W. O.
Hallewell, J. A.
Harland, W.
Hillard, Mrs.
Hughes, Pringle.
Karoly, S.
Kimmins, W. J.
King, Edward.
Lane, William.
Laughlin, R. C.
Lee, Frederick.
Levi, Mrs. S. H.
"Lilly."
Lucy, Mrs. H W
Lyon, Percy Cummins.
M. J. L. S.
MacConnell, Capt. R. J.
Marshall, W.
McKay, James B.
McLean, John.
Muir, John C.
O'Farrell, Surgeon-Major.
Parker, G. E.
Pescod, J. J.
Phillips, F. D.
Quick, Frank.
Rachel.
Reece, Mrs. W.
Robertson, William.
Ryan, J. H.
Ryckman, E. H.
Schaeffer, F. B.
Schmidt, Otto.
Schulmann, T.
Seillier, Madame.
Shiphan, Rev A.
Stanislaus, Walter.
Stevenson, Mrs.
Swanson, Mrs. George.
Truefelt, A. B.
Tshag, H.
Tuck, Serjeant J.
Vans Agnew, Lieut. P. A.
Watson, G.
Wells, J. S.
Williams, Mrs. F. A.
Williamson, W. F.

Registered Letters

Curtis, George Cotton.
DeDidier, Mons. A.
Geyer, Alfred.
Harris, A J.
Kuller, Marie.
Moraffit, Allessandro.
Stevenson, Col. T. R.
Thomson, C.

Calcutta, the 1st December 1883.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date.	Per Steamer
	1883.	
Persian Gulf	1st Dec.	From Bombay.
Persian Gulf	8th „	From Bombay.
Madras Ceylon, and Intermediate Ports .	7th „	Str. *Kerbella.*
Madras and Ceylon	1st „	P & O. Str. *Tibre.*
Foreign Mails *viâ* Bombay	4th „	From Bombay.*
Do. Book Post and Pattern Packets .	3rd „	From Bombay.
Rangoon and Moulmein	6th „	Str. *Kilwa.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	6th „	Str. *Commilla.*
Madras, Ceylon, Batavia, Singapore, and China	7th „	Fr. Str. *Tibre.*

* Also for South Africa *viâ* England can be forwarded.

N.B.—The letter-box will close at 7 P. M. precisely; after which hour, foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin *R4-8;* per eight ounce tin, *R8-8;* per pound tin, *R16-8.* The general public can be supplied by the Superintendent, Botanical Gardens, *for cash only*, at the under-noted rates :—per four ounce tin *R5-8;* per eight ounce tin *R10-8;* per pound tin, *R20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے اونکے جو کوئي ايک مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه; يک پونڈ کے ٹين کا سوله روپيه آٹهه آنه'

اور عوام‌الناس بوٹانکل گارڈن يعنے کمپني با کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

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E. N. BAKER,

Offg. Under-Secy. to the Govt. of Bengal.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 1, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

BENGAL CIVIL FUND.

NOTICE.

The Half-yearly General Meeting of Subscribers to the Bengal Civil Fund will be held at the Town Hall on Monday, the 28th January 1884, at 10 A.M., for the submission of the Annual Accounts, for the election of Managers for the ensuing year, and for the consideration of any other business that may be brought forward.

The Managers will propose that authority be given to them by the Subscribers to transfer the Civil Fund to the Government upon the grant of the following concessions by the Secretary of State for India :—

(1) The remission of annuitants' subscriptions to the "Ordinary" branch of the Fund.

(2) An addition of £30 to the pensions of widows, present and future.

By order of the Managers,

C. S. BAYLEY,
Secretary.

BENGAL CIVIL FUND OFFICE,
The 23rd November 1883.

NOTICE.

By a deed dated the 31st October 1883, the Directors of the Oriental Telephone Company, Limited, have revoked the Power of Attorney, dated 30th November 1881, granted by them to Mr. Clement Davidson Leggatt.

W. G. HALL,
Secretary, Oriental Telephone Co., Ld.

LONDON,
The 2nd November 1883.

PROMISSORY NOTES.

Lost or Stolen

The following Government Promissory Notes, originally standing in the name of Dinshaw Framjee, the proprietor, by whom they were never endorsed to any other person. Payment of these Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor :—

1. Government Promissory Note No. 146298 of the 4 per cent. of 1865, for R1,000, interest payable at the Rawalpindi Treasury, originally standing in the name of Dinshaw Framjee.

2. Government Promissory Note No. A021261, reduced 4 per cent. loan of 1879, for R1,000, interest payable at the Rawalpindi Treasury, originally standing in the name of Dinshaw.

DINSHAW FRAMJEE,
Firm of H. Dinshaw & Co.

RAWALPINDI,
The 28th August 1883.

Lost or Destroyed

The Government Promissory Notes No. 028811, for R1,000, No. 028812, for R1,000, No. 028813, for R1,000, No. 028814, for R1,000, and No. 028488, for R500, belonging to Sirdar Baj Singh, deceased.

M. L. FERRAR,
Deputy Commissioner, Bahraich.



SUPPLEMENT TO

The Gazette of India.

No. 48.} CALCUTTA, SATURDAY, DECEMBER 1, 1883.

OFFICIAL PAPERS.

A SUPPLEMENT *to the* GAZETTE OF INDIA *will be published from time to time, containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.*

Non-Subscribers to the GAZETTE *may receive the* SUPPLEMENT *separately on a payment of six Rupees per annum if delivered in Calcutta, or nine Rupees if sent by Post.*

No Official Orders or Notifications, the publication of which in the GAZETTE OF INDIA *is required by Law, or which it has been customary to publish in the* CALCUTTA GAZETTE, *will be included in the* SUPPLEMENT. *For such Orders and Notifications the body of the* GAZETTE *must be looked to.*

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

MANNER IN WHICH MEASURES FOR THE CONSERVATION OF ANCIENT MONUMENTS ARE IN FUTURE TO BE CARRIED OUT.

No. $\frac{3}{168-183}$.

Extract from the Proceedings of the Government of India, in the Home Department (Archæology),—under date Calcutta, the 26th November 1883.

Read the undermentioned papers :—

Despatch from Secretary of State, No. 39, dated 31st July 1878, Public Works Department.

Despatch to Secretary of State, No. 160 (Financial), dated 25th May 1880.

Despatch from Secretary of State, No. 43 (Public Works Department), dated 11th November 1880.

Resolution Nos. 1—30-42, dated 2nd February 1881.

From Curator of Ancient Monuments, dated 2nd February 1881.

Resolution Nos. 1—8-17, dated 12th August 1881.

To Curator of Ancient Monuments, No. 24, dated 25th February 1882.

From Secretary of State, No. 15 (Public Works), dated 9th March 1882.

To Curator of Ancient Monuments, dated 21st April 1882.

Resolution Nos. 3—167-181, dated 8th November 1882.

Resolution, dated 8th June 1883, Nos. 1—58-74.

Read—

Report of the Curator of Ancient Monuments for 1881-82.

RESOLUTION.

The appointment of Curator of Ancient Monuments was sanctioned by the Secretary of State in November 1880 for a term of

three years only, in view to the settlement within that period by each Local Government of a complete scheme of conservation for each province. Major Cole has, since he took charge of his office in January 1881, visited most of the Local Governments, and in the notes and memoranda which form Appendices of his reports has indicated in respect of many of the principal monuments what measures of conservation are in his opinion required. It is important that the Local Governments should now settle, in communication with the Government of India, the general lines upon which their operations will in future be conducted. The lists of objects of antiquarian interest received from the different provinces show that very much information as to the number and character of existing monuments has been collected; and the Curator's memoranda and suggestions indicate sufficiently clearly the general direction which measures of conservation ought to follow.

2. The Governor General in Council notices, however, that the Curator has not apparently placed himself in such free communication with the officers of the Archæological Survey as was desirable, and this is to be regretted. It is true the reports show that Major Cole has at times consulted General Cunningham; but as far as Madras and Bombay are concerned, he appears to have had no communication with Dr. Burgess whose great experience and sound knowledge, both archæological and architectural, would have been of much service in preparing the necessary lists, and determining the mode in which repairs should be planned.

3. The Governor General in Council desires that each Local Government will now, with as little delay as possible, take up the lists of ancient monuments for its province as given in Major Cole's Report for the year 1882-83, and, as regards Northern, Eastern and Central India, in communication with General Cunningham, and as regards Madras and Bombay, in communication with the Archæological Surveyor of Southern and Western India, prepare classified lists and a detailed report showing—

I.—Those monuments which from their present condition and historical or archæological value ought to be maintained in permanent good repair.

II.—Those monuments which it is now only possible or desirable to save from further decay by such minor measures as the eradication of vegetation, the exclusion of water from the walls, and the like.

III.—Those monuments which from their advanced stage of decay or comparative unimportance it is impossible or unnecessary to preserve.

4. The monuments in classes I and II should be further subdivided, thus—

I (*a*) and II (*a*).—Monuments in the possession or charge of Government, or in respect of which Government must undertake the cost of all measures of conservation.

I (*b*) and II (*b*).—Monuments in the possession or charge of private bodies or individuals.

In respect of classes I (*a*) and II (*a*), the report should show what arrangements it is proposed to make for the due carrying out of the necessary measures of conservation. Definite provision should be made for the proper custody and up-keep of each monument in

these classes. The Government of India do not wish to interfere in the details of these arrangements, but they desire to be satisfied that each Local Government has at its disposal the means for the intelligent and judicious treatment of any questions that may arise in connection with the preservation of buildings of such importance. The Governor General in Council considers that the cost of these measures is a legitimate charge upon the Public Works allotment of each province, but will be prepared to consider in very special cases whether any further assistance should be granted from Imperial funds.

In respect of classes I (*b*) and II (*b*), it should be reported what funds are available for their conservation; and whether the custodians can be induced to allow the inspection, direction, and control of Government officers in such matters. It may be advisable in some instances to offer small subsidies in view to securing the necessary amount of supervision, but this should only be proposed where the monument is one of primary importance, and its due conservation cannot be otherwise secured. In general it may be hoped that the local officers and the Local Government will be able to induce those interested to take proper steps for maintaining the buildings in their charge.

5. If hereafter it should become apparent that the Local Governments require advice or instructions with reference to the proper mode of preserving or treating any monument, the Government of India will be happy to arrange for procuring this from the best available authorities. Meantime, as above intimated, the Local Governments should, besides referring to General Cunningham and Dr. Burgess, freely consult the Curator of Ancient Monuments in the preparation of the lists and reports now ordered, remembering that Major Cole's services will not be available in that capacity after the 28th January 1884 when the period for which his appointment was sanctioned by the Secretary of State will expire.

6. In the Annual Administration Reports of each province full information should be given as to the measures of conservation carried out during the year and as to the condition of all monuments in classes I and II.

ORDER.—Ordered that a copy of this Resolution be forwarded to Local Governments and Administrations, to the Director General of the Archæological Survey, and to the Curator of Ancient Monuments in India for information and guidance. The Curator, before his term of office expires, should arrange to visit any important monuments not yet seen by him, submitting his notes, as before, to the Local Governments concerned.

Ordered also that a copy be forwarded to the Foreign, Public Works and Finance Departments for information; and that the Resolution be published in the Supplement to the *Gazette of India*.

(True Extract.)

A. MACKENZIE,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

RULES FOR THE LEVY AND EXPENDITURE OF FEES ON MASONRY GRAVES AND MONUMENTS IN CEMETERIES AND CHURCHES THROUGHOUT INDIA.

The following Resolution is to be substituted for Resolution bearing the same numbers and date :—

No. $\frac{5}{196-212}$

Extract from the Proceedings of the Government of India, in the Home Department (Ecclesiastical)—under date Simla, the 9th August 1883.

Read again—

Home Department Resolution Nos. 4—248-63A., dated the 27th December 1882, sanctioning certain alterations in Rule II of Section II of the Rules contained in Home Department Notification, dated 12th December 1877, for the levy and expenditure of fees on masonry graves and monuments in cemeteries and churches throughout India.

Read also—

A letter from the Government of the Punjab, No. 1527, dated the 2nd ultimo, bringing to notice an alleged inconsistency in revised Rule II.

RESOLUTION.

The Governor General in Council is pleased to decide that revised Rule II of the Rules referred to in the preamble shall run as follows :—

A further fee of one rupee per square foot shall be levied for the erection of a masonry monument in a burial ground, reduced to eight annas per square foot when the monument is of stone or marble, provided that the minimum fee payable for a monument shall be Rs. 5. No monument shall in any case be more than 3 feet in height. For a simple headstone or flat slab of stone or marble not more than 3 feet 6 inches in height and 2 feet in width, a fee of Rs. 5 shall be payable. A fee of Rs. 75 shall be levied on a faculty for the erection of a monument in a church.

Notes.—(1) A tablet on the wall of a cemetery shall be regarded as a monument.

(2) "Simple headstone."—A cross of not greater height or length than 3 feet 6 inches is included in this description.

(3) In the case of a monument erected over a masonry grave, the aggregate of the fees under this Rule and Rule I will be one and a half rupees for each square foot of ground occupied, but when the monument is of "stone or marble," the aggregate of the fees in question will be one rupee per square foot.

(4) The term "stone or marble" does not include "slate."

(5) The fees of Rs. 75 levied on a faculty, drawn in the case of non-Government churches by the present incumbents of the office of Registrar of the Diocese in Calcutta and Bombay, shall cease on a vacancy occurring in that appointment. The money is to be spent in charity as in the case of Government churches.

ORDER.—Ordered, that this Resolution be forwarded to the Government of the Punjab, with reference to the letter thence, No. 1527, dated the 2nd July 1883, and to other Local* Governments and Administrations for information; to the Public Works and Military Departments, and the Department of Finance and Commerce; to the Bishop's Chaplain, the Venerable the Archdeacon of Calcutta, and the Senior Chaplain of the Church of Scotland.

*Madras.	Central Provinces.
Bombay.	British Burma.
Bengal.	Assam.
North-Western Provinces and Oudh.	Coorg.
	Hyderabad.

Ordered further, that the Resolution be published in the Supplement to the *Gazette of India.*

(True Extract.)

A. MACKENZIE,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

ABSTRACT SHOWING THE RESULT OF EMIGRATION FROM THE PORT OF CALCUTTA DURING THE MONTH OF AUGUST 1883.

No. 1.—As to Age and Sex.

	Demerara.				Mauritius.				Surinam.				TOTAL.		GRAND TOTAL.
	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	
Under 2 years	10	9	19	44·90 women to every 100 men.	9	11	20	40·25 women to every 100 men.	12	12	24	40·32 women to every 100 men.	31	32	63
From 2 to 10 years	18	23	41		23	16	39		20	8	28		61	47	108
" 10 to 20 "	98	33	131		48	20	68		63	26	89		209	79	288
" 20 to 30 "	238	109	347		137	53	190		228	88	316		603	250	853
" 30 to 40 "	24	17	41		43	16	59		12	6	18		79	39	118
" 40 to 50 "	3	3	6		3	3	6		1	3	4		7	9	16
Above 50 "	.	1	1		.	1	1		1	.	1		1	2	3
GRAND TOTAL	391	195	586	. .	263	120	383	. .	337	143	480	. .	991	458	1,449

No. 2.—As to Places whence Emigrants come to Calcutta for embarkation.

	Demerara.				Mauritius.				Surinam.				TOTAL.		GRAND TOTAL.
	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	
Orissa	.	.	.	. .	1	.	1	. .	1	.	1	. .	2	.	2
Western Bengal	.	.	.	. .	2	.	2	. .	.	2	2	. .	2	2	4
Central ditto	1	1	2	. .	8	7	15	. .	.	2	2	. .	9	10	19
Eastern ditto	.	.	.	. .	5	2	7	. .	2	.	2	. .	7	2	9
Behar	91	45	136	. .	103	54	157	. .	39	17	56	. .	233	116	349
N.-W. Provinces	180	66	246	. .	91	38	129	. .	133	65	198	. .	404	169	573
Oudh	67	30	97	. .	35	12	47	. .	78	22	100	. .	180	64	244
Central India	6	2	8	. .	5	4	9	. .	17	13	30	. .	28	19	47
Punjab	2	1	3	. .	5	1	6	. .	36	2	38	. .	43	4	47
Nepal	.	.	.	. .	2	1	3	. .	6	2	8	. .	8	3	11
Mixed, Madras and Bombay, &c.	44	50	94	. .	6	1	7	. .	25	18	43	. .	75	69	144
GRAND TOTAL	391	195	586	. .	263	120	383	. .	337	143	480	. .	991	458	1,449

No. 3.—As to Caste and Religion.

	Demerara.				Mauritius.				Surinam.				TOTAL.		GRAND TOTAL.
	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	
Brahmins, high caste	76	27	103	. .	46	12	58	. .	85	25	110	. .	207	64	271
Hindus: Agriculturists	128	39	167	. .	83	33	116	. .	83	21	104	. .	294	93	387
Hindus: Artisans	20	9	29	. .	7	4	11	. .	19	3	22	. .	46	16	62
Hindus: Low castes	135	87	222	. .	77	46	123	. .	115	65	180	. .	327	198	525
Musulmans	32	33	65	. .	50	25	75	. .	35	29	64	. .	117	87	204
Christians	.	.	.	. .	.	.	.	. .	.	.	.	. .	. .	.	. .
GRAND TOTAL	391	195	586	. .	263	120	383	. .	337	143	480	. .	991	458	1,449

MEMO.	M.	F.	TOTAL.
1. Hindus	874	371	1,245
2. Musulmans	117	87	204
3. Christians	. .	. .	. .
TOTAL	991	458	1,449

T. W. HOLDERNESS,

Offg. Under-Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

SUPPLEMENT TO THE STATEMENT OF PRICES CURRENT OF FOOD-GRAINS FOR THE 2nd HALF OF OCTOBER 1883 PUBLISHED IN PAGES 2226 AND 2227 OF THE SUPPLEMENT TO THE "GAZETTE OF INDIA", DATED 24th NOVEMBER 1883.

QUANTITIES PER RUPEE IN SEERS OF 80 TOLAHS.

Provinces.	Districts.	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of last year.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of last year.	Rice. Best sort. Present fortnight.	Rice. Best sort. Past fortnight.	Rice. Best sort. Corresponding fortnight of last year.	Rice. Common. Present fortnight.	Rice. Common. Past fortnight.	Rice. Common. Corresponding fortnight of last year.	Great Millet (Cholum, Jowar), *Holcus Sorghum*. Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of last year.	Bulrush Millet (Cumboo, Bajra), *Penicillaria Spicata*. Present fortnight.	Bulrush Millet. Past fortnight.	Bulrush Millet. Corresponding fortnight of last year.	Lesser Millets, Bagi, &c. (Kavaru, Veragoo, Sawee, Cheena, Coraloo, Murhwa, Nuzlee, &c.), *Panicum Miliaceum, Eleusine Coracana, &c.* Present fortnight.	Lesser Millets. Past fortnight.	Lesser Millets. Corresponding fortnight of last year.	Gram. Present fortnight.	Gram. Past fortnight.	Gram. Corresponding fortnight of last year.	Firewood. Present fortnight.	Firewood. Past fortnight.	Firewood. Corresponding fortnight of last year.	Salt. Wholesale. Present fortnight.	Salt. Wholesale. Past fortnight.	Salt. Wholesale. Corresponding fortnight of last year.	Salt. Retail. Present fortnight.	Salt. Retail. Past fortnight.	Salt. Retail. Corresponding fortnight of last year.
		S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.	S. C.
RAJPOOTANA.	Deoli Cantonment	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	13 8	13 8	14 4	...	...	...
	Boondee*	24 8	23 12	17 0	40 0	38 4	28 0	9 8	10 8	10 0	10 0	11 8	10 8	38 -	36 4	29 0	...	...	..	...	...	...	37 0	36 0	30 0	120 0	140 0	160 0	12 8	12 4	12 12	12 4	12 0	12 8
	Tonk*	20 8	21 0	15 9	30 12	31 0	23 0	6 8	6 8	7 0	8 10	8 8	9 8	30 1[illegible]	30 8	25 1	24 8	...	21 9	...	...	...	32 0	31 0	22 12	100 0	100 0	160 0	13 8	13 8	13 6	13 4	13 4	12 10
	Shahpoora*	19 14	20 4	17 8	30 0	26 8	21 12	11 0	10 0	12 2	14 4	15 0	14 3	24 -	23 4	18 10	14 0	16 0	18 12	...	...	...	23 4	23 8	21 8	160 0	160 0	160 0	13 14	12 14	14 0	14 0	12 12	13 12

DEPARTMENT OF FINANCE AND COMMERCE,
(*Statistical Branch.*)

J. WESTLAND,
Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASONS AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 27th NOVEMBER 1883.

GENERAL REMARKS.—With the exception of the Madras Presidency and one district in Assam, no rain is reported for the past week from any of the reporting stations. The want of rain has involved to a large extent the failure of the rice crop in Bengal and has greatly retarded the *rabi*. In all other Provinces the *rabi* prospects are fair, but the young crops in the North-Western Provinces and Oudh require rain. The *kharif* harvest and *rabi* sowings have been nearly completed in the Bombay Presidency and Central and Northern India. Some damage is still caused by locusts in one district of Bombay, but the plague has generally abated. In Sindh the river continues low.

The latest report received from Burma is for the week ending 17th November and shows that the paddy crop promises a good yield in spite of some damage from past unfavourable weather.

The public health is generally good, but slight cholera, small-pox, and fever exist in some provinces.

Prices remain unchanged except in Bengal, where they are unsteady.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects
Madras—(Nov. 28th)		
Bellary	. . . . .	Standing crops generally good; harvest paddy, *ragi*, yield average; *cholum*, *cumbu*, oil-seeds, below average; 36 deaths from cholera.
Kurnool	. . . . .	Standing crops good; harvest, yellow *cholum*, paddy, yield about average.
Ganjam	. . . . .	Standing crops generally good; fever, small-pox slight in one taluk.
Kistna	. . . . .	Dry paddy partially blighted in one taluk, otherwise standing crops good; harvest, black paddy, *cholum*, *korra*, yield below average; fever prevalent; small-pox, cattle-disease in parts.
Chingleput (Madras)	3·51 (average of 11 stations).	Standing crops good; harvest, *kar* and dry grains, yield half; eight deaths from cholera, small-pox slight.
Coimbatore	·8 (average of 14 stations).	Standing crops, *cumbu*, *cholum* damaged by excessive rain in two taluks, elsewhere fair; harvest paddy, *cholum*, *ragi*, *cumbu*, yield average; 350 deaths from cholera including those not reported last week; small-pox, cattle-disease in parts.
Tanjore	2·12 (average of 14 stations).	Standing crops generally good; harvest paddy, *cholum*, *ragi*, *cumbu*, yield below average; seventy-six deaths from cholera.
Madura	1·58 (average of 8 stations).	Standing crops fail; harvest, dry crops, yield about average; cholera severe in Madura town, and elsewhere slight.
Malabar	·85 (average of 10 stations).	Second crops progressing; cholera, fever, small-pox slight.
Travancore	·19	Standing crops good; fever in parts. *General Remarks.*—General prospects good.
Bombay—(Nov. 28th)		
Kurrachee	No rain	River at Kotri on 22nd, 5 feet 7 inches against 5 feet 8 inches on corresponding date of last year; one case of small-pox occurred in Kurrachee on 19th, imported by a lad who arrived from Makran on 15th; disease also prevalent in five villages in districts, four fresh cases, sixteen remaining sick; fever generally prevalent; cattle-disease in Gorabari and Sujawal talukas; early *rabi* crops coming on; prices—wheat, red rice and *bajri* in Kurrachee 24, 28 and 32; Sehwan 32 and 36; Sakro 16, 28 and 42, and Shahbandar 20, 32 and 40 lbs. per rupee, respectively.
Hyderabad	. . . .	Weather unseasonably warm; fever in eight, small-pox in three, and cattle-disease in four talukas; prices of grains steady.
Ahmedabad	. . . .	*Rabi* sowing progressing; slight fever in Viramgam, Dholka, and Modasa; *bajri* 29 and wheat 25½ pounds per rupee.
Baroda	. . . .	Slight cholera in Naosari mahal still continues; fever in some parts of Naosari and Kadi Divisions; harvesting of *kharif* and sowing of *rabi* almost completed; prices—*bajri* 33 and rice 24 pounds per rupee.
Surat	. . . . .	Crops healthy; fever and cholera more or less in some talukas; *juari* 37 and *nagli* 45 pounds per rupee.
Nasik	No rain	*Kharif* reaping and *rabi* sowing nearly completed; *rabi* crops where sown have germinated well; locusts have damaged crops in parts of Baglan, Kalwan, and Dindori; public health good; fever in Kalwan taluka; wheat 31, *bajri* 32, and rice 25 pounds per rupee.
Colaba (Bombay)	No rain	Abnormal temperature 0° to 3° cool; vapour in air defective; wind normal.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay—*concld.*		
Poona	. . . . .	Sowing of *rabi* nearly completed, *bajri* 44 and *juari* 52; in Poona *bajri* 34 and *juari* 43 pounds per rupee.
Ahmednagar	No rain	*Bajri* reaping finished; *rabi* sowing continued; locusts in Shrigonda cattle-disease in Newasa; *bajri*—maximum 55 pounds per rupee in Sheogaon, minimum 39 lbs. in Nagar; *juari*—maximum 72 lbs. in Jamkhed, minimum 54 lbs. in Sangamner.
Sholapore	No rain	Cholera in Malsiras taluka, 30 cases, 12 fatal; sowing of *rabi* completed; *juari* 63 and *bajri* 54 pounds per ruppee.
Dharwar	. . . . .	Rice crops being reaped; reaping of other early crops commenced sowing of late crops nearly completed; cholera at Medleri in Ranebennur, out of 5 cases, 4 fatal; fever in five and cattle-disease in one taluka; rice 25 to 41 and *juari* 45 to 88 pounds per rupee.
Kanara	. . . . .	Fever in Halliyal and Mundgud; small-pox in Kumpta and Honawar, 9 cases, 1 death in Siddapur; preparing land for cultivating second rice crops on coast; common rice at Karwar 11½, disrict average 15 seers per rupee.
Rajkot	. . . . .	Weather cold; fever continues in some parts; *bajri* 31 and *juari* 35 pounds per rupee. *General Remarks.*—River still falling in Sind; damage from locusts continues in parts of Nasik; *kharif* harvesting and *rabi* sowing completed in most districts; fever general: slight cholera and small-pox in seven, and cattle-disease in ten districts.
Bengal—(Nov. 29th)		
Chittagong	*Nil*	Yield of rice will not be favourable; earlier sorts of the crop being harvested; prices steady; cattle-disease lingers; public health good.
Dacca	*Nil*	Paddy being cut; sowing of pulses continues; prospects fair, but some damage to crops apprehended for want of rain.
24-Pergunnahs	*Nil*	Prospects of late rice continue unfavourable; average outturn estimated at from eight to ten annas; cultivation of *rabi* crops much hindered by want of rain; price of common rice varies from 12 to 19 seers per rupee; public health generally good; sporadic cases of cholera reported from the Baraset, Barrackpore, and Dum Dum sub-divisions, and fever prevalent in the Bussirhat sub-division.
Moorshedabad	*Nil*	Weather overcast; harvesting of late rice has commenced; the crop is a total failure, except on irrigated and low-lying lands; cold weather crops have generally suffered from drought, but *teel, arhar* and *kalai* are doing fairly well; prices falling slightly; public health good, except in the north, where fever is still prevalent.
Rajshahye	*Nil*	Some of the *amun* rice being reaped; in Nattore yield will not be good; transplanted paddy will be about a 4-anna crop; paddy on low lands may average 6 annas for the whole district; *rabi* crops want rain.
Burdwan	*Nil*	State of *amun* rice and *rabi* crops bad; sowing of *rabi* crops partially stopped for want of rain; sugarcane also suffering; public health fair.
Rungpore	*Nil*	Weather seasonable; prospects of *amun* rice bad, other crops fair; prices stationary; fever prevalent.
Bhagulpore	*Nil*	*Rabi* sowings still going on, the soil being moistened by irrigation wherever this is possible; prospects of *rabi* crops not good; a good deal of rice which suffered from drought has been cut as fodder price of rice 13 seers 14 chittacks per rupee.
Purneah	*Nil*	Prospects of crops not good; *rabi* sowings going on; price common rice 15 seers per rupee; much fever and a few cases of cholera reported.
Patna	*Nil*	Harvesting of paddy has commenced; *rabi* germinating well rain wanted; public health good.
Durbhanga	*Nil*	There will be a six to eight-anna rice crop in the north of the district, but less in the centre, and very little indeed in the south; unless rain falls within the next few days the *rabi* will be destroyed entirely; prices very high; fever very prevalent, though not in an epidemic form.
Hazareebagh	*Nil*	Weather clear and cold; harvesting of paddy continues; prospects of *rabi* crops not favourable owing to want of rain; common rice selling at 15 seers per rupee; general health good.
Cuttack	*Nil*	Earlier sorts of *sarad* rice being cut; later kinds flowering in some places; crops on high lands partially suffering from drought; common rice selling at 20 seers per rupee at Cuttack, and 28 to 36 seers in the interior; public health good. *General Remarks.*—There has been no rain in any part of the province; the rice crop has to a great extent failed, and will be very poor; the prospects of the *rabi* crops also are generally reported to be very unfavourable; want of rain is very much felt for the progress of the *rabi* sowings, and for the growth of the crops already sown; prices are high all over the province; in some districts they are rising still, in some they remain stationary, and in others they are falling slightly; fever, as usual at this season, is prevalent in some districts, otherwise the public health is satisfactory.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
N.-W. Provinces and Oudh—		
Benares . (Nov. 27th)	*Nil*	Prospects of *rabi* harvest good, but rain is somewhat wanted; health of men and cattle good; prices rising slightly.
Allahabad . (" 28th)	*Nil*	*Rabi* sowings nearly completed; crops doing well; irrigation where possible in progress, health good; prices risen; prospects good.
Gorakhpore . (" 26th)	*Nil*	*Rabi* prospects poor; prices slightly rising.
Jhansi . (" ")	*Nil*	Harvesting of *kharif* commenced; the area sown with *rabi* is smaller than usual and the crops are germinating.
Agra . (" 27th)	*Nil*	The *rabi* sowings continue with irrigation where possible; health good; prices steady.
Bareilly . (" ")	*Nil*	Prices steady; health of people and cattle good.
Meerut . (" ")	*Nil*	*Rabi* sowings completed; crops generally germinating well; rain would be beneficial; health good; prices steady and supplies sufficient.
Kumaun . (" ")	*Nil*	Clouds collected, but have gone; *rabi* germinating well; health good; cattle-disease still prevalent, but slighter; prices stationary.
Lucknow . (" ")	*Nil*	Weather cold with west wind; *bajri* and *mash* are being cut; cultivators irrigating their newly sown *rabi* crops; condition of people good; markets well supplied; prices stationary.
Partabgrah . (" ")	. . . . .	Prices show a slight rise; *rabi* sowings still continue; *jarhan* being cut everywhere; outturn in parts of Kunda fair, but in the remaining tahsils very poor; small-pox in one or two villages in Kunda tahsil; general health good.
Sitapur . (" ")	. . . . .	Clear during week with light west wind; *rabi* being irrigated; health good.
Fyzabad . (" ")	*Nil*	*Rabi* crops germinating fairly; condition of people good and of cattle normal; markets well supplied; prices almost steady.
Cawnpore . (" ")	*Nil*	Prospects of *rabi* crops on irrigated land good; sowing nearly finished; general health of people good and no sickness amongst cattle; prices cheaper.
Rae Bareli . (" 26th)	*Nil*	*Rabi* crops geminating fairly, *kharif* is being harvested; general health good, except a few cases of small-pox in tahsil Rae Bareli; markets well supplied; prices almost steady.
Farukhabad . (" 27th)	. . . . .	Weather seasonable, clear sky throughout the week; fever diminished; *rabi* well up, but rain wanted.
		General Remarks.—No rain has fallen; the *rabi* prospects are generally fair; the markets are sufficiently supplied, and prices in most districts steady; a few cases of small-pox are reported in Rae Bareli and Partabgarh, and there is some fever in Saharanpur and Farukhabad, otherwise the public health is good.
Punjab—		
Delhi . (Nov. 28th)	. . . . .	Health good; *rabi* sowings nearly completed; prices almost stationary.
Hissar . (" ")	. . . . .	Health good; crop prospects unchanged; prices steady.
Umballa . (" ")	. . . . .	Health good; *rabi* sowings in progress; prices stationary.
Jullundur . (" ")	. . . . .	Health good; *rabi* sowings in progress; prices steady.
Lahore . (" ")	. . . . .	Health and crop prospects good; prices stationary.
Ferozepur . (" ")	. . . . .	Health and crop prospects good; prices stationary.
Sialkot . (" ")	. . . . .	Health and crop prospects good; prices stationary.
Rawalpindi . (" ")	. . . . .	Health and crop prospects good; rise in prices.
Peshawar . (" ")	. . . . .	Small-pox and fever prevalent; prices falling.
Mooltan . (" ")	. . . . .	Health good; *rabi* sowings nearly finished; prices steady.
D. I. Khan . (" ")	. . . . .	Health and crop prospects good; prices stationary.
Amritsar . (" ")	. . . . .	Health good; prices fluctuating.
		General Remarks—There has been no rain during the week; the health of the province, except in the Peshawar district, is good; *rabi* sowings still continue, but are nearly finished.
Central Provinces—		
Nagpur . (Nov. 27th)	. . . . .	Weather cool and clear; rice and other crops being cut; *rabi* sowings finished; prices stationary.
Jubbulpore . (" ")	. . . . .	Weather clear and cold; *kharif* crops being reaped; cotton picking continues; *rabi* sowings progressing; prospects favourable; wheat 24 and rice 15 seers per rupee; health good.
Saugor . (" ")	. . . . .	Occasionally cloudy; *kharif* harvest in progress; *rabi* crops favourable; prices steady; health fair.
Seoni . (" ")	. . . . .	Weather clear and cold; reaping of rice progressing; fever unusually prevalent; prices stationary.
Hoshangabad (" ")	. . . . .	Weather seasonable; prospects good; *rabi* sowings completed; cotton picking in progress; fever prevalent; wheat 16 and rice 10 seers per rupee.
Raipur . (" ")	. . . . .	Weather cool and pleasant; harvesting of rice and *tili* continues; cotton picking in progress; *rabi* sowings finished; public health good; prices fluctuating; common rice 29¼ and wheat 26½ seers per rupee.
Sambalpur . (" 24th)	. . . . .	Weather cold and clear; prospects good; harvesting in progress; later rice ripening; health good; common rice 28¾ seers per rupee.
Khandwa . (" ")	. . . . .	Weather clear; *rabi* sowings continue; one death from cholera; prices steady.
		General Remarks.—*Kharif* harvesting almost completed; *rabi* sowings continue in some districts; prospects favourable; health fair.

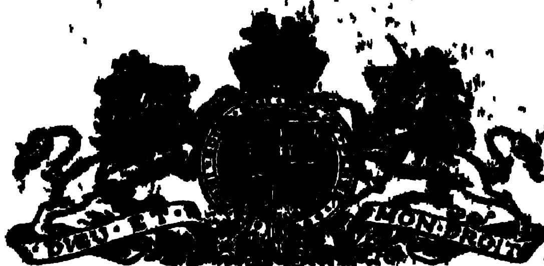
Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
British Burma—		
Akyab (Nov. 17th)	. . . . .	Report not received.
Kyoukpyu . . .	. . . . .	Report not received.
Sandoway . . .	. . . . .	Report not received.
Rangoon (Nov. 17th)	. . . . .	One death from small-pox, otherwise public health good; paddy no supplies; prices nominal.
Hanthawaddy („ „)	. . . . .	Public health and health of cattle good; ploughing and sowing completed; paddy area about 1,720 acres more than last year; rain of past 8 or 10 days has done great good; if no more rain falls full crop expected; general appearance of crops good; prices of paddy from Rs. 90 to 95 per 100 baskets.
Pegu . . („ „)	For week ending 10th Nov. 1·32 For week ending 17th Nov. 3·50	Public health good; cattle-disease slight; scarcely any damage to crops from high winds last week; generally a great improvement on higher lands; prospects unusually good throughout; total rainfall 124 inches.
Tharrawaddy (Nov. 3rd)	0·10	Public health good; two deaths of cattle reported; about 251,606 acres of paddy land have been ploughed and 229,798 acres planted; crops reported in good condition; about 170 acres have been reaped in the Sangwe township; price of paddy from Rs. 95 to 115 per 100 baskets; total rainfall 100·07 inches.
„ . („ 10th)	3	Public health and health of cattle good; slight damage to crops in Gyobingook from floods; paddy area about 22,604 acres more than past year; the later paddy and the crops on high lands suffering in parts from drought; general appearance favourable; price of paddy Rs. 95 to 150 per 100 baskets; total rainfall 103·07 inches.
„ . („ 17th)	. . . . .	Report not received.
Prome . . .	4·53	Public health and health of cattle good; ploughed fields all planted out, but the area 1,379 acres less than last year; this decrease is attributed to deficient rainfall on higher lands; heavy rains of week have done some damage to plants in Paungde Sub-division but have on the whole much improved the prospects of crops throughout the district; price of paddy Rs. 85 per 100 baskets; total rainfall 52·69 inches.
Bassein . . .	14·87	Public health good; 17 deaths of cattle; heavy rain of week has irretrievably spoilt the reaped paddy, one-third of planted, and one-fifth of sown; ordinary crops, judging from fields near Bassein, are badly injured, only later crops have benefited; price of paddy Rs. 100 to 120 per 100 baskets; total rainfall 103·64 inches.
Thongwa . . .	6 87	Public health and health of cattle good; slight damage from drought reported from Shwelaung and Pautonaw townships and from wild elephants from Dedaye; price of paddy Rs. 85 to 100 per 100 baskets; total rainfall 94·09 inches.
Henzada . . .	5·90	Public health and health of cattle good; prospects of crops in Myanoung Sub-division much improved; great damage has been caused in Kyangin by floods; rice selling at Rs. 5 a basket; total rainfall 86·63 inches.
Thayetmyo . . .	6·28	Public health good; 56 deaths of cattle; crop mostly in ear; heavy rain of week has prevented much loss; crops will be two-fourths or one-half short; price of paddy Rs. 100 per 100 baskets; total rainfall 47·28 inches.
Amherst . . .	. . . . .	Public health and health of cattle good; ripening crops very good; reaping commenced; paddy area estimated to be 20,000 acres more than last year; some damage has been caused by drought and inundation by sea; season's loss has been averted by late rain.
Moulmein town . .	1·21	Public health and health of cattle good; about 1,315 acres under paddy; about 200 acres have been reaped, outturn about 5,000 baskets; wages of reaping 8 annas per day, by contract about Rs 3-4 per acre; condition of ripening paddy good; outlook favourable; opening price of paddy Rs. 88 per 100 baskets; total rainfall 166·28 inches.
Shwegyin . . .	1·30	Public health and health of cattle good; harvest prospects promising; price of paddy Rs. 88 per 100 baskets; total rainfall 139·52 inches.
Tavoy . . .	·65	Public health and health of cattle good; prospects of crops very good; reaping of early paddy progressing; total rainfall 195·44 inches.
Mergui . (Nov. 3rd)	1·15	Public health good; crops and cattle healthy; reaping has commenced in some places; but the main portion of the crops is unripe yet; 35 acres destroyed by flood; price of paddy Rs. 80 per 100 baskets; total rainfall 169·79 inches.
„ . („ 10th)	1·40	Public health good; cattle healthy; reaping has commenced in some places, but the main portion of the crop is unripe yet; price of paddy Rs. 80 per 100 baskets; total rainfall 171·19 inches.
Toungoo . .	·61	Public health and health of cattle good; prospects of crops good; total rainfall 9·08 inches.
		General Remarks.—Public health good; no excessive mortality among cattle except in Thayetmyo, where there has been a slight increase of disease; rainfall for the week has been considerably in excess of the fall last year in the same week; all over the province and in the four districts of the Irrawaddy Division, the fall has been heavy; Bassein had unprecedentedly heavy rain for this time of the year; the rain has on the whole done great good to the

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
		paddy crop; in Bassein however damage has been caused to some reaped paddy and to a considerable area of standing crop by the excessive rain; the prospects in the chief paddy-producing districts, Hanthawaddy, Pegu, Thongwa, Tharrawaddy, and Amherst, are excellent; a larger area is under paddy than last year, and full crops are expected; the prospects in Henzada, which is also a large paddy-growing and exporting district, are good; the rain appears to have come too late in Prome and Thayetmyo to retrieve the loss in crop and deficiency in cropped area caused by the past unseasonable drought; on the whole there is promise of a full crop on a larger area than last year.
Assam—		
Gauhati . (Nov. 28th)	No rain	Weather seasonable; mornings foggy; prospects of *sali* crops not satisfactory for want of rain; sowing of mustard in progress; public health fair.
Sylhet . . .	*Nil*	Prospects of crops fair; cholera and small-pox reported from parts of interior.
Cachar . . .	*Nil*	Weather cold; reaping of *sali* crops continues, sowing of winter crops not finished; common rice 16 seers per rupee; public health good.
Dibrugarh . . .	0·21	Weather cloudy; reaping of sali *dhan* commenced; cholera reported in the station.
Mysore and Coorg—		
Bangalore . . } Mysore . . . }	*Nil*	Crops in good condition, harvesting of *ragi* commenced; agricultural operations in active progress throughout the province; prospects good; cholera still prevalent in Davangere taluk, Shimoga district; public health otherwise good; no material change in prices.
Mercara . . .	*Nil*	Picking and pulping of coffee proceeding, outturn good and will fully realize estimates; rice crop ripening fast.
Berar & Hyderabad—		
Amraoti (Nov. 28th)	. . . .	Weather cool, *kharif* harvest in progress, *rabi* sowings continue; cotton picking in hand, wheat 16 and *juari* 26 seers per rupee.
Akola	. . .	Reaping of *kharif* crops and cotton picking progressing, *rabi* sowings continue.
Hyderabad (Nov. 28th)	*Nil*	Sowing of *rabi* and reaping of *abi* crops continue; fever and ague prevailing in some talukas; no cattle-disease; prices—wheat 15, coarse rice 11⅓, white *juari* 24, yellow *juari* 30, and *tur* 20¼ seers per current sicca rupee.
Central India States—		
Indore . (Nov. 28th)	*Nil*	Health good; weather seasonable; prices slightly less than last week.
Morar (Gwalior) . .	*Nil*	Health good; weather seasonable.
Sutna	*Nil*	Health good.
Neemuch	*Nil*	*Rabi* crops thriving, public health good.
Goona	. . . .	Health and prospects good.
Agar	*Nil*	Health and prospects good.
Nowgong	*Nil*	Weather fair, health good, prices falling.
Bhopawur . . } Manpur . . }	*Nil*	Prices stationary; sixteen cases of cholera reported at Dharampur, Dhar of which nine were fatal.
Sehore	*Nil*	Weather clear; crops and public health good.
Rajputana—		
Abu . (Nov. 28th)	. . .	Weather seasonable.
Sirohee . („ 25th)	. . .	Tanks, wells, and health good; crops being sown; weather seasonable.
Marwar . („ 23rd)	. . .	Three months' water in Jodhpore city; tanks and wells almost full, health good, *kharif* gathered; *rabi* sowing still continues; weather partially cloudy and moderately cold, night close and warm, [indi-]cations of rain. prices stationary.
Meywar . („ 25th)	. . . .	Tanks, wells, health, and crop prospects good; weather seasonable.
Harowtee . („ 24th)	. . . .	Weather seasonable; health good.
Jhallawar („ 23rd)	. . . .	Weather seasonable; health and prospects good.
Ajmere . („ 27th)	. . . .	*Rabi* sowings completed; weather cold and seasonable.
Jeypore . („ „)	. . . .	Weather seasonable; prices steady, health good.
Ulwur . („ „)	. . . .	*Rabi* sowing continues; prices steady; health good.

E. C. BUCK,

Secretary to the Government of India.

Printed & published for the GOVT. OF INDIA *at the Office of* SUPDT. GOVT. PRINTING, *166, Dhurrumtollah Street, Calcutta.*




The Gazette of India.

PUBLISHED BY AUTHORITY.

No 49.] CALCUTTA, SATURDAY, DECEMBER 8, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

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PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Fort William, the 4th December, 1883.

No. 21.—His Excellency the Viceroy and Governor General has been pleased to accept the resignation by the Hon'ble Sayyad Ahmad Khán, Bahádur, C.S.I., of his office of Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations.

No. 22.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 & 25 Vic., cap. 67, section 10, has been pleased to nominate Mr. Amír Alí, Barrister-at-Law, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations.

The 7th December, 1883.

No. 23.—The following Statutes are published for general information:—

45 & 46 VICT., CHAPTER 45.

An Act to make provision for the transfer of the Assets and Liabilities of the Provident Branch of the Bombay Civil Fund and other Funds to the Secretary of State for India in Council. [*18th August 1882.*]

WHEREAS an institution known as the Provident Branch of the Bombay Civil Fund (founded on the Bombay Civil Fund of earlier date) was established in Bombay under the authority given by the Court of Directors of the East India Company in a public despatch to the Governor in Council at Bombay, dated the thirty-first of December one thousand eight hundred and twenty-four, the said Provident Branch having a separate capital for making provision for such of the civil servants of the said company as should be obliged by ill-health to leave India either temporarily or permanently, and for the granting of annuities to the widows and children of its members and of portions for the children of members, and the said fund was supported by the subscriptions of the civil servants of the said company and by certain contributions from the said company;

And whereas in a Financial despatch to the Government of India, dated the twenty-first of July one thousand eight hundred and eighty-one, certain changes respecting the grant of annuities to widows were authorised by the Secretary of State for India in Council, and certain terms were stated on which the Secretary of State for India in Council was willing to take over the assets, liabilities, and management of the said institution:

And whereas in accordance with the instructions contained in the aforesaid despatch the Government of India caused the inquiry to be made, whether upon the terms offered by the Secretary of State for India in Council in the said despatch the subscribers to the said fund were willing to surrender the accumulated fund to the Secretary of State for India in Council; and the proposition so to make over the accumulated fund on the terms

offered by the Secretary of State for India in Council was carried in the affirmative by the subscribers by a large majority of votes :

And whereas in order to avoid any doubt that may arise in regard to the legality of such transfer it is necessary to make provision by law for enabling the trustees of the said fund to transfer the assets and liabilities thereof to the Secretary of State for India in Council, and for enabling the Secretary of State for India in Council to accept the same :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Assets, &c., of Provident Branch of Bombay Civil Fund transferred to Secretary of State.

1. It shall be lawful for the trustees of the Provident Branch of the Bombay Civil Fund to transfer to the Secretary of State for India in Council the assets and liabilities of the fund, including any assets and liabilities to which the said trustees may have succeeded as representing the trustees of the earlier fund at Bombay, and for the Secretary of State for India in Council to accept the same.

Payments charged on said fund to be payable from revenues of India.

2. As soon as the assets and liabilities of the said fund, including as aforesaid, shall be transferred to the Secretary of State for India in Council, and the acceptance thereof by the Secretary of State for India in Council notified by the Government of India, all existing liabilities of the said fund shall be deemed to be liabilities of the revenues of India, and all such liabilities may be enforced against the Secretary of State for India in Council in like manner as they might have been enforced against the trustees of the said fund if this Act had not been passed ; and every civil servant, or widow or child of a civil servant, who shall at the date of such notification be an incumbent of an annuity from the said fund or from any earlier fund, the assets and liabilities of which shall have been transferred as aforesaid, shall be entitled to receive from time to time the amount of such annuity from the revenues of India ; and every civil servant, and every widow or child of a civil servant, who shall be a subscriber to the said fund, or shall be an incumbent annuitant of the said fund at or after the date of such notification, shall be entitled to the benefits to which they are entitled under the existing rules at the date of the passing of this Act, with the additional benefit in the case of widows of a pension of sixty pounds per annum, such additional benefit to take effect as from the first of April one thousand eight hundred and eighty-two.

Provided that nothing in this Act contained shall be held to preclude the Secretary of State for India in Council from assigning to the incumbents on and subscribers to the said fund, or to any such widow or child as aforesaid, any benefits in addition to those secured to them by this Act, if on considering the assets and liabilities of the said fund the Secretary of State for India in Council shall deem it reasonable so to do.

How notifications, &c., to be given.

3. All notifications or applications on the part of the subscribers to or beneficiaries under the said fund which are required or prescribed by the rules of the said fund as existing at the date of this Act shall be given and made in such manner and to such person or persons as the Secretary of State for India in Council shall from time to time appoint.

Powers of trustees of fund vested in Secretary of State.

4. From and after the passing of this Act there shall vest in the Secretary of State for India in Council all powers and authorities, discretionary or otherwise, which were prior to the date of this Act vested in the trustees of the said fund, or the subscribers thereto in general meeting : Provided always, that notwithstanding anything herein contained, the Secretary of State for India in Council shall, as far as may be practicable, conform to and adopt the practice heretofore followed in the management of the said fund.

Saving for subscribers' claims.

5. Provided that nothing in this Act shall prejudice any claim which may be made by any subscriber to or beneficiary under the said fund, or by the representatives of any such subscriber or beneficiary upon the funds so transferred, and in case any question shall arise between any such subscriber, or the representatives of any deceased subscriber, or the widow or a child of any such subscriber, or the representatives of any such widow or child on the one hand, and the Secretary of State for India in Council on the other, as to any liability or alleged liability of the said fund, such question shall be determined by Her Majesty's Court of Appeal in such manner as may be provided by any General Orders, or as the said Court may on special application think fit to prescribe, anything in the Statute of Limitations to the contrary notwithstanding.

Assets, &c., of Bengal and Madras Funds may be transferred to Secretary of State, after vote.

6. And whereas it may be expedient that the Secretary of State for India in Council should have authority in like manner to accept the transfer of the assets, liabilities, and management of other institutions, known as the Bengal Civil Fund and the Madras Civil Fund, with the consent of the subscribers to the said institutions respectively : It shall be lawful for the managers or trustees to make over the assets, liabilities, and management of both or either of the said funds, and for the Secretary of State for India in Council to take and assume the same upon such terms as the Secretary of State for India in Council may approve, if at any time hereafter it shall appear by a vote, specially taken for the purpose, that a majority of not less than three-fourths of the subscribers to those institutions who may vote upon the question are in favour of such transfer.

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45 & 46 VICT., CHAPTER 55.

An Act to amend the Law with respect to the Charges on and Payments to the Mercantile Marine Fund, and to Expenses of Prosecutions for Offences committed at Sea. [*18th August 1882.*]

WHEREAS with a view to the adjustment of the receipts and expenditure under the Merchant Shipping Acts between the Mercantile Marine Fund and moneys provided by Parliament it is expedient to make the provision hereinafter mentioned :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assem-

lied, and by the authority of the same, as follows:—

Short title and construction.

1. This Act may be cited as the Merchant Shipping (Expenses) Act, 1882.

This Act shall be construed as one with the Merchant Shipping Acts, 1854 to 1880, and together with those Acts may be cited as the Merchant Shipping Acts, 1854 to 1882.

17 & 18 Vict. 104, &c.

Commencement of Act.

2. This Act (save as is in this Act otherwise expressly provided) shall come into operation on the first day of April, one thousand eight hundred and eighty-three, which day is in this Act referred to as the commencement of this Act.

Charges on Mercantile Marine Fund.

3. There shall be charged on and payable out of the Mercantile Marine Fund the following sums, so far as they are not paid by any private person:—

(a) The salaries of all surveyors and officers appointed, and all expenses incurred in connection with the survey and measurement of ships under the Merchant Shipping Acts, 1854 to 1876:

(b) The salaries and expenses of persons employed under the Passengers Act, 1855, as amended by the Merchant Shipping Act, 1872:

18 & 19 Vict. 119.

35 & 36 Vict. 73.

(c) The superannuation allowances, gratuities, pensions, and other allowances granted either before or after the passing of this Act to any of the said surveyors or persons:

(d) The expenses of obtaining depositions, reports, and returns respecting wrecks and casualties:

(e) The allowances and expenses paid for the relief of distressed British seamen and apprentices, including the expenses declared by any of the Merchant Shipping Acts, 1854 to 1882, to be payable as such expenses, and any contributions to seamen's refuges and hospitals:

(f) Any sums which the Board of Trade, in their discretion, think fit to pay in respect of claims to moneys carried to the Mercantile Marine Fund on account of the wages and effects of deceased seamen, or on account of the proceeds of wreck:

(g) All costs and expenses incurred by the Board of Trade under the Boiler Explosions Act, 1882 (so far as not otherwise provided for) including any remuneration paid in pursuance of section seven of that Act, and any costs and expenses ordered by the court in pursuance of that Act to be paid by the Board of Trade.

45 & 46 Vict. 22.

Payments to the Mercantile Marine Fund.

4. There shall be accounted for and paid to the Mercantile Marine Fund—

(a) All fees, charges, and expenses payable in respect of the survey or measurement of ships under the Merchant Shipping Acts, 1854 to 1876:

(b) All fees and other sums payable in respect of any services performed by any person employed under the authority of the Passengers Act, 1855, as amended by the Merchant Shipping Act, 1872:

(c) The net proceeds of wreck which otherwise would be payable into the Exchequer under section four hundred and seventy-five of the Merchant Shipping Act, 1854, as amended by section fifty-three of the Merchant Shipping Act Amendment Act, 1862:

25 & 26 Vict. c. 63.

(d) The moneys arising from the unclaimed wages and effects of deceased seamen, except where the same are required to be paid as directed by the Accountant General of Her Majesty's navy:

(e) All such sums in respect of expenses incurred with respect to distressed seamen and apprentices as are recovered by the Board of Trade under section two hundred and thirteen of the Merchant Shipping Act, 1854, and the enactments amending the same:

(f) All costs and expenses ordered by the court to be paid to the Board of Trade in pursuance of the Boiler Explosions Act, 1882.

All the fees in this section mentioned shall be paid at such times and in such manner as the Board of Trade from time to time direct.

Subsidy out of moneys provided by Parliament to the Mercantile Marine Fund.

5. There shall be paid to the Mercantile Marine Fund out of moneys provided by Parliament an annual sum of forty thousand pounds, or after the expiration of five years from the commencement of this Act such other sum as may be from time to time determined by the Commissioners of Her Majesty's Treasury, with the concurrence of the Board of Trade, having regard to the receipts and expenditure of the Mercantile Marine Fund under sections three and four of this Act.

Suspension of fees on engagements and discharges under 17 & 18 Vict. c. 104, s. 125.

6. The Board of Trade may, if they think fit, at any time after the passing of this Act, abolish or suspend the fees payable upon engagements and discharges effected before shipping masters in pursuance of section one hundred and twenty-five of the Merchant Shipping Act, 1854, and in the event of such abolition, or pending such suspension, no deduction shall be made in pursuance of section one hundred and twenty-six of the said Act from the wages of any person engaged or discharged.

Audit of accounts of Mercantile Marine Fund.

7. The accounts of the Mercantile Marine Fund shall be deemed to be public accounts within the meaning of section thirty-three of the Exchequer and Audit Departments Act, 1866, and shall be examined and audited accordingly.

29 & 30 Vict. c. 39.

Grant of pension to existing officers.

8. Where a surveyor appointed under the Merchant Shipping Acts, 1854 to 1876, or a person employed under the Passengers Act, 1855, has in pursuance of section thirty-nine of the Merchant Shipping Act, 1876, received during part of his term of service his salary out of moneys provided by Parliament, his service during the period that his salary was paid out of moneys provided by Parliament, and his service during the period that his salary was paid out of the Mercantile Marine Fund shall be reckoned indifferently as the same service for the purpose of entitling him to any superannuation allowance, gratuity,

39 & 40 Vict. c. 80.

pension, or other allowance, out of the Mercantile Marine Fund.

Costs of prosecution for offences committed at sea.

9. Such costs and expenses of and incidental to any prosecution for a felony or misdemeanour as are by law payable out of any county or other local rate shall, where such felony or misdemeanour was committed within the jurisdiction of the Admiralty of England, be paid in the same manner and subject to the same regulations as if such felony or misdemeanour had been committed in the county in which the same is heard and determined, or when the same is heard and determined at the Central Criminal Court as if the same had been committed in the county of Middlesex, and all sums properly paid out of any county or other local rate in respect of the said costs and expenses shall be repaid out of moneys provided by Parliament.

The expenses under section two hundred and sixty-eight of the Merchant Shipping Act, 1854, of imprisoning any such offender as therein mentioned, and of conveying him and the witnesses to the United Kingdom, or to such British possession as mentioned in that section, in any manner other than in the ship to which they respectively belong, shall, where not paid as part of the costs of the prosecution, be paid out of moneys provided by Parliament.

Repeal.

10. The Acts in the Schedule to this Act shall be repealed to the extent in the third column of that Schedule mentioned, without prejudice to anything done or suffered, or any right acquired or accrued in pursuance of the enactments hereby repealed.

SCHEDULE.

ENACTMENTS REPEALED.

A description or citation of a portion of an Act in this Schedule is inclusive of the word section or other part first and last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion described in the description or citation.

Section and chapter.	Title.	Extent of Repeal.
7 Geo. 4 c. 64	An Act for improving the administration of criminal justice in England.	Section twenty-seven.
4 & 5 Will. 4. c. 36	An Act for establishing a new court for the trial of offences committed in the metropolis and parts adjoining.	Section twenty-two from "and that it shall and may be lawful for any three" to the end of the section.
7 & 8 Vict. c. 2	An Act for the more speedy trial of offences committed on the high seas.	Section one from "and it shall be lawful for the court to order" to the end of the section.
17 & 18 Vict. c. 104	The Merchant Shipping Act, 1854.	Section two-hundred and two from "and subject to the provision hereinafter contained" to the end of the section. Section two hundred and eleven from "out of any money applicable" to "for the purpose." Section two hundred and sixty-eight from "and the expense of imprisoning" to the end of the section. Section four hundred and twenty-eight.
39 & 40 Vict. c. 80	The Merchant Shipping Act, 1876.	Section thirty-nine from the beginning down to "vested in the Board of Trade," and the words "there may be paid out of moneys provided by Parliament all costs and compensation payable by the Board of Trade in pursuance of this Act."
40 & 41 Vict. c. 44	The Superannuation (Mercantile Marine Fund Officers) Act, 1877.	The whole Act.

45 & 46 VICT. CHAPTER 76.

An Act to amend the Merchant Shipping Acts, 1854 to 1880, with respect to Colonial Courts of Inquiry. [*18th August 1882.*]

17 & 18 Vict. c. 104, &c.

WHEREAS it is expedient to amend the Merchant Shipping Acts, 1854 to 1880, with respect to Inquiries held in British possessions abroad into charges of incompetency or misconduct on the part of masters, mates, or engineers of ships, or into shipwrecks or other casualties affecting ships:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Merchant Shipping (Colonial Inquiries) Act, 1882.

Construction of Act.

2. This Act shall be construed as one with the Merchant Shipping Act, 1854, and the Acts amending the same, and the said Acts and this Act may be cited collectively as the Merchant Shipping Acts, 1854 to 1882.

Colonial courts or tribunals to have jurisdiction to make inquiry into charges of misconduct or incompetency and shipping casualties in certain cases occurring outside the limits of the colony.

3. Every court or tribunal which is already authorised or which may hereafter be authorised by the legislative authority in any British possession to make inquiry into charges of incompetency or misconduct on the part of masters, mates, or engineers of ships, or as to shipwrecks or other casualties affecting ships, shall in the cases following; that is to say,

I. When the incompetency or misconduct has occurred on board of a British ship on or near the coasts of the British possession or on board of a British ship in the course of a voyage to a port within the British possession:

II. When the incompetency or misconduct has occurred in any part of the world on board a British ship registered in the British possession:

III. When the shipwreck or casualty occurs to a British ship on or near the coasts of the British possession or to a British ship in the course of a voyage to a port within the British possession:

IV. When the shipwreck or casualty occurs in any part of the world to a British ship registered in the British possession:

V. When the master, mate, or engineer of a British ship who is charged with incompetency or misconduct on board of such British ship is found in the British possession:

VI. When some of the crew of a British ship which has been wrecked or to which a casualty has occurred, and who are competent witnesses to the facts, are found in the British possession:

wherever the incompetency, misconduct, shipwreck, or casualty has occurred, have the same jurisdiction as such court or tribunal would have had if such incompetency, misconduct, shipwreck, or casualty had occurred within the ordinary jurisdiction of such court or tribunal, but subject to all provisions, restrictions, and conditions which would have been applicable if they had so occurred: Provided that no inquiry shall be held under this Act into any shipwreck, or other casualty, or charge of incompetency or misconduct, which has once been the subject of such an inquiry and has been reported on by any competent court or tribunal in any part of Her Majesty's dominions, or in respect of which the certificate of a master, mate, or engineer has been suspended or cancelled by a naval court; and provided also, that where any inquiry has been commenced in the United Kingdom no inquiry shall be made in the same case under the authority of this Act in any British possession.

In all the above cases the "British possession" shall mean the British possession by the legislative authority whereof the court or tribunal is authorised to make inquiry.

Colonial legislative authorities empowered to authorise inquiries into shipping casualties and charges of misconduct and incompetency in certain cases.

4. The legislative authority in any British possession is hereby empowered to authorise courts or tribunals to make inquiries in the cases enumerated in the last preceding section of this Act into charges of incompetency or misconduct on the part of masters, mates, or engineers of ships, or as to shipwrecks or other casualties affecting ships, subject to the provisions in the last preceding section of this Act mentioned.

Suspension or cancellation of certificates.

5. The powers of suspending or cancelling the certificate of any master, mate, or engineer of a ship, conferred by the provisions of the Merchant Shipping Acts, 1854 to 1880, upon or after any inquiry or investigation held under the provisions of the said Acts, shall be applicable to and be exercised upon or after any inquiry by any court or tribunal authorised by this Act, or authorised by the legislative authority of any British possession under the powers conferred by this Act. Such power of suspension or cancellation shall be exercised by the court or tribunal holding the inquiry in the manner provided by section twenty-three of the Merchant Shipping Act Amendment Act, 1862, and the Board of Trade shall in such cases have all the powers conferred upon them by the said section.

[25 & 26 Vict. c. 63.]

Appeal from colonial courts.

6. Whenever any inquiry authorised by or in pursuance of this Act has been held, a rehearing for the case may be ordered, and if an application for such rehearing has not been made or has been refused, an appeal shall lie from any order of finding of the court or tribunal holding such inquiry to the following court, namely, the Probate, Divorce, and Admiralty Division of Her Majesty's High Court of Justice in England.

Provided always, that no appeal shall lie from any order or finding in an inquiry into a casualty affecting a ship registered in a British possession, or from any decision respecting the suspension or cancellation of the certificate of a master, mate, or engineer, unless such certificate has been granted under the authority of the Merchant Shipping Act, 1854, or any Act amending the same, or of the Merchant Shipping Colonial Act, 1869.

32 & 33 Vict. c. 11.

Any such appeal shall be subject to and conducted in accordance with such conditions and regulations as may from time to time be prescribed by general rules made under section thirty of the Merchant Shipping Act, 1876.

39 & 40 Vict. c. 80.

Repeal of part of 17 & 18 Vict. c. 104, s. 242.

7. The words "and such report is confirmed by the governor or person administering the government of such possession" in case (V) of the cases enumerated in section two hundred and forty-two of the Merchant Shipping Act, 1854, are hereby repealed, and this repeal shall be deemed to take effect as if the said words had been expressly repealed by the Merchant Shipping Act Amendment Act, 1862. The confirmation of the report required by the said words shall be deemed to have been no longer necessary after the passing of the Merchant Shipping Act Amendment Act, 1862, as a condition precedent to the suspension or cancellation of the certificate of any master, mate, or engineer.

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45 & 46 VICT. CHAPTER 79.

An Act to make provision for the arrangement of Accounts between the Commissioners of Her Majesty's Treasury and the Secretary of State in Council of India in respect of certain Home Charges for Her Majesty's Forces serving in India. [18th August 1882.]

WHEREAS certain home charges of Her Majesty's forces serving in India payable out of the revenues of India are defrayed in the first instance out of the Exchequer, and under an arrangement in force since the thirty-first day of March one thousand eight hundred and seventy advances were from time to time made out of the revenues of India to the Exchequer by way of repayment of those charges, and the actual expenditure was to be subsequently ascertained and adjusted:

And whereas differences have been pending between the Secretary of State for the War Department and the Secretary of State in Council of India which prevented such adjustment, and in consequence the accounts of the said actual expenditure fell into arrear; so that while the claim on the part of the Exchequer for the period from the thirty-first day of March one thousand eight hundred and seventy to the thirty-first day of March one thousand eight hundred and seventy-seven amounted to three million three hundred and two thousand two hundred and forty-six pounds eleven shillings and eight pence the total amount advanced by way of repayment to the Exchequer out of the revenues of India amounted only to two million eight hundred and ninety thousand pounds, and the balance claimed by the Commissioners of Her Majesty's Treasury as due to the Exchequer, but disputed in part by the Secretary of State in Council of India, amounted to four hundred and twelve thousand two hundred and forty-six pounds eleven shillings and eight pence,

which balance was reduced by a subsequent settlement of twenty-one thousand six hundred and thirty-five pounds to a net claim of three hundred and ninety thousand six hundred and eleven pounds eleven shillings and eight pence as due to the Exchequer but in part disputed as before mentioned:

And whereas the Commissioners of Her Majesty's Treasury, by a Minute dated the second day of July one thousand eight hundred and seventy-eight, proposed as an arrangement of the said differences and accounts that the sums actually advanced out of the revenues of India to the Exchequer by way of repayment of the said charges during the years abovementioned should be taken in full discharge of all the claims of the Exchequer upon the revenues of India in respect of the aforesaid charges:

And whereas it is expedient to sanction the said arrangement:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the India (Home Charges Arrears) Act, 1882.

Sanction of arrangement of Treasury Minute of 2nd July, 1878.

2. The arrangement of the above-recited differences and accounts proposed in the said Minute of the Commissioners of Her Majesty's Treasury, dated the second day of July one thousand eight hundred and seventy-eight, is hereby sanctioned.

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46 & 47 VICT. CHAPTER 30.

An Act to authorise Companies registered under the Companies' Act, 1862, to keep Local Registers of their Members in British Colonies. [20th August 1883.]

WHEREAS many companies registered under the Companies Act, 1862, carry on business in British colonies, and dealings in their shares are frequent in such colonies, but delay, inconvenience, and expense are occasioned by reason of the absence of any legal provision for keeping local registers of members, and it is expedient that such provisions as this Act contains be made in that behalf:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1. This Act may be cited for all purposes as the Companies (Colonial Registers) Act, 1883; and this Act shall, so far as is consistent with the tenor thereof, be construed as one with the Companies Acts, 1862 to 1880, and the said Acts and this Act may be referred to as the Companies Acts, 1862 to 1883.

Definitions.

2. In this Act the term "company" means a company registered under the Companies Act, 1862, and having a capital divided into shares; the term "shares" includes stock; the term "colony" does not include any place within the United Kingdom, the Isle of Man, or the Channel Islands, but includes such territories as may for the time being be vested in Her Majesty by virtue of an Act of Parliament for the Government of India, and any plantation, territory, or settlement situate elsewhere within Her Majesty's dominions.

Power for companies to keep colonial registers.

3. (1) Any company whose objects comprise the transaction of business in a colony may, if authorised so to do by its regulations, as originally framed or as altered by special resolution, cause to be kept in any colony in which it transacts business a branch register or registers of members resident in such colony.

(2) The company shall give to the registrar of joint stock companies notice of the situation of the office where any such branch register (in this Act called a colonial register) is kept, and of any change therein, and of the discontinuance of any such office in the event of the same being discontinued.

(3) A colonial register shall, as regards the particulars entered therein, be deemed to be a part of the company's register of members, and shall be *primâ facie* evidence of all particulars entered therein. Any such register shall be kept in the manner provided by the Companies Acts, 1862 to 1880, with this qualification, that the advertisement mentioned in section thirty-three of the Companies Act, 1862, shall be inserted in some newspaper circulating in the district wherein the register to be closed is kept, and that any competent court in the colony where such register is kept shall be entitled to exercise the same jurisdiction of rectifying the same as is by section thirty-five of the Companies Act, 1862, vested, as respects a register, in England and Ireland in Her Majesty's superior courts of law or equity, and that all offences under section thirty-two of the Companies Act, 1862, may, as regards a colonial register, be prosecuted summarily before any tribunal in the colony where such register is kept having summary criminal jurisdiction.

25 & 26 Vic. c. 89.

(4) The company shall transmit to its registered office a copy of every entry in its colonial register or registers as soon as may be after such entry is made, and the company shall cause to be kept at its registered office, duly entered up from time to time, a duplicate or duplicates of its colonial register or registers. The provisions of section thirty-two of the Companies Act, 1862, shall apply to every such duplicate, and every such duplicate shall, for all the purposes of the Companies Acts, 1862 to 1880, be deemed to be part of the register of members of the company.

(5) Subject to the provisions of this Act with respect to the duplicate register, the shares registered in a colonial register shall be distinguished from the shares registered in the principal register, and no transaction with respect to any shares registered in a colonial register shall, during the continuance of the registration of such shares in such colonial register, be registered in any other register.

(6) The company may discontinue to keep any colonial register, and thereupon all entries in that register shall be transferred to some other colonial register kept by the company in the same colony, or to the register of members kept at the registered office of the company.

(7) In relation to stamp duties the following provisions shall have effect:—

(*a*) An instrument of transfer of a share registered in a colonial register under this

Act shall be deemed to be a transfer of property situated out of the United Kingdom, and unless executed in any part of the United Kingdom shall be exempt from British stamp duty.

(b) Upon the death of a member registered in a colonial register under this Act, the share or other interest of the deceased member shall for the purposes of this Act so far as relates to British duties be deemed to be part of his estate and effects situated in the United Kingdom for or in respect of which probate or letters of administration is or are to be granted, or whereof an inventory is to be exhibited and recorded in like manner as if he were registered in the register of members kept at the registered office of the company.

(8) Subject to the provisions of this Act, any company may, by its regulations as originally framed, or as altered by special resolution, make such provisions as it may think fit respecting the keeping of colonial registers.

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46 & 47 VICT. CHAPTER 58.

An Act to amend the Post Office (Money Orders) Acts, 1848 and 1880, and extend the same to Her Majesty's Dominions out of the United Kingdom. [*25th August 1883.*]

43 & 44 Vict. c. 33.

WHEREAS by the Post Office (Money Orders) Act, 1880, it is provided that, subject to the Post Office regulations as defined by that Act, the Postmaster General, with the consent of the Treasury, may authorise his officers to issue orders in the form set forth in the schedule to that Act, subject to the proviso that the order shall be for one of the amounts therein named, and in respect thereof the poundage therein named shall be taken for the use of Her Majesty:

And whereas it is expedient to make such further provision respecting the same as hereinafter appears:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Alteration of form of orders.

1. Notwithstanding anything in the Post Office (Money Orders) Act, 1880, any of the orders issued in pursuance of that Act shall, in lieu of the form specified in that Act, be in the form set forth in the Schedule to this Act with such modifications as may be prescribed.

Alteration of amounts of orders.

2. An order issued in pursuance of the Post Office (Money Orders) Act, 1880, shall be for the prescribed amount not exceeding twenty shillings, and there shall be taken in respect thereof, for the use of Her Majesty, the prescribed poundage not exceeding two pence.

Issue of orders by officers of the Crown.

3. The Postmaster General may, if the post office regulations so provide, authorise any person holding office under the Crown to issue an order in pursuance of the Post Office (Money Orders) Act, 1880, and a person so authorised shall be deemed for the purpose of the issue and payment of such order, to be an officer of the Postmaster General and of the Post Office within the meaning of the said Act.

Extension of 43 & 44 Vict. c. 33, respecting money orders to British possessions.

4. (1) Whereas by reason of the form of the order issued under the Post Office (Money Orders) Act, 1880, and of the provisions of that Act authorising the issue thereof by officers of the Postmaster General only, doubts have arisen with respect to the application of the Post Office (Money Orders) Act, 1880, to orders issued in pursuance of arrangements made with the governments of Her Majesty's dominions out of the United Kingdom, and it is expedient to remove such doubts: Be it therefore enacted as follows:

Where an arrangement is made with the Government of any British possession for the transmission of small sums through the post offices of the United Kingdom and such British possession by means of money orders, of a like character to those issued under the Post Office (Money Orders) Act, 1880, as amended by this Act, the said Act, as amended by this Act, shall, so far as is consistent with the tenour thereof, and subject to the prescribed modifications, apply in like manner as if an order issued in pursuance of such arrangement, whether by an officer of the Post Office or of such British possession, was an order under the said Act, as amended by this Act, and such portions of the said Act as enact punishments shall apply accordingly.

Provided that—

(a) Any Post Office regulations in relation to any money orders issued in pursuance of any such arrangement as aforesaid may differ from the regulations respecting any other money orders; and

(b) Any money orders issued in pursuance of any such arrangement as aforesaid may be of such amount not exceeding the maximum amount in this Act mentioned and in such form and subject to such conditions respecting poundage, commission, the periods during which they are payable and other matters, as the Treasury, on the recommendation of the Postmaster General, may direct.

(2) In this section the expression "United Kingdom" includes the Channel Islands and the Isle of Man, and the expression "British possession" means any part of Her Majesty's dominions other than the United Kingdom, the Channel Islands, and the Isle of Man.

Commencement of Act.

5. This Act shall come into operation on the first day of January one thousand eight hundred and eighty-four.

Construction of Act.

6. This Act shall be construed as one with the Post Office (Money Orders) Acts, 1848 and 1880.

Short title.

11 & 12 Vict. c. 88. 43 & 44 Vict. c. 33.

7. This Act may be cited as the Post Office (Money Orders) Act, 1883, and together with the Post Office Money Orders Acts, 1848 and 1880, may be cited as the Post Office (Money Orders) Acts, 1848 to 1883.

8. The Post Office (Money Orders) Act, 1880, is hereby repealed to the extent mentioned in the third column of the second schedule to this Act;

Partial repeal of 43 & 44 Vict. c. 33.

Provided that all money orders issued before the commencement of this Act shall have effect, and be paid in like manner in all respects as if this Act had not passed.

FIRST SCHEDULE.

FORM OF ORDER.

Section 1.

[No. of Order.]



5s.*

Postal Order for* [five shillings].

To the Postmaster in charge of the money order office at† , pay to† at any time within three calendar months from the last day of the month of issue the sum of* [five shillings] on account of Her Majesty's Postmaster General.

Inland Revenue Stamp. Postal Order, *[One Penny.]

_______________Postmaster.

* Alter according to amount.

† The person to whom this order is issued must, before parting with it, fill in the name of the person to whom the amount is to be paid, and may fill in the name of the money order office at which the amount is to be paid.

Except when the order is paid through a banker, the person so named must sign the receipt at the foot hereof, and must also fill in the name of the money order office if that has not already been done.

Paying Office Stamp, with date cancelling this Order.

1. If this order be crossed " & Co.," payment will only be made through a banker, and if the name of a banker is added payment will only be made through that banker.

2. After this order has once been paid,—to whomsoever it is paid,—the Postmaster General will not be liable for any further claim.

3. If any erasure or alteration be made, or if this order be cut, defaced, or mutilated, payment may be refused.

4. The regulations under which this order is issued allow the postmaster to refuse or delay the payment of this order, but he must at once report his reasons for so doing to the Postmaster General.

5. After the expiration of three months from the last day of the month of issue this order will be payable only on payment of a commission equal to the amount of the original poundage, with the addition (if more than three months have elapsed since the said expiration) of the amount of the original poundage for every further period of three months which has so elapsed, and for every portion of any such period of three months over and above every complete period.

Received the abovenamed sum.

_______________, Signature.

SECOND SCHEDULE.

Section 8.

ACT REPEALED.

Section and Chapter.	Title.	Extent of Repeal.
43 & 44 Vict. c. 33	The Post Office (Money Orders) Act, 1880.	In section one, the first proviso, namely, from "any such order" down to "twenty shillings two pence"; and the Schedule.

D. FITZPATRICK,
Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 6th December 1883.

No. 247.—Mr. C. J. Lyall, M.A., C.I.E., B.C.S., Officiating Secretary to the Chief Commissioner of Assam, is confirmed in that appointment, with effect from the 1st October 1883.

JUDICIAL.

The 6th December 1883.

No. 1607.—The Governor General in Council is pleased to direct that, for the purposes of Section 399 of the Code of Criminal Procedure (Act X of 1882), as applied to the Hyderabad Assigned Districts by Foreign Department Notification No. 1494 I., dated the 21st December 1882, the Juvenile Reformatory at Poona, in the Bombay Presidency, shall be deemed to be a Reformatory established by the Local Government of the Hyderabad Assigned Districts for the confinement of persons, under the age of 16 years, sentenced to imprisonment in the Hyderabad Assigned Districts.

No. 1610.—Under the provisions of Section 3, Act XXVI of 1881 (The Negotiable Instruments Act, 1881), the Governor General in Council has been pleased to appoint the following persons in British Burma to perform the functions of Notaries Public under that Act :—

Maung Tun Aung, Advocate.
Mr. J. C. Dias „
„ Scott Smith „
„ E. C. Paul „
„ D. W. Wollaston „

A. MACKENZIE,
Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 5th December, 1883.

No. 2697 G.—With reference to Foreign Department Notification, No. 1324 G.-G., dated the 13th July, 1881, Mr. R. A. D'O. Bignell, Officiating District Superintendent of Police, Ajmere, is confirmed in his appointment, with effect from the 20th January, 1882, *vice* Mr. R. C. Bower, deceased.

The 6th December, 1883.

No. 2706 G.—Surgeon A. F. Dobson, M.B., Indian Medical Department (Madras), is appointed to be Residency Surgeon at Bangalore, sub. *pro tem.*, with effect from the date of his assuming charge, *vice* Surgeon P. H. Benson, M.B., whose services have been lent to the Government of the Mysore State.

This cancels Foreign Department Notification, No. 2232 G., dated the 18th September, 1883.

H. M. DURAND,
Offg. Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Fort William, the 4th December, 1883.

No. 1721.—The following addenda and corrigenda to the Codes of the Financial Department are published for general information :—

C. L. C.

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Section 14.

Add the following to this Section :—

If the absence exceeds a month, an officer is not entitled to draw his local allowance for any part of the absence. This rule applies also to an officer in receipt of Presidency allowance at a Presidency town who is absent from the Presidency town on duty connected with his office; but an officer in receipt of house-rent at a Presidency town may, during absence from the Presidency town, whether on other duty or on duty connected with his office, continue to draw his house-rent, provided the term of his absence does not exceed two months, exclusive of the months of departure and return; if the absence exceeds this term, the house-rent is not admissible for any part of the absence. A claim to house-rent under this rule must be supported by a certificate by the officer that his previous rate of expenditure for a house at the Presidency town continued during his absence.

PAGES 164 AND 165.

Section 75.

Insert the following as Rule 4A:—

4A. A local allowance may be drawn by an officer on privilege leave provided that it is not drawn by his *locum tenens*.

[NOTE.—An officer on privilege leave may draw Presidency allowance or Presidency house-rent, provided that no extra expense is thereby caused to the State.]

Cancel Rules 9 and 10.

The 7th December 1883.

No. 1739.—Mr. A. H. Anthony assumed charge of his appointment as Officiating Assistant Accountant General, Bombay, before noon, on the 20th November 1883.

The 6th December 1883.

No. 1755.—The services of Major-General J. F. Tennant, R.E., C.I.E., Mint Master, Calcutta, are placed at the disposal of the Military Department, with effect from the 10th January 1884.

No. 1751.

RESOLUTION,—By the Government of India, Department of Finance and Commerce.

Read—

Letter from the Mint Master, Calcutta, No. 858, dated 27th September 1883, forwarding the Administration Reports of the Mints at Calcutta and Bombay for the year 1882-83.

RESOLUTION.—The value of gold received in the Calcutta Mint from private persons during 1882-83 amounted to Rs. 1,88,216 against Rs. 2,80,393 in the

previous year, thus showing a decrease of Rs. 42,174. The net imports of gold into India during the year amounted to Rs. 4,93,08,715, so that, as in former years, but a fraction of the large quantity of gold imported into the country found its way into the Mints. Silver amounting to Rs. 81,00,533 was received from private persons in the year under review. That received in 1881-82 was Rs. 61,11,750. The amount transferred for coinage from the Paper Currency Department was Rs. 88,58,710 against Rs. 55,60,066 in the previous year.

2. In the Bombay Mint the sum transferred by the Paper Currency Department for coinage in 1882-83 was Rs. 4,25,82,408 against Rs. 1,54,06,664 in 1881-82. Uncurrent coin to the value of Rs. 23,14,549 was received against Rs. 19,71,168 in the previous year. Old Portuguese coin, amounting to Rs. 8,61,564, was also received at that Mint for recoinage, the amount so received in 1881-82 having been Rs. 9,97,034. The total coinage of gold, silver, and copper at each Mint is shown separately for the last four years in the following table:—

	Calcutta.				Bombay.			
	1879-80.	1880-81.	1881-82.	1882-83.	1879-80.	1880-81.	1881-82.	1882-83.
Tale of pieces of all kinds	74,181,243	24,408,796	17,785,160	90,298,537	81,215,596	31,086,936	22,207,320	71,076,831
Value—	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Gold	1,46,040	1,33,545	3,39,705	1,74,945	1,258	...	...	...
Silver	2,13,54,164	1,05,09,825	84,77,510	1,42,99,076	8,12,15,511	3,19,86,936	1,33,85,242	5,07,85,494
Copper	7,07,900	1,85,600	39,050	8,62,580	...		50,009	2,14,214
Total	2,22,08,104	1,08,28,970	88,57,165	1,53,36,601	8,12,16,769	3,19,86,936	1,34,35,251	5,09,99,708

4. Gold was coined in the Calcutta Mint to the value of Rs. 1,74,945 against Rs. 3,39,705 in 1881-82. The increase in the coinage in 1881-82 is attributed by the Mint Master to a larger influx of gold and to a desire to increase the balance in the Bank, in order to avoid the necessity of further coinage until after repairs to the Mint could be effected. In the Bombay Mint 1,050 medallions were struck for the Travancore Government (350 of the value of sovereigns and 700 of half sovereigns), but the value was not brought to account in the year under review, as the amount of the bill was paid by the State during the current official year. No gold was coined either in 1880-81 or 1881-82.

5. The coinage of silver at both Mints during 1882-83 largely exceeded that of the previous year, amounting in value to Rs. 6,50,84,570 against Rs. 2,18,62,752 in 1881-82. The Calcutta Mint struck a larger number of coins than the Mint at Bombay, but the value of the total coinage in Bombay was greater, more rupees having been coined than at Calcutta. The increased coinage of silver is due chiefly to short sales of bills by the Secretary of State during a portion of the year. As bills were not offered for sale below a certain rate, it was found more profitable to import silver than to buy bills.

6. The copper coinage of the Calcutta Mint amounted to Rs. 8,62,580 against Rs. 2,14,214 at Bombay. The coinage in Bombay includes Rs. 8,10,561 and Rs. 4,941 worth of silver and copper coins struck for the Portuguese Government. The copper coins were struck in 1881-82, but issued to the copper coin depôt during the year under review.

7. The net imports of silver and the coinage in each year from 1872-73 are—

	Net imports. Lakhs.	Coinage. Lakhs.
1872-73	72	393
1873-74	249	237
1874-75	464	490
1875-76	155	255
1876-77	720	627
1877-78	1,468	1,618
1878-79	397	721
1879-80	787	1,025
1880-81	389	425
1881-82	538	219
1882-83	748	651

8. Besides imported silver, bullion in the form of native coin and ornaments was received for coinage in the Bombay Mint as follows—

	Native silver ornaments. Lakhs.	Native coin. Lakhs.
1877-78	124	...
1878-79	116	67
1879-80	92	45
1880-81	10	25¼
1881-82	4	1
1882-83	½	15½

The native coins tendered in 1882-83 were more by 14½ lakhs than in the previous year.

9. The operative losses during the year 1881-82 and 1882-83 were respectively,—in Calcutta Rs. 61,103 and 1,05,258, and in Bombay Rs. 36,908 and 94,289. These sums include losses on account of the withdrawal of old coins to the extent of Rs. 48,883 and 68,455 in the Calcutta Mint, and Rs.15,184 and 29,694 in the Bombay Mint.

10. The proportion of loss in the melting of silver in Calcutta during 1882-83 is stated to be Rs. 40·9 per lakh of tolahs against Rs. 39·8 in Bombay. The loss in both Mints is slightly in excess of that for the year 1881-82.

11. The proportion of loss in the coining of silver in the number of pieces of coins coined at Calcutta during 1882-83 was Rs. 44·1 per lakh against Rs. 53·3 at Bombay. If calculated on the value of the coinage for the year, the rate per lakh would be for Calcutta Rs. 99·2, while at Bombay the proportion is taken, after making certain adjustments, at Rs. 61·2.

12. In accordance with instructions conveyed in the Resolution in this Department, No. 401, dated 22nd January 1883, the charge for interest on capital sunk in the Mints has been reduced from 4½ to 4 per cent., and interest has been calculated on the average balance of silver actually locked up in the Mints and not available for other purposes during the year, whether such silver is held on behalf of the General Treasury or of the Paper Currency Department.

13. The total revenue of each of the Mints and the total charges to be made against them from 1878-79 to 1882-83, according to the new classification, are shown below :—

	REVENUE.		EXPENDITURE.	
	Calcutta.	Bombay.	Calcutta.	Bombay.
	Rs.	Rs.	Rs.	Rs.
1878-79 . . .	5,41,985	11,59,614	11,42,489	9,80,356
1879-80 . . .	5,17,277	18,51,834	10,60,646	11,06,803
1880-81 . . .	2,32,366	6,41,704	8,61,901	7,74,325
1881-82 . . .	2,11,295	3,83,528	8,90,413	6,45,716
1882-83 . . .	2,70,213	11,57,658	10,51,988	9,42,708
TOTAL .	17,73,136	51,94,338	50,07,437	44,49,911

The total revenue of both Mints during the last five years has been Rs. 69,67,474, and the total charges Rs. 94,57,348, showing a total loss for this period of Rs. 24,89,874, or an average annual loss of Rs. 4,97,975. The chief item under receipts is the seignorage duty of 2 per cent. on silver coined.

14. The expenditure on account of salaries and establishments in the two Mints was as follows:—

	CALCUTTA.		BOMBAY.	
	1881-82.	1882-83.	1881-82.	1882-83.
	Rs.	Rs.	Rs.	Rs.
Fixed establishment	2,13,319	2,19,700	2,10,577	2,21,041
Extra establishment	47,955	67,632	17,295	48,607
TOTAL	2,61,274	2,87,332	2,27,872	2,69,648

The increase in 1882-83 over 1881-82 is mainly due to additional establishments required on account of heavier coinage.

The expenditure on stores was Rs. 54,931 and 63,594 in the Calcutta Mint, and Rs. 45,574 and 87,650 in Bombay. The increase in the two Mints during the year under review is due to larger coinage. The increase of expenditure in the Bombay Mint over that in Calcutta is on account of heavier silver coinage.

15. The capital expenditure in 1882-83 amounted to Rs. 4,673 in the Calcutta Mint against Rs. 9,408 in Bombay.

The total at debit of the Capital Accounts to end of 1882-83 was Rs. 74,08,988 in Calcutta against Rs. 34,24,238 in Bombay. A sum of Rs. 18,67,865 has been added in the year under review on account of a revised and more accurate valuation of land, buildings, and plant of the Calcutta Mint.

16. The saving effected in the Bombay Mint by the adoption of the electro-plating process was Rs. 3,553 against Rs. 2,878 in 1881-82.

17. In the Bombay accounts a sum of Rs. 1,34,228 is shown as gain on copper coinage. Such gain is taken credit for in the accounts of Government only as the coin passes from the Mint and Depôts into actual circulation; and its amount depends upon many other circumstances besides the quantity of coin manufactured at the Mints. It is in fact not specifically separable between the two Mints, and the entry in the Bombay Mint accounts appears to arise merely from the fact that that Mint has not adopted the same method of stating its figures as is adopted in the Calcutta Mint and in the accounts of Government. The attention of the Comptroller General is directed to the point, and he is requested to report the gain on copper coinage for each of the past few years, and to report it in future years in time for inclusion in the annual Resolution on the reports of the Mints.

ORDERED, that this Resolution be published in the *Gazette of India*, and communicated to the Mint Masters, Calcutta and Bombay, and, with special reference to paragraph 11 to the Comptroller General.

The 7th December 1883.

No. 1773.—In exercise of the power conferred by Section 5 of the Scheduled Districts Act, 1874, the Chief Commissioner of Assam is pleased, with the previous sanction of the Governor General in Council, to extend Act I (B.C.) of 1883 (an Act to amend the Bengal Excise Act, 1878), with the exception of Section 13, to the Chief Commissionership of Assam.

J. WESTLAND,

Officiating Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 7th December, 1883.

APPIONTMENTS.

No. 629.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Secretary of State for India :—

Lieutenant Newdigate Addington Knightley Burne, Loyal North Lancashire Regiment, Wing Officer, 23rd Native Infantry,—2nd October, 1880.

Lieutenant Mordaunt Lea Shipley, Royal Fusiliers, Officiating Squadron Officer, 14th Bengal Lancers,—1st November, 1880.

Lieutenant Simpson Hackett Beresford Hobbs' Loyal North Lancashire Regiment, Officiating Squadron Officer, 14th Bengal Lancers,—1st July, 1882.

Lieutenant John Russell Colquhoun Colvin, Officiating Squadron Officer, 9th Bengal Cavalry,—1st November, 1882.

No. 630.—MILITARY SECRETARIAT—

Lieutenant-Colonel O. R. Newmarch, Bengal S. C., Accountant General, Military Department, to officiate as Secretary to the Government of India, Military Department, during the absence on privilege leave of Colonel G. Chesney;

Lieutenant-Colonel A. C. W. Crookshank, Bengal S.C., Second Assistant Secretary, and Officiating First Assistant Secretary, to officiate as Deputy Secretary, *vice* Major E. H. H. Collen, appointed to officiate as Accountant General, Military Department;

Major T. Deane, Bengal S.C., Third Assistant Secretary, and Officiating Second Assistant Secretary, to officiate as First Assistant Secretary, *vice* Lieutenant-Colonel A. C. W. Crookshank;

Lieutenant W. J. B. Bird, Bengal S.C., Officiating Third Assistant Secretary, to officiate as Second Assistant Secretary, *vice* Major T. Deane;

With effect from the 1st December, 1883.

No. 631.—MILITARY SECRETARIAT, ACCOUNTS BRANCH—

Major E. H. H. Collen, Bengal S.C., First Assistant Secretary, and Officiating Deputy Secretary, Military Department, to officiate as Accountant General, Military Department, *vice* Lieutenant-Colonel O. R. Newmarch, officiating as Secretary to the Government of India, Military Department, with effect from the 1st December, 1883.

No. 632.—COMMISSARIAT DEPARTMENT—

Lieutenant H. S. G. Hall, Bengal S.C., Wing Officer, 25th Native Infantry, to be a Sub-Assistant Commissary General, 2nd Class, on probation, with effect from the 9th November, 1883.

No. 633.—HYDERABAD CONTINGENT—

No. 1 Field Battery.

Lieutenant W. A. Urquhart, R.A., Subaltern to be Commandant, *vice* Major P. F. M. Baddeley R.A., vacated on promotion.

FURLOUGH AND LEAVE.

No. 634.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Lieutenant F. G. Delamain, Bengal S.C., Squadron Officer, 11th (Prince of Wales' Own), Bengal Lancers, (m. c.) for one year, under rule I of the regulations of 1875.

Lieutenant-Colonel E. Temple, Bengal S.C., Wing Commander and 2nd-in-Command, Meywar Bheel Corps, (p.a.) for one year, under rule IX of the regulations of 1868.

No. 635.—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India :—

Lieutenant-Colonel (Brevet Colonel) C.V. Conway-Gordon, Bengal S.C, (p.a.) for fourteen days.

Lieutenant-Colonel R. S. Robertson, Bengal S.C, (m.c.) for six months.

Lieutenant T. Digby, R.E., (p.a.) for one year.

No. 636.—Lieutenant Colonel (Brevet Colonel) A. K. Comber, Bengal S.C., has been permitted by the Secretary of State for India to reside in England under the terms of G.G. Orders Nos. 209 of 1882 and 192 of 1883, with effect from the date of expiration of his furlough to the 12th December, 1883, the date on which he will succeed to the Colonel's allowances.

LONDON GAZETTE.

No. 637.—The following extract is published for general information :—

"London Gazette," dated the 2nd November, 1883, page 5198.

India Office, 2nd November, 1883.

MEMORANDUM.

The Christian name of Lieutenant A. Montanaro, Bengal Staff Corps, is *Alfred*, and not Alfredo as hitherto stated.

PENSIONS.

No. 638.—Conductor Edward Whyte, Ordnance Department, is transferred to the pension establishment.

PROMOTIONS.

No. 639.—The following promotions are made, subject to Her Majesty's approval :—

BENGAL STAFF CORPS.

To be Lieutenant-Colonel.

Major Theodore William Hogg,—4th December, 1883.

BREVET.

To be Colonel.

Lieutenant-Colonel Henry Fraser, Madras Cavalry,—27th May, 1883.

Lieutenant-Colonel Arthur Dewar Parsons, Madras Cavalry,—18th October, 1883.

No. 640.—COMMISSARIAT DEPARTMENT, TRANSPORT BRANCH—

To be Deputy Assistant Commissary.

Conductor Thomas Lee,—Commissariat Department.

To be Conductor.

Sub-Conductor John Lindiboom, Commissariat Department.

To be Sub-Conductors.

Transport Sergeant J. Harrington.
" " T. Beresford.
" " R. Surdival.
" " A. Sharples.

With effect from the 7th December, 1883.

No. 641.—NATIVE ARMY—

13th Bengal Lancers.

Ressaldar Urbell Singh to be Ressaldar Major *vice* Hussun Ali Khan, "Sirdar Bahadur," seconded on appointment as Aide-de-Camp to the Commander-in-Chief in India; Jemadar Azeemoolla Khan to be Ressaidar *vice* Dowlut Sing, invalided; Duffadar Akbar Khan to be Jemadar *vice* Azeemoolla Khan, promoted,—24th March, 1883.

No. 642.—VOLUNTEER CORPS—

Calcutta Volunteer Rifle Corps.

Lieutenant Godfrey Samuel Bomwetsch to be Captain.

Lance Corporal Charles Vincent McCarthy Pritchard to be Lieutenant.

RETIREMENTS.

No. 643.—Lieutenant-Colonel Richard Percival Davis, Bengal S.C., has been permitted to retire from the service, with effect from the 22nd October, 1883, subject to Her Majesty's approval.

MARINE DEPARTMENT.

FURLOUGH AND LEAVE.

No. 51.—Mr. D. P. Jones, 1st grade officer, Indian Marine, is granted six months' leave on private affairs, under Section 129 of the Civil Leave Code.

O. R. NEWMARCH, *Lieut.-Colonel,*
Officiating Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Fort William, the 1st December 1883.

No. 281.—CORRIGENDUM.—In Public Works Department Notification No. 254, dated 26th October 1883, placing the services of Mr. R. E. Nelson, Executive Engineer, 3rd Grade, Central India, at the disposal of the Director General of Railways, after the word *placed,* read *temporarily.*

The 5th December 1883.

No. 282.—Furlough for fifty-one days, in extension of that granted in Public Works Department Notification No. 181, dated 7th August 1883, is granted to Mr. R. A. Way, Executive Engineer, 3rd Grade, sub. *pro tem.*, Railway Branch, who was recalled from leave for this period to enable him to attend the Committee assembled under the orders of the Government of India, Public Works Department, Resolution No. 1120 G., dated August 17th, 1883.

No. 283.—Mr. W. R. Gilbert, Assistant Engineer, 1st grade, British Burma, is promoted to Executive Engineer, 4th grade, temporary rank, with effect from the 9th November 1883.

The 6th December 1883.

No. 285.—Mr. A. Stoddard, Executive Engineer, 1st grade, British Burma, is transferred to Central India.

TELEGRAPH.

The 6th December 1883.

No. 284.—The Governor General in Council is pleased to make the following promotions in the Indian Telegraph Department, with effect from the date specified :—

Name.	From	To	With effect from
Mr. J. M. Lane . .	Supdt., 2nd Grade	Supdt., 1st Grade	12th September 1883.
Mr. W. C. Darling .	" 3rd "	" 2nd "	
Mr R. Trower . .	" 4th "	" 3rd "	
Mr. C. Duffin . .	Asst. Supdt., 1st Grade. . .	" 4th "	

W. S. TREVOR, *Colonel, R.E.,*
Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 8, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 27th October 1883.

From the 24th of November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 17th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurrumtollah Street Calcutta.

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts is R5 per annum, payable in advance. When sent by post, R2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

	R	a.	p.
Subscription for *Gazette* and Supplement per annum	15	0	0
Postage	5	8	0
Subscription for Supplement only	6	0	0
Postage	3	0	0
For a single copy of the *Gazette*	0	8	0
For a single copy of the Supplement	0	4	0

Postage on single copies varies according to weight.

E. J. DEAN,

Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 1st December 1883.

Mr. F. J. Fergusson, the Official Trustee of Bengal, having obtained extension of leave for twelve months from the 15th January 1884, the Honorable the Chief Justice has, under Section 7 of Act XVII of 1864, directed that Mr. A. B. Miller, Barrister-at-Law, shall continue to officiate as Official Trustee during the absence of Mr. Fergusson on leave or until further order; the duties of Official Trustee to be performed by Mr. Miller in addition to his own duties as Official Assignee of the Insolvent Court.

R. BELCHAMBERS,

Registrar.

SURVEY OF INDIA.

NOTIFICATION.

Calcutta, the 6th December 1883.

No. 401.—The following promotion is made, with effect from the 1st November 1883, *vice* Colonel F. C. Anderson, Deputy Superintendent, 1st Grade, who has retired with effect from the above date:—

Colonel C. T. Haig, R.E., Deputy Superintendent, 2nd Grade, is confirmed in the 1st Grade of Deputy Superintendents in which he is at present officiating.

G. C. DEPRÉE, *Colonel,*

Offg. Surveyor General of India.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Calcutta, the 29th October 1883.

No. 32.—Third Grade Assistant Surgeon Nobin Chunder Ghose, of the Bengal provincial establishment, is permitted to resign the service.

J. M. CUNINGHAM, M.D.,

Surgeon-General with the Govt. of India.

BANK OF BENGAL.

NOTICE.

Calcutta, the 4th December 1883.

The Directors have made the following change in the Bank's Establishment:—

Mr. A. M. Lindsay has resumed charge of the Akyab Branch.

R. HARDIE,
Secretary & Treasurer.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 6th December 1883.

Offices opened and closed during the month of November 1883:—

Name of Station.	Where situated.	Date.	Remarks.
	Departmental.		
Duki	Beluchistan	7th	Opened.
Jutogh	Punjab	14th	Closed.
Rewah	Central India	3rd	Opened.
Solon	Punjab	15th	Closed.
Thal Chotiali	Beluchistan	7th	Ditto.
	Railway.		
Goalundo Ghat	E. B. Railway	Ditto	Ditto.
Kussowul	S. P. & D. Railway	Ditto	Ditto.
Pakpattan	Ditto	Ditto	Ditto.
Cawnpore City	E. I. Railway	Ditto	Ditto.
Nidvanda	Mysore State Ry.	Ditto	Opened.
Dibrugarh Town	Assam Railway	Ditto	Ditto.
Dibrugarh Cantonment.	Ditto	Ditto	Ditto.
Dibrugarh Steamer Ghat.	Ditto	Ditto	Ditto.
Dibrugarh Workshops.	Ditto	Ditto	Ditto.
Rehesbarrie	Ditto	Ditto	Ditto.
Lahowal	Ditto	Ditto	Ditto.
Chubwa	Ditto	Ditto	Ditto.
Panitolla	Ditto	Ditto	Ditto.
Makum Junction	Ditto	Ditto	Ditto.
Doom Dooma	Ditto	Ditto	Ditto.

H. MALLOCK,
Deputy Director General of Telegraphs in India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Abu, the 1st December 1883.

No. 4596 G.—Lieutenant-Colonel E. Temple and Lieutenant-Colonel A. Conolly, respectively, made over and received, charge of the Office of Political Superintendent, Hilly Tracts, Meywar, on the forenoon of the 20th November 1883.

By Order,
E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER, AJMER-MERWARA.

NOTIFICATIONS.

Mount Abu, the 30th November 1883.

No. 1046.—Munshi Roi Bishen Sarup and Lieutenant T. C. Pears, respectively, made over and received charge of the Office of Assistant Commissioner, Merwara, on the forenoon of the 19th November 1883.

No. 1049.—Major H. S. Tandy and Lieutenant H. L. Ramsay, respectively, made over and received, charge of the Office of Cantonment Magistrate, Nasirabad, on the afternoon of the 17th November 1883.

By Order,
E. A. FRASER,
1st Asst. to the Chief Commr.

CHIEF COMMISSIONER OF COORG.

NOTIFICATIONS.

Camp Mercara, the 27th November 1883.

No. 3.—Mr. M. Muttannah, Sub-Assistant Conservator, delivered over, and Mr. F. B. Dickinson, Deputy Conservator of Forests, resumed, charge of the Office of the Deputy Conservator of Forests in Coorg, on the forenoon of the 12th November 1883.

No. 4.—The Officiating Chief Commissioner is pleased to confirm the following Vaccination Rules for the Municipality of Mercara framed by the Municipal Board under Sections 19 and 21 of the Indian Vaccination Act, XIII of 1880:—

Vaccination Rules for the Municipality of Mercara under Act XIII of 1880.

1. The vaccine-station for Mercara shall be the Branch Dispensary in the Pettah, at which a notice board shall be hung up stating on what day and hours vaccination will be performed.
2. The vaccinators shall be able to read and write in the vernacular, and satisfy the Superintendent that they have a proper knowledge of, and skill in, the performance of the operation of vaccination.
3. The Civil Surgeon of Coorg shall be the Superintendent of Vaccination. The vaccinators shall be appointed by the Superintendent, who shall have power to suspend them, and, with the concurrence of the Municipal Committee, to dismiss them.
4. The vaccinator or vaccinators shall attend daily between 8 and 11 A.M. at the appointed station. The remainder of the day they shall work at the houses of persons who cannot bring their children to the vaccine-station, at schools, &c.
5. Persons desirous of having their children vaccinated at their own houses shall pay a fee of annas 8 per case; when parents have more than one child unvaccinated, they shall be charged 4 annas per child.

6. A form of certificate of successful vaccination, of unfitness for vaccination, or of insusceptibility of vaccination, shall be printed and supplied to the vaccinators, who are empowered to fill them up.
7. The lymph used shall be human lymph, and arm to arm vaccination practised as far as possible.
8. Registers of operations performed by the vaccinators shall be kept, showing name, age, sex, father's name, residence, date, and result.
9. Registers of all children born after the date of the introduction of the Act shall be supplied monthly to the vaccinators by the Town Subedar, who will see that every child on such register is vaccinated within one year of its birth, or that the parents are prosecuted under the Act. Should the child be not in a proper state of health for the operation, a certificate to this effect shall be given postponing the operation for three or six months.
10. A register of all children unprotected, under the age of 14 years, if boys, and of 8 years, if girls, being within the municipal limits, and of such children as may be brought within those limits and have resided there over a month, shall also be prepared under the direction of the Town Subedar, and delivered to the vaccinators for the same purpose as in rule 9.
11. Monthly and Annual Reports on the work done shall be presented to the Municipal Committee by the Superintendent of Vaccination.

By Order,

H. WYLIE, *Major*,

Secretary to the Chief Commr. of Coorg.

Report of a Deserter from the 1st Battalion, Border Regiment of Infantry, dated at Agra, this 2nd day of December 1883.

Number, Rank, and Name.—No. 2077, Private Charles Wood.
Age,—25 years 5 months.
Size,—5 feet 6½ inches.
Colour of—
Complexion, fresh; Hair, dark brown; Eyes, hazel.
Date of Desertion,—20th November 1883.
Place of Desertion.—Agra.
Date of Enlistment,—24th July 1880.

At what Place Enlisted,—Sunderland.
Parish and County in which Born,—Hackney, Middlesex.
Marks,—Slight varicole, left side.
Trade,—None.
Coat or Jacket,— . Waistcoat,— . Breeches or Trowsers,— . } Regimentals.
REMARKS,—
Under 4 years' service.

H. S. MAYHEW, *Lieut.*,

Acting Adjutant, Border Regt.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATIONS.—ESTABLISHMENT.

Calcutta, the 29th November 1883.

No. 69.—Mr. W. Michell, Assistant Engineer, 1st Grade, passed the Departmental Standard Examination, prescribed in Chapter II, Section 1, paragraph 21, of the Public Works Department Code, on 12th November 1883.

The 3rd December 1883.

No. 70.—Mr. P. H. Cresswell, Assistant Engineer, 1st Grade, sub. *pro tem.*, is granted furlough on medical certificate for twelve months, with effect from the forenoon of 10th November 1883.

F. S. STANTON, *Col., R.E.*,

Director General of Railways.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED OF		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1883.	R	R	R	R	R	R
Nov. 26	. . .	2,18,556	. . .	1,78,258	70,50,828	42,69,623
" 27	. . .	2,10,495	1,87,225	2.146	72,42,070	42,39,951
" 28	. . .	2,16,953	. . .	2,146	72,42,070	40,18,570
" 29	. . .	1,84,651	. . .	2,146	72,42,070	38,30,151
" 30	. . .	2,27,475	2,050	58	72,44,165	36,00,126
Dec. 1	. . .	1,09,331	. . .	58	72,44,165	34,88,565

J. F. TENNANT, *Major-Genl., R.E.*,

Mint Master.

CALCUTTA MINT,
The 3rd December 1883.

GOVERNMENT ENGINEERING COLLEGE, HOWRAH.

NOTICE.

Candidates for admission to the Engineer Classes should apply to the Principal before the 31st January 1884. The Session begins on Monday, the 4th February 1884. Candidates for this class must furnish proof that they have passed the Calcutta University Entrance Examination.

An examination for admission to the Mechanical Apprentice Classes will be held at this College on Wednesday and Thursday, the 30th and 31st January. The subjects for examination are—

Arithmetic (the whole).
Algebra (to Simple Equations, inclusive).
Euclid (Books I and II).
English (Grammar and Composition).

Applications for permission to appear at the examination should reach the Principal not later than the 25th January 1884.

Ten scholarships will be awarded to students entering the Engineer Class not being already holders of junior scholarships. The scholarships will be awarded with general reference to the place taken by candidates at the Entrance Examination.

Applications for scholarships will be received by the Principal up to the 30th January.

Every applicant, before admission to the College, will be examined by the College Surgeon as to his physical strength, fitness for manual labour, and eye-sight.

Further particulars will be supplied on application to the Principal.

G. BELLETT,

Officiating Director of Public Instruction.

STATEMENT *of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 30th November 1883.*

PARTICULARS.	3½ per cent. Transfer Loan of 1853-54.	4 per cent. Loans: Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	Reduced 4 per cent. Loan of 1879.	Total.	4½ per cent. Loans: Of 1870.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.	Total.	Transfer Loan of 1879, seven shillings per cent. Portion.	5 per cent. Debenture Loan of 1867-68.	5 per cent. Loan of 1856-57.	GRAND TOTAL.
Balance of 15th November 1883	54,100	13,32,373	29,41,800	2,42,61,100	1,02,63,700	2,72,48,537	2,67,99,300	9,28,45,810	47,46,600	1,04,32,600	10,14,36,700	11,66,15,900	1,23,500	2,000	60,200	20,97,01,510
Add—																
Amount enfaced at Madras between 16th and 30th November 1883	...	...	...	2,000	500	10,500	5,500	18,500	...	...	....	....	...	..	...	18,500
Amount enfaced at Bombay between 16th and 30th November 1883	...	...	...	....	...	1,500	12,000	13,500	...	...	8,000	8,000	...	..	...	21,500
Amount enfaced at Calcutta between 16th and 30th November 1883	...	...	2,500	50,000	17,800	81,000	500	1,51,800	...	6,900	2,59,100	2,66,000	...	..	...	4,17,800
	54,100	13,32,373	29,44,300	2,43,13,100	1,02,81,000	2,73,41,537	2,68,17,300	9,30,29,610	47,46,600	1,04,39,500	10,17,03,800	11,68,89,900	1,23,500	2,000	60,200	21,01,59,310
Deduct—																
Amount written off in the London Registers	...	...	...	10,500	21,500	2,19,300	1,26,400	3,77,700	7,500	5,000	3,25,500	3,38,000	...	..	...	7,15,700
Balance on 30th November 1883	54,100	13,32,373	29,44,300	2,43,02,600	1,02,59,500	2,71,22,237	2,66,90,900	9,26,51,910	47,39,100	1,04,34,500	10,13,78,300	11,65,51,900	1,23,500	2,000	60,200	20,94,43,610

NOTE.—From 9th June 1867 to 30th Sep. 1883, enfaced from India 4,930 lakhs; re-transferred from London, 4,110 lakhs.

,, 1st Oct. 1883 to 15th Oct. ,, ,, ,,	1 ,, ,, ,,	2 ,,
,, 16th ,, ,, to 31st ,, ,, ,, ,,	26 ,, ,, ,,	1 ,,
,, 1st Nov. ,, to 15th Nov. ,, ,, ,,	4 ,, ,, ,,	6 ,,
,, 16th ,, ,, to 30th ,, ,, ,, ,,	4 ,, ,, ,,	7 ,,
	4,965 lakhs.	4,126 lakhs.
	4,126 ,,	
Balance against India	739 lakhs.	

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 1st December 1883.

R. HARDIE,
Secretary and Treasurer.

Statement of Transactions of District Savings Banks and State Railway Provident Institutions for the quarter ending 31st March 1883.

PROVINCE.	Number of Banks open.	DEPOSITS. No.	DEPOSITS. Amount.	WITHDRAWALS. No.	WITHDRAWALS. Amount of Principal.	WITHDRAWALS. Amount, Interest.	BALANCE.
			R a. p.		R a. p.	R a. p.	R a. p.
India	10	946	98,486 0 2	384	62,969 9 2	728 14 11	5,29,018 4 8
Central Provinces	18	432	61,755 14 6	242	70,012 2 7	516 15 7	5,60,792 10 5
British Burma	14	691	46,681 8 4	265	58,716 11 6	623 10 8	2,63,628 9 7
Assam	11	592	78,204 11 3	349	69,467 9 1	451 5 6	3,69,382 9 4
Bengal	46	2,670	3,10,213 10 2	1,554	2,98,269 9 10	1,626 14 4	27,12,458 15 6
N.-W. Provinces and Oudh	49	4,134	1,66,030 4 11	1,064	2,22,015 12 3	1,915 4 1	17,71,020 3 8
Punjab	25	902	1,16,579 10 5	565	1,31,959 0 11	1,260 6 5	11,27,794 8 7
Berar	6	168	15,507 3 0	99	19,607 8 3	59 4 10	2,21,662 9 2
State Railways	11	28,893	1,80,516 13 5	1,253	87,909 2 6	859 13 4	7,25,369 1 10
TOTAL	190	39,428	10,73,875 12 2	5,775	10,20,927 2 1	8,042 9 8	82,81,127 8 9

E. T. ATKINSON,
Offg. Comptroller General.

CALCUTTA,
The 5th December 1883.

Statement of the Affairs of the Bank of Bengal for the week ending 4th December 1883.

LIABILITIES.	R a. p.	ASSETS.	R a. p.
Capital paid-up	2,00,00,000 0 0	Government Securities	48,93,587 0 0
Reserve Fund	35,10,206 4 4	Other authorized Investments	57,42,800 0 0
Public Deposits at Head Office . R 68,61,774 10 7; Public Deposits at Branches . 1,22,64,491 14 11	1,91,26,266 9 6	Loans on Government and other authorized Securities	1,23,19,783 10 9
		Accounts of Credit on Government and other authorized Securities	64,09,071 2 4
		Bills discounted and purchased	1,81,16,681 8 8
Other Deposits at Head Office and Branches	2,52,93,069 0 1	Balances with other Banks	4,40,836 1 8
Bank Post Bills, &c.	3,54,040 7 1	Bullion	84,484 9 0
Sundries	15,80,876 9 3	Dead Stock	12,03,349 6 1
		Stamps	7,683 5 0
		Sundries	5,50,070 9 11
			4,97,68,347 5 5
		Cash and Currency Notes at Head Office . R 86,14,941 8 8; Cash and Currency Notes at Branches . 1,14,81,170 0 2	2,00,96,111 8 10
RUPEES	6,98,64,458 14 3	RUPEES	6,98,64,458 14 3

By order of the Directors.

BANK OF BENGAL,
Calcutta, 6th December 1883.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No. 1883.	No. of Note.	Value. R	Name of Claimant.
W 53	M 88—39352	500	Jiwan Padman, Bombay.
	M 44—36543	100	
	„ —36544	100	
W 54	M 67—18191	100	A. C. Bailward, Ajmere.
	„ —72491	100	
W 55	M 74—13276	50	Sitaram Laximanji, Marmagao.

BOMBAY,
The 4th December 1883.

C. E. CRAWLEY,
Asst. Acctt. Genl., Paper Currency Department, for Commissioner of Issue.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. R	Name of Claimant.
244	P 76—13741	100	Mr. Henry Mohapatra.
245	P 76—45784	100	Babu Sunt Lall.
246	P 39—14624	50	Chotidass Omed Mull.
248	P 43—29274	100	The District Superintendent of Police, Sylhet.
	„ —25080	100	
249	P 44—74138	100	The District Superintendent of Police, Dacca.
250	P 43—66249	100	Babu Bonomally Nundy.
251	P 44—06078	100	Inspector K. C. Banerjee, Jorabagan Thana, Section E., Town Calcutta.
252	P 76—62602	100	Babu Radhakissore Sett.
253	P 76—65028	100	Mr. J. T. Broadhead.
	„ —65029	100	

CALCUTTA,
The 7th December 1883.

J. TAYLOR,
Asstt. Comptr. Genl., in charge, Paper Currency.

STATEMENT *of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 30th November 1883.*

PARTICULARS.	3½ PER CENT. TRANSFER LOAN OF 1853-54	4 PER CENT. LOANS: Of 1832-33.	4 PER CENT. LOANS: Of 1835-36.	4 PER CENT. LOANS: Of 1842-43.	4 PER CENT. LOANS: Of 1854-55.	4 PER CENT. LOANS: Transfer of 1865.	4 PER CENT. LOANS: Reduced 4 per cent. Loan of 1879.	4 PER CENT. LOANS: TOTAL.	4½ PER CENT. LOANS: Of 1870.	4½ PER CENT. LOANS: Of 1878.	4½ PER CENT. LOANS: TRANSFER LOAN OF 1879, 4½ PER CENT. PORTION.	4½ PER CENT. LOANS: TOTAL.	TRANSFER LOAN OF 1879, SEVEN SHILLINGS PER CENT. PORTION.	5 PER CENT. DEBENTURE LOAN OF 1867-68.	5 PER CENT. LOAN OF 1856-57.	GRAND TOTAL.
Balance of 15th November 1883	54,100	13,32,373	29,41,800	2,42,61,100	1,02,62,700	2,72,48,537	2,67,99,300	9,28,45,810	47,46,600	1,04,32,600	10,14,36,700	11,66,15,900	1,23,500	2,000	60,200	20,97,01,510
Add—																
Amount enfaced at Madras between 16th and 30th November 1883	. .	. . .	. . .	2,000	500	10,500	5,500	18,500	. . .	. . .	. . . .	. . . .	. . .	. .	. . .	18,500
Amount enfaced at Bombay between 16th and 30th November 1883	. .	. . .	. . .	. . . .	. . .	1,500	12,000	13,500	. . .	. . .	8,000	8,000	. . .	. .	. . .	21,500
Amount enfaced at Calcutta between 16th and 30th November 1883	. .	. . .	2,500	50,000	17,800	81,000	500	1,51,800	. . .	6,900	2,59,100	2,66,000	. . .	. .	. . .	4,17,800
	54,100	13,32,373	29,44,300	2,43,13,100	1,02,81,000	2,73,41,537	2,68,17,300	9,30,29,610	47,46,600	1,04,39,500	10,17,03,800	11,68,89,900	1,23,500	2,000	60,200	21,01,59,310
Deduct—																
Amount written off in the London Registers	. .	. . .	. . .	10,500	21,500	2,19,300	1,26,400	3,77,700	7,500	5,000	3,25,500	3,38,000	. . .	. .	. . .	7,15,700
Balance on 30th November 1883	54,100	13,32,373	29,44,300	2,42,02,600	1,02,59,500	2,71,22,237	2,66,90,900	9,26,51,910	47,39,100	1,04,34,500	10,13,78,300	11,65,51,900	1,23,500	2,000	60,200	20,94,43,610

NOTE.—From 9th June 1867 to 30th Sep. 1883, enfaced from India 4,830 lakhs; re-transferred from London, 4,110 lakhs.
" 1st Oct. 1883 to 15th Oct. " " " 1 " " " 2 "
" 16th " " to 31st " " " " 26 " " " 1 "
" 1st Nov. " to 15th Nov. " " " 4 " " " 6 "
" 16th " " to 30th " " " " 4 " " " 7 "

4,865 lakhs. 4,126 lakhs.
4,126 "
Balance against India 739 lakhs.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 1st December 1883.

R. HARDIE,
Secretary and Treasurer.

Statement of Transactions of District Savings Banks and State Railway Provident Institutions for the quarter ending 31st March 1883.

Province.	Number of Banks open.	Deposits. No.	Deposits. Amount. R	a.	p.	Withdrawals. No.	Amount of Principal. R	a.	p.	Amount, Interest. R	a.	p.	Balance. R	a.	p.
India	10	946	98,486	0	2	384	62,969	9	2	728	14	11	5,29,018	4	8
Central Provinces	18	432	61,755	14	6	242	70,012	2	7	516	15	7	5,60,792	10	5
British Burma	14	691	46,581	8	4	265	58,716	11	6	623	10	8	2,63,628	9	7
Assam	11	592	78,204	11	3	349	69,467	9	1	451	5	6	3,69,382	9	4
Bengal	46	2,670	3,10,213	10	2	1,554	2,98,269	9	10	1,626	14	4	27,12,458	15	6
N.-W. Provinces and Oudh	49	4,134	1,66,030	4	11	1,064	2,22,015	12	3	1,915	4	1	17,71,020	3	8
Punjab	25	902	1,16,579	10	5	565	1,31,959	0	11	1,260	6	5	11,27,794	8	7
Berar	6	168	15,507	3	0	99	19,607	8	3	59	4	10	2,21,662	9	2
State Railways	11	28,893	1,80,516	13	5	1,253	87,909	2	6	859	13	4	7,25,369	1	10
TOTAL	190	39,428	10,73,875	12	2	5,775	10,20,927	2	1	8,042	9	8	82,81,127	8	9

E. T. ATKINSON,
Offg. Comptroller General.

CALCUTTA,
The 5th December 1883.

Statement of the Affairs of the Bank of Bengal for the week ending 4th December 1883.

LIABILITIES.	R	a.	p.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	35,10,206	4	4
Public Deposits at Head Office . 68,61,774 R 10 a. 7 p.; Public Deposits at Branches . 1,22,64,491 14 11	1,91,26,266	9	6
Other Deposits at Head Office and Branches	2,52,93,069	0	1
Bank Post Bills, &c.	8,54,040	7	1
Sundries	15,80,876	9	3
RUPEES	6,98,64,458	14	3

ASSETS.	R	a.	p.
Government Securities	48,93,587	0	0
Other authorized Investments	57,42,800	0	0
Loans on Government and other authorized Securities	1,23,19,783	10	9
Accounts of Credit on Government and other authorized Securities	64,09,071	2	4
Bills discounted and purchased	1,81,16,681	8	8
Balances with other Banks	4,40,836	1	8
Bullion	84,484	9	0
Dead Stock	12,03,349	6	1
Stamps	7,683	5	0
Sundries	5,50,070	9	11
	4,97,68,347	5	5
Cash and Currency Notes at Head Office . 86,14,941 R 8 a. 8 p.; Cash and Currency Notes at Branches . 1,14,81,170 0 2	2,00,96,111	8	10
RUPEES	6,98,64,458	14	3

By order of the Directors.

BANK OF BENGAL,
Calcutta, 6th December 1883.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No. 1883.	No. of Note.	Value. R	Name of Claimant.
W 53	M 88—39352	500	Jiwan Padman, Bombay.
	M 44—86543	100	
	„ —86544	100	
W 54	M 67—13191	100	A. C. Bailward, Ajmere.
	„ —72491	100	
W 55	M 74—13276	50	Sitaram Laximanji, Marmagao.

BOMBAY,
The 4th December 1883.

C. E. CRAWLEY,
Asst. Acctt. Genl., Paper Currency Department, for Commissioner of Issue.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. R	Name of Claimant.
244	P 76—13741	100	Mr. Henry Mohapatra.
245	P 76—45784	100	Babu Sunt Lall.
246	P 39—14624	50	Chotidass Omed Mull.
248	P 43—29274	100	The District Superintendent of Police, Sylhet.
	„ —25080	100	
249	P 44—74138	100	The District Superintendent of Police, Dacca.
250	P 43—66249	100	Babu Bonomally Nundy.
251	P 44—06078	100	Inspector K. C. Banerjea, Jorabagan Thana, Section E., Town Calcutta.
252	P 76—62602	100	Babu Radhakissore Sott.
253	P 76—65028	100	Mr. J. T. Broadhead.
	„ —65029	100	

CALCUTTA,
The 7th December 1883.

J. TAYLOR,
Asst. Comptr. Genl., in charge, Paper Currency.

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No	No. of Note.	Value.	Name of Claimant.
		R	
81	. B 79—18171	. 100	Messrs. M. Ethirajulu Pillai & Co., Beswada.

FORT SAINT GEORGE,
The 26th November 1883.

H. S. GROVES,
Assistant Accountant General,
in charge of Paper Currency Dept.,
for *Commissioner.*

POST OFFICE.

NOTIFICATIONS.

Unclaimed Letters held in the Calcutta General Post Office on 6th December 1883

Agents, Scindia Paper Mills.
Aikman, J.
Bonninger and Schroder
Brown, C A
Browne, J. M
Bun, Edward H
Carmichael, David.
Churchill, J F.
Cocoza, Loreto.
Crane, H. P.
Davidson, A L.
Duff & Co , T.
Joyce, H M
Faulkner, Mrs. W. A.
Hall, J
Hardwick.
Hind, J
Hullard, Water.
Jackson, R
Knudsen, F. E O.
Lacy, O. B.
Laws, H
Legate William.
Lehureaux, F
Ludlum, H O
Mullen Mrs Jarlath.
Plummer, Fred. H
Short, B
Solano G L.
Swainson, G , Mrs.
Timmis, Charles
Whealon, Gerrit S.

Letters marked "Care of Post Office"

A. B , No. 160.
A. M.
Alpin, E B.
Allanby, Thomas.
Allen, J H.
Ashton, Thomas.
Atkins, R.
Bailey and Kerr, Messrs
Barber, R. J.
Barley, E , Mrs.
Hayes, J. W.
Bergman, Moritz.
Berry, J
Brace, L. J R.
Bradley, Walter.
Branson, T F.
Brown, John.
"Burnett."
Chappel, H E.
Colvin, Cecil.
Cowie, Miss.
C S
Dean, William Edward.
DeCruz, Mr.
Durrant, G F N
Dyett, W H. R.
Edden, Sergeant J.
Engel, Israil.
Erler, Albert.
"European"
Fane, Mr.
Filker, Jebb
Fergus, C. R.
Fontimayne, D.
Forrest, Francis
Fowler, James William
Fraser, Mrs F.
Graves, S H. P.
Gahan, Capt. R. L.
G O.
Hallett, W O
Hallowell, J. A.
Hankuwiz, C
Hargreaves, P.
Harland, W.
Haselmayer, L.
Healy, J H G.
Hillerd, Mrs
Hughes, Pringle.
Ireland, Dr S.
Karoly, S
Kimmins, W J.
King, Edward
Lane, William
Lee, Frederick.
"Lilly"
Lucchese, Q
Lucy, Mrs H W
Lyon, Percy Cummins.
M. J L S
MacConnell, Capt. R. J.
McKay, James B.
McLean, John.
Medem, B A.
Muir, John C.
O'Farrell, Surgeon-Major.
O'Hanlon, J.
Oakly, Miss.
Parker, G F.
Pemberton, R.
Phillips, F D
Quick, Frank.
Rachel
Read, R.
Reece, Mrs W.
Robertson, William.
Robinson, H. C , Mrs
Ryan, J H
Ryckman, E H
Saudland, Thomas S.
Schaeffler, F B
Schmidt, Otto
Seillier, Madame.
Sheppard, S. G.
Shiphan, Rev A
Stainslaus, Walter.
Stevenson, Mrs
Swainson, Mrs. George.
Truefelt, A. B.
Ishag, H
Tuck, Serjeant J
VansAgnew, Lieut. P. A.
Wade, Mrs.
Wells, J S
Williams, Mrs F. A.
Williamson, W. F

Registered Letters.

Greenblott, S
Geyer, Alfred
Kallonas, T. T.
Kuller, Marie
Morafit, Allessandro.
Mund, Luku.
Stevenson, Col T. R.
Thomson, C
Weiss, Miss Rosina.

Calcutta, the 8th December 1883.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date.	Per Steamer
	1883.	
Persian Gulf	8th Dec.	From Bombay
Persian Gulf	15th "	From Bombay.
Madras, Ceylon, and Intermediate Ports .	14th "	Str. *Scindia*.
Madras and Ceylon	15th "	P & O Str. *Peshawur*.
Colombo, Penang, Singapore, Hongkong, Shanghai, Yokohama, and Australian Colonies	11th "	From Bombay.
Foreign Mails *viâ* Bombay	11th "	From Bombay.*
Do. Book Post and Pattern Packets .	10th "	From Bombay.
Rangoon, Moulmein, and Straits . .	13th "	Str. *Chanda*.
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	13th "	Str. *Comilla*.

* Also for South Africa *viâ* England can be forwarded.

N.B.—The letter-box will close at 7 P. M. precisely; after which hour, foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin *R4-8;* per eight ounce tin, *R8-8;* per pound tin, *R16-8*. The general public can be supplied by the Superintendent, Botanical Gardens, *for cash only*, at the under-noted rates:—per four ounce tin *R5-8;* per eight ounce tin *R10-8;* per pound tin, *R20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فیوج

یهه دوا کونینائیں کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن یعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرایک ملازم سرکاري واسطے سرکاري کام اور خیرات کے اور سیواے اونکے جو کوئي ایک مشت بیس پونڈ خرید لینے سے بقیمت نقد حسب نرخ ذیل خرید کرسکتے هیں یعنے نرخ چار اونس کے ٹین کا چار روپیه آٹهه آنه ; آٹهه اونس کے ٹین کا آٹهه روپیه آٹهه آنه; یک پونڈ کے ٹین کا سوله روپیه آٹهه آنه'

اور عوام‌الناس بوٹانکل گارڈن یعنے کمپني با کے سپرنٹنڈنٹ صاحب سے بقیمت نقد حسب نرخ ذیل خرید کرسکتے هیں یعنے نرخ چار اونس ٹین کا پانچ روپیه آٹهه آنه ; آٹهه اونس کے ٹین کا دس روپیه آٹهه آنه ; ایک پونڈ کے ٹین کا بیس روپیه

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 8, 1883.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

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No. 49.} CALCUTTA, SATURDAY, DECEMBER 8, 1883.

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GOVERNMENT OF INDIA.

DEPARTMENT OF FINANCE AND COMMERCE.

SEPARATE REVENUE.

Statistics.

PAPERS REGARDING THE SUGGESTED ABOLITION OF THE ENGLISH DUTY ON GOLD AND SILVER PLATE, AND THE SYSTEM OF COMPULSORY HALL-MARKING.

The following papers are published for general information :—

Dated 11th January, 1883.

From—G. HICKIE, Esq., Secretary to the Calcutta Trades' Association,

To—The Secretary to the Government of India, DEPARTMENT OF FINANCE.

In the year 1880 an earnest attempt was made in England by those interested in the silversmiths' and goldsmiths' trade to procure the abolition of the English duty on silver plate, and an alteration of the restrictive laws relating to compulsory Hall-marking of silver and gold wares. A petition, presented to the English Parliament by certain artists and designers in metal work, and which is annexed hereto (see Appendix A), clearly sets forth the grievance of which they complain, and shows that the duty of 1*s.* 6*d.* an ounce imposed by the English law on all silver wares manufactured for sale in England tends materially to limit the demand for artistic work in silver, and, coupled with the system of compulsory Hall-marking, greatly lessens the consumption of silver as a raw material.

2. As bearing on the same important question, the Committee of the Trades' Association submit herewith a copy of certain resolutions adopted by the Goldsmiths' and Silversmiths' Free Trade Association at a meeting held in London in September 1880 (see Appendix B).

3. It seemed at first that these efforts to procure the repeal of an injurious tax, which, taken in connection with the laws for compulsory Hall-marking, is of a protective character, would be successful, but other considerations ulti-

mately prevailed, and the matter was referred to by Mr. Gladstone in his Budget speech in these words:—

"The next subject is one of very small dimensions indeed, but one which presents very considerable difficulty as well as inducement, and that is the subject of the duties on silver plate. The revenue it produces is no more than about £48,000 a year; but there are two reasons why, if we could, we ought to get rid of it. The first is the general advantage which never fails to attend the removal of Excise duty upon the products of British industry; and there is another special reason, which is, that there is every reason to believe that India is well qualified to supply us with silver wares in a manner advantageous to herself and to the trade and people of this country. These are the reasons in favour of the alteration of the duty, and they are very weighty reasons, but unfortunately there are reasons against the removal of the duty, in the ordinary manner which the House may consider as weighty, or weightier still. When I say 'the ordinary manner,' I mean the immediate removal of the duty. In the first place, in order to get rid of this £48,000 a year, you must not only give up that sum—which you might be willing enough to do—but if you remove this duty immediately which undoubtedly would be the best way of doing it, you must be prepared to meet a claim for drawbacks, which, in the first place, is enormous, in relation to the amount of duty, and totally transcends all the dimensions of ordinary ideas as to the drawbacks on taxable commodities, but which is open to the still greater objection that it is impossible to shut the door against drawbacks in the nature of fraud. When I come to make enquiry as to this drawback, gentlemen of the greatest intelligence and respectability in the trade say they think the drawback might be perfectly well covered by £170,000, or three and a half years' revenue. I have not the smallest doubt as to the perfect good faith of all that proceeds from the leading members of the trade; but it is not in their power, nor in the power of anybody, to assure us that we should not be subject to another demand, perhaps as great, in respect of fraudulent claims. I cannot say what that would be; but in the whole circumstances we do not see our way to proceed to the removal of this duty by the ordinary form of an immediate removal altogether without a corresponding claim in another direction. I am sorry to say the problem puzzles me, and I can suggest nothing better than that which is, as a rule, not to be resorted to, *viz.*, that the difficulties of this case might very gradually be provided for by such an annual reduction of the duty as would not disturb sensibly the course of trade; and I shall submit to the House a Resolution proposing that instead of 1*s.* 6*d.* an ounce, which is the amount now chargeable, the duty shall be reduced annually by three pence an ounce until it expires. The gold duty we do not propose to touch. That is a duty so peculiar that I really do not know how to deal with it under present circumstances; but I do not think there is any such reason for touching the duty of gold as there is for touching the ordinary duty on silver. I make that proposal not as the best thing conceivable, but as being the best that can be done under present circumstances."

4. Subsequently Mr. Gladstone moved the omission of the clause relating to the silver duty from the Revenue Bill in the following terms:—

"The Customs and Inland Revenue Bill was in Committee of the House of Commons on May 23rd, and Mr. Gladstone moved the omission of clause 7, dealing with the silver plate duty. On Sir G. Campbell asking why the clause was to be abandoned, Mr. Gladstone said the difficulties attending drawback on this subject were very great—much more serious than he had imagined. He had had considerable doubt as to the validity of the claim for drawback, and specially for full drawback; but under the clause it had not been proposed to give any drawback at all, but to proceed by a gradual method of reduction. Representations which had been made to him induced him to think that he could not persevere with a clause which affected not so much the interests of the trade, so called, as those of the working people. There had been great deadness in the condition of the trade, and he shrank from applying to it any measure which would have had a more or less paralysing effect. He had been obliged to let the matter stand over at this time, but other communications might yet take place. Mr. Ritchie then suggested that the right honourable gentleman should definitely abandon the clause, as the members of the trade would suffer if it were to be held *in terrorem* over them, but Mr. Gladstone said he could not give a pledge that, under no circumstances, would the question be reopened. There might arise other modes of dealing with it. Sir A. Lusk then observed that the clock and watch-making trade had entirely gone away from Clerkenwell. The people wanted something to do and could not get it; and it was no use to tell them to buy in the cheapest market if they had nothing to buy with. After a few more words from Mr. Onslow and Mr. Maciver the clause was negatived."

5. It will be seen that the importance of this question to the people of India is fully recognised in the above remarks, and there can, the Committee think, be no doubt that the repeal of this protective duty, which is imposed on all foreign silver plate imported into England, would, in course of time, tend to the improvement of exchange by promoting the consumption of silver and developing a large trade in silver goods, where none now exists, between this country and Great Britain; no trade is possible under the existing conditions of the law, because all Indian silver manufactures are subject to the tax of

1s. 6d. per ounce; they are also required to be Hall-marked before they are submitted for sale, under a penalty, in failure of their being so marked, of £10 for each piece of plate so exposed; the articles are, further, liable to be broken up by the Assay Office if the silver of which they are made fails by one-fourth of a grain to come up to the English standard of fineness, which differs considerably from the Indian standard of the rupee. English manufactures other than plain ware are submitted for the assay mark in the rough state, and before they are finished, to avoid the defacing operation of assaying and marking; but this is manifestly impossible in the case of Indian manufactures. The beautiful silver work of Cashmere, Guzerat, Cutch, the Punjab, and Southern India, is therefore kept entirely out of the English market by these prohibitive and protective duties, to the manifest disadvantage of the English purchaser as well as to the detriment of the Indian manufacturer.

6. One of the greatest evils of the present Hall-marking system in England is the destruction of the work if the silver is found to be only a quarter of a grain under the specific standard; in such cases the articles are entirely broken up and rendered fit only for the melting pot. So small a deviation from the English standard can make no real difference in the intrinsic value of silver ware to the purchaser, since it represents the value of only about the eighth of a farthing per ounce. Much of the highly-chased and elaborate work of the Indian silversmith cannot be made in soft pure silver, as the metal requires to be alloyed to a certain degree of hardness to enable it to be worked up to perfection.

7. The complicated and elaborate system of working this tax in England also operates unfavourably in many ways for the English manufacturers and exporters of silver goods. A firm in Calcutta recently had an elaborate and artistic piece of mechanical silver work made in London to order, the drawback for which for export amounted to £20; they were obliged, however, to forego this considerable sum because the English Custom House refused to allow the drawback unless the work was taken to pieces and the silver weighed, for the purpose of the drawback, separately from the other parts, and as the article was from the nature of its construction an extremely difficult piece of work, and could not be undone and put together again without much delay, the firm were obliged unjustly to suffer the loss.

8. The Committee annex a paper from the "Jeweller and Metal-worker" on the tax on silver plate, which gives some interesting information on the matter (see Appendix C).

9. The Committee think that they have now said enough to show the great importance of this subject to the Public and the Government of India as well as to the Indian manufacturer of silver goods. It has also an important bearing on the general question of a larger consumption of silver, and the consequent amelioration of its present reduced value, and above all on the possible development of a considerable trade in silver manufactures with England. The Committee would therefore respectfully urge on the Government the desirability of bringing the subject prominently to the notice of the British Government, with a view to the speedy repeal of this most restrictive and impolitic tax, and the amendment of the laws applying to the system of Hall-marking to the extent of rendering the application of that system non-compulsory.

APPENDIX A.

Petition of Artists on the Silver Duty.

(This petition was presented to Parliament by Mr. Mundella, M.P., *and* Mr. L. Courtney, M.P.)

To—The Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled

The humble petition of the undersigned Artists, designers in metal work, educated in schools in connection with the Science and Art Department, South Kensington.

Most respectfully sheweth,—That your petitioners are greatly interested in the attempt now being made to abolish the taxation of gold and silver plate, and to alter the laws relating to Hall-marking of those wares.

2. That your petitioners have long since found that the trade of the silversmith offers no inducement to artists to adopt it as a profession, owing to the limited demand for artistic silver productions.

3. That your petitioners are convinced that the duty of 1*s*. 6*d*. an ounce, which amounts, at the present price of silver, to a tax of 33 1-3 per cent. upon the value of the raw material, materially assists in limiting the demand for artistic productions.

4. That your petitioners are further convinced that the duty, coupled with the laws relating to the system of compulsory Hall-marking, limits the number of manufacturers, inasmuch as the hindrances to trade are such as prevent "outsiders" from engaging in the business, although there is nothing in silver, as distinguished from other metals, offering difficulties to the amateur.

5. That your petitioners have great reason to believe that if the duty were abolished, and if Hall-marking were rendered a voluntary institution under a system more in accordance with the practice of modern trade, an important development of the art of the silversmith might confidently be expected in the United Kingdom.

6. That the laws relating to the gold and silver trades have lately been under the consideration of a Select Committee of your honourable House, and that, with a single dissentient the duties have been condemned, the report recommending their abolition "whenever the state of the revenue shall permit."

7. That although the Select Committee, by a majority of one, recommended that Hall-marking should remain as at present—a compulsory proceeding—your petitioners humbly submit that the balance of evidence brought before honourable members was strongly in favour of a voluntary system of Hall-marking.

8. The freedom of trade being an established principle in the case of all other kindred trades, a *primâ facie* case was presented by several of the witnesses in favour of an extension of those principles to the gold and silver trades.

9. That artists have a direct interest in freedom of trade which, as it affects the demand for commodities, opens out new fields for their employment, encouraging them to study at home and abroad, with a view to the cultivation of their taste and the acquirement of knowledge of the respective manufactures.

10. That art would suggest that the quality of the material is of but little importance as compared with the artistic design and execution of manufactures.

And your petitioners therefore humbly pray that your honourable House, taking all these facts into consideration, will "as soon as the state of the revenue shall permit," give effect to the recommendation of the Select Committee, by abolishing the duties upon gold and silver plate, and that the laws relating to the gold and silver trades may all be abolished, and that a new Act may be passed providing for a voluntary system of Hall-marking easily accessible to manufacturers and dealers throughout the United Kingdom.

And your petitioners, as in duty bound, will ever pray.

APPENDIX B.

At a meeting of "The Goldsmiths' and Silversmiths' Free Trade Association" held September 10th at the Office of the Association, 12, Pall-Mall East, Mr. Edward J. Watherston presiding, it was unanimously resolved—(1) "That the question of the depreciation in the price of silver and the fall in the value of

the Indian rupee demands the early attention of Her Majesty's Government; that, in order to restore its market value, it is desirable that no hindrances to its use for manufacturing should be permitted any longer to prevail; that the duty of 1*s*. 6*d*. per ounce upon manufactured plåte, and the laws relating to the system of compulsory Hall-marking, in addition to being unjust and subversive of the principles of modern commercial legislation, are in the highest degree impolitic, as inviting the consumption of a raw material the value of which for currency purposes it is essential should be maintained." (2) "That a copy of the foregoing Resolution be forwarded to Her Majesty's Ministers."

APPENDIX C.

A tax upon silver plate was first originated in the year 1719, to assist in the reduction of the National Debt, which had become considerably enlarged by the cost of the *Spanish War*, and it was thought to reduce those costs principally by taxing the British silversmiths' industry. This tax, by the mode in which it was made to apply to the trade, soon proved very depressive to it; even at that time, for in 1758 it was repealed, the main cause being "for the encouragement of trade." It, however, was soon again imposed, namely, 1784, this time to pay for the *American War*. The tax was soon afterwards increased, and again in the years 1804 and 1815, and all for war purposes. The *French War*, which occurred at the last-named period, having cost £601,500,343, an enormous addition to the National Debt. To the makers of heavy silver goods paying duty, its retention may prove a source of profit, by the charging of the purchasing public the full duty of 1*s*. 6*d*. per ounce upon all their purchases, and pocketing the allowance usual for drawback. Therefore we may expect a few, and very naturally too, exclaiming in favour of things remaining as they are.

We have said to manufacturers of *special and heavy goods* doubtless a profit may be made of some magnitude where a considerable trade is annually conducted out of the tax. But why should the few profit by it to the injury of the many? The makers of *light and fancy goods*—which have to pay the tax—cannot possibly make any such profit by the means just indicated. The time occupied in finishing the work—which is much more defaced in marking than the heavy and solid—by the workman after the process of *compulsory Hall-marking* more than absorbing the value of the drawback allowed, and instead of a gain there is an *actual loss*. Assuming, then, that the duty tax is a net gain to a few manufacturers, it is a disadvantage and a drawback to a great many others, who would like to see its entire abolition, acting as it does injuriously to them, not only pecuniarily, but also in other ways. Firstly, because it so enhances the selling price of an article as to almost forbid its sale. The fact is readily enough shown by taking any small article of jewellery, and comparing it with one of the same weight and design of execution that has paid duty on the manufacture. We have simply to point out that the former, while equal to the latter in every way, can be purchased at from 20 to 40 per cent. less, an unusually large margin of difference in the cost of an article, when contending with dull times, such as have been experienced in the jewellery trades for a very considerable period now. Secondly, because the retention of the duty tax for the advantage of the comparatively few, as against the interests of great numbers, is really and absolutely bad in principle; it fosters a tax upon knowledge; it inflicts an injustice upon the precious metal trades by harassing its members; it crushes skilled enterprise in the production of artistic work; in the manufacture of plate—which is now the principal work taxed—*especially* it keeps old patterns and designs in the market which are best able to stand the cumbersome system of marking now in operation at the assay halls, to the exclusion of the more showy and tastefully designed work. Such obstacles to the gold and silver plate trade discourage a taste for design, as well as business enterprise, by having a tendency to lessen the demand for such articles, and so cause manufacturers' stocks to move but slowly through there being too much sameness of design, and which our present system of compulsory Hall-marking every article of plate—as well

as some other—has every tendency to encourage. The system of compulsory Hall-marking in England, to which all duty-paying articles are subjected, being so crude and distinctive in its application, that it has in a manner prevented the production of designs in conformity with the times, as regards style and taste; it has, therefore, as it were, hampered the English silver trades, and promoted the advancement of foreign trade in place of our own. A very good argument in support of this testimony is to be raised by the gradual decrease in the number of ounces upon which duty has of late years been paid, and of drawback allowed for exportation. The statistics show a remarkable and continuous diminution in the weight of silver on which duty has been paid.

During the period of the five years between 1855-59, the decrease was 192,500ozs., being 994,360ozs. in the former year and 801,860ozs. in the latter, and the weight on which the drawback was allowed from 156,440ozs. to 116,146ozs., a decrease of 40,294ozs. And during the period of five years from 1875-79 the decrease was 140,152ozs., being 880,493ozs., on which duty was paid in the former year, and 740,239ozs. in 1879. In the same period the weight on which the drawback was allowed decreased 35,059ozs., from 120,280ozs. to 85,121ozs. And last year the weight on which the duty was paid still showed a further decrease of 101,619ozs. from the former year, the amount being 638,620ozs These figures show a rapidly increasing decline in both the manufacture and exports of silver plate, and it is more than obvious that this decline must still continue year by year as time rolls on, unless the existing restrictions are removed.

As a further proof of the injury this unjust tax does the silver trade, we may mention the enormous increase in the manufacture of silver chains, lockets, and bracelets, since the duty was removed about two years ago. Before the duty was taken off these articles, there was no demand, and the manufacture was avoided, the call being for articles not Hall-marked, which of course meant the evasion of the duty, and not an objection to Hall-marked work, but purchasers preferred the risk of having a little inferior metal in their wares to paying so much above the nominal value of the metal they were purchasing in the shape of a heavy tax. Now the duty has been wisely taken off these articles, an enormous demand has sprung up for them with the Hall-mark upon them, clearly showing that it was the duty *alone* that proved such a source of hindrance to their former manufacture, by the considerably enhanced price it caused to be put upon the work, subject to its restrictions.

Dated 30th December, 1882.

From—Robert G. Orr, Esq., Chairman, Madras Trade Association,

To—The Right Honourable the Governor of Madras.

I have the honour, by the direction of the Committee of the Madras Trade Association, to address Your Excellency with reference to the serious disadvantages which operate against the importation into England of Indian silver plate, and which, under the existing English law and procedure, virtually amount to prohibition.

2. In the hope that it will please Your Excellency to take such steps as may be deemed desirable towards bringing prominently before the Secretary of State for India the anomalous position in which the silver industries of India are placed with regard to importation into England, the Association beg leave to offer the following explanatory observations.

3. In the first instance, *all* silver *plate* taken into England, whether as private property or intended for sale, is charged at the Customs with a duty of eighteen pence per ounce. It is scarcely necessary to say that this duty operates as a serious discouragement to the development of any silver industry; it has been well said that "it is subversive of the principles of modern fiscal legislation, obstructive to art progress, and an insurmountable obstacle to technical education in its application to silversmith's work;" and, if this be

true as to levying an invidious duty in England, it is equally true in its effects upon the silver industries of India.

4. Notwithstanding the levy of this burdensome and obstructive duty, the curious anomaly exists that, even after the English Government receive that duty, they forbid the goods being dealt in, excepting under conditions which amount practically, as concerns the Indian produce, to prohibition of sale in England.

5. Under laws dating back more than 500 years, the gold and silversmiths of London were empowered to furnish those who manufactured silver below a certain standard, and in the present day the "Hall" authorities, against whom there is no remedy and no appeal, wield with absolute despotism the extraordinary powers conferred upon them in the middle ages.

6. The law is that all silver plate, but not jewellery, shall be of a certain standard of fineness and then "Hall-marked" under a penalty of £10 and confiscation. If the manufactured plate, under any circumstances, be found below the English standard, it is at once mercilessly "smashed and battered" as if it contained or embodied the plague or some other fell disease.

7. But even if the Indian manufacturer have complied with the law, if he has specially obtained English standard silver—the rupee is considerably below that standard—and has paid eighteen pence per ounce, he is met with a further difficulty and an insurmountable objection. The silver plate must, before marking, be "scraped and assayed," and this process is performed so clumsily and ruthlessly that the English manufacturer finds it necessary to take back his goods to the workshop to be repaired and "done up;" he, therefere, sends his wares to the Hall in an unfinished state before being polished or burnished.

8. It is obvious that this course is not open to the Indian manufacturer (except at prohibitive cost), who must be content to run the risk of seeing his *finished* goods "mauled," and in some instances injured beyond recovery.

9. This simple statement of the difficulties which attend the importation of Indian silver plate into England appear to the Trades' Association to present strong grounds for an urgent representation to the Home Authorities for the removal of an impolitic and invidious duty. The Association are of opinion that the recent large-minded abolition of duties in India on English manufactures might well be followed by the mother country, in promptly and completely abolishing the silver duties, or at least in sweeping away the absurd and anomalous privileges so successfully exercised by the Hall authorities, manifestly to the protection of the English silver trade interest, but banefully injurious to the production of Indian art and industry.

Extract from the Proceedings of the Government of Madras, Revenue Department,—No. 8, dated 8th January 1883.

Read—

Memorial from the Chairman, Madras Trade Association, dated 30th December 1882.

Order thereon by the Government of Madras.

Ordered that of the two copies furnished of this memorial, one be forwarded for the favourable consideration of the Secretary of State for India and the other to the Government of India.

No. 1, dated 9th January, 1883

From—The Government of Madras,

To—The Secretary of State for India.

We have the honour to submit a memorial from the Madras Trade Association pointing out the difficulties which the importer of silver plate into England has to encounter.

2. We believe that these difficulties have not been in any degree exaggerated, and we trust that Her Majesty's Government will consider whether their removal is not possible. As matters stand at present, the English market is closed to plate of Indian manufacture, and one of those industries for which there is in this Presidency undoubted aptitude and which it is our special desire to foster, is greatly discouraged.

No. 26, dated 23rd January, 1883.
From—The Government of India,
To—The Secretary of State for India.

On the 17th March 1882, we telegraphed to Your Lordship's predecessor in the following terms:—

"We desire very earnestly to press upon Her Majesty's Government the importance of repealing the silver duty this year if possible. We believe that this would be a very gracious act at a time when we have repealed our custom duties; it would give much satisfaction to the public here, and would be highly politic."

2. In a Despatch No. 137 of May 4th, 1882, Lord Hartington made the following remarks:—

"I caused the substance of your telegram of the 17th of March last, relative to the importance of repealing the silver duty, to be communicated to the Lords Commissioners of Her Majesty's Treasury. The Chancellor of the Exchequer, in his Financial Statement, delivered in Parliament on the 24th of April, remarked that he is not prepared to make any proposals for the repeal of the duty at the present time, although he recognised that there were two reasons which recommended its abolition, the first and special one being the strong opinion expressed by Your Government in favour of its early removal, and the second the embarrassment to the market and hindrance to trade caused by its maintenance."

3. The Madras Government have forwarded to us a copy of their Revenue despatch of January 9th, 1883, in which they submit to Your Lordship a memorial from the Madras Trades' Association, pointing out the difficulties which the importer of silver plate into England has to encounter. "We believe", the Madras Government add—

"that these difficulties have not been in any degree exaggerated, and we trust that Her Majesty's Government will consider whether their removal is not possible. As matters stand at present, the English market is closed to plate of Indian manufacture, and one of those industries for which there is in this Presidency undoubted aptitude, and which it is our special desire to foster, is greatly discouraged."

4. We have now the honour to forward a representation from the Calcutta Trades' Association on the same subject.

5. Whether we consider this question from the point of view of the English consumers or from that of the foreign importers of silver, the desirability of abolishing the present duty, if the adoption of such a course be possible, is so obvious that we need not dwell on the subject at any length. Mr. Gladstone, in the speech of which an extract is given in paragraph 3 of the memorial from the Calcutta Trades' Association, stated that "the reasons in favour of the alteration of the duty" were "very weighty." We venture to think, however, that there are two considerations in connection with this subject which render the repeal of this duty specially desirable. The first of these considerations is that, inasmuch as the system under which the duty is at present levied places the English silversmith at an advantage compared to his foreign competitor, it is not in harmony with the general policy of Her Majesty's Government in such matters. The second is that the repeal of the duty, whilst conferring a benefit on the English consumers of silver, will also act beneficially on the general financial position of the Government of India.

6. As regards the first of these two points, we think there can be no doubt that, under the existing system, the English silversmith is to a certain extent protected against foreign competition. If the fineness of the imported articles is inferior in however slight a degree to the English standard of fineness, which differs considerably from the Indian standard of the rupee, not only is the sale of the articles in England prohibited, but they are liable to be broken up and

thus rendered valueless as works of art. It may be said that Indian silversmiths should only manufacture articles for export of the required fineness. But this is not in all cases possible. The Calcutta Trades' Association points out that—

"much of the highly-chased and elaborate work of the Indian silversmith cannot be made in soft pure silver, as the metal requires to be alloyed to a certain degree of hardness to enable it to be worked up to perfection."

Again, many of the articles manufactured in India are of very delicate workmanship which cannot, when they have once been finished, be assayed and hall-marked without being injured. On this subject the Calcutta Trades' Association say that—

"English manufactures other than plain ware are subjected to the assay and marked in the rough state, and before they are finished, to avoid the defacing operations of assaying and marking, but this is manifestly impossible in the case of Indian manufactures."

7. Turning to the second point mentioned above, namely, the extent to which the repeal of the duty would act beneficially on the general financial position of the Government of India, we need hardly point out that any measure tending to increase Indian exports and draw some portion of the population, however small, away from agriculture to manufactures, would, in any case, be very desirable. To these general considerations may, however, be added the argument that, in view of the large sterling payments to be made annually in England by the Government of India, it is especially to be desired in Indian interests that any duty tending to obstruct the consumption of silver in the form of plate, &c., should no longer be levied.

8. To these considerations we may perhaps add another which is of a political rather than a purely fiscal nature. It cannot be doubted that the recent abolition of the import duties, although highly beneficial to India, has been regarded by a considerable section of the Indian community as having been dictated in the interests of England. By those who hold such views it is urged that, after the large sacrifices India has made to give complete freedom to trade, it is not unreasonable to expect that a small fiscal reform of this nature, which would benefit India, should be made by Her Majesty's Government in England. Apart from the purely fiscal aspects of the question, we venture to think it would be desirable, on political grounds, to remove this grievance.

9. For these reasons we beg strongly to support the request of the Trades' Associations of Calcutta and Madras. We trust that it will be found possible to abolish the silver duty in connection with the financial arrangements of the year 1883-84.

10. As regards the question of drawbacks, which we understand constituted a consideradle difficulty when the matter was under consideration a year ago, we may perhaps be allowed to mention that in all the customs reforms carried out in India, no drawback has ever been allowed, although we have received frequent representations from individuals to the effect that, by reason of certain fiscal changes, a pecuniary loss has been entailed upon them.

No. 74, dated 10th May, 1883.

From—The Secretary of State for India,

To—The Government of India.

With reference to your letter dated the 23rd January last, No. 26 (Finance and Commerce), I forward herewith, for the information of Your Excellency, a copy of correspondence with the Treasury on the subject of the English plate duties, and of the system of compulsory Hall-marking.

Dated 22nd February, 1883.

From—J. K. Cross, Esq., Under-Secretary of State for India,

To—The Secretary to the Treasury.

In continuation of Sir Louis Mallet's letter of the 7th instant, I am directed by the Secretary of State for India in Council to forward herewith, for

submission to the Lords Commissioners of Her Majesty's Treasury, a copy of a letter from the Government of India, forwarding with their strong support a memorial from the Calcutta Trades' Association, in which that Association presses for the early repeal of the English import duties on Indian plate.

I am to request that you will direct their Lordships' attention to the last paragraph of the letter of the Government of India on the subject of drawbacks.

Dated 13th March, 1883.

From—LEONARD COURTNEY, Esq., Secretary to the Treasury,

To—The Under-Secretary of State for India.

I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of the Secretary of State in Council of India, that they have read with attention the memorial presented to the Secretary of State by the Gold and Silversmiths' Free Trade Association, and the letter from the Government of India, forwarding with strong support a memorial from the Calcutta Trades' Association in favour of the repeal of the gold and silver plate duties.

I am to say that the strongly-expressed wishes of the Government of India are entitled to, and receive the respectful consideration of Her Majesty's Government.

I am at the same time to point out that the financial equilibrium of the Budget must be a primary consideration with the Imperial Government, and that the question at issue in this case is complicated by the large amount of drawback for which a claim was put forward.

My Lords fear that they cannot hold out strong hopes of compliance with the wishes of the Indian Government, even in more favourable circumstances than now exist, until the trade are prepared to propose or accept such an arrangement in respect to drawback as Her Majesty's Government can recommend to Parliament.

My Lords have communicated to the Board of Trade and the Goldsmiths' Company the paper on Hall-marking received by Lord Kimberley from the Governor of Madras, and have requested to be favoured with the views both of the Company and of their Lordships of the Board of Trade upon the grievance therein stated.

My Lords desire to judge the whole question on its own merits, and they therefore will only note the difference, of which the Secretary of State in Council is doubtless aware, between the cotton duties imposed until recently in India, and the gold and silver plate duty. The former were purely and avowedly protective, but the latter is not so, the Customs duty on gold and silver plate being only framed to countervail the excise duty imposed upon the home manufacture.

Dated 9th May, 1883.

From— SIR LOUIS MALLET, C.B., Under-Secretary of State for India,

To—The Secretary to the Treasury.

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 13th March, and to request that you will convey to the Lords of the Treasury the Earl of Kimberley's great regret that their Lordships can hold out no stronger hope than that given in your letter of the repeal during the present Session of the duties on gold and silver plate.

With regard to the remarks in the 2nd paragraph of your letter, as to the difficulty which the question of drawbacks occasions, Lord Kimberley desires me again to request their Lordships' attention to the statement of the Government of India, referred to in my letter of 22nd February, that no drawbracks have ever been allowed in that country in cases of customs reforms, notwithstanding frequent representations of pecuniary loss entailed.

I am directed to add that Lord Kimberley is unwillingly to pass over without notice the statement, which appears to His Lordship inaccurate, at the close of your letter that the Indian cotton duties were "purely and avowedly protective." These duties, I am to remind you, were originally imposed purely for fiscal purposes, and at a time when no Indian manufactures existed which they could operate to protect; they were subsequently modified at different times in order to remove the protection which it was found that they were alleged to afford to certain classes of Indian-made goods; and they have recently been entirely abolished, in common with import duties upon many other articles.

No. 39, dated 22nd June, 1883.

From—The Government of India,

To—The Secretary of State for India.

We have the honour to acknowledge the receipt of Your Lordship's Despatch No. 74 (Statistics and Commerce) of May 10th, 1883, enclosing for our information a copy of correspondence with the Treasury on the subject of the English plate duties and of the system of compulsory Hall-marking.

2. In Mr. Leonard Courtney's letter of March 13th, 1883, which forms the second enclosure to this Despatch, the following passage occurs:—

"My Lords" (*i.e.*, the Lords Commissioners of Her Majesty's Treasury) "desire to judge the whole question on its own merits, and they therefore will only note the difference, of which the Secretary of State in Council is doubtless aware, between the cotton duties imposed until recently in India and the gold and silver plate duty. The former were purely and avowedly protective, but the latter is not so, the customs duty on gold and silver plate being only framed to countervail the excise duty imposed upon the Home manufacture."

3. In Sir Louis Mallet's letter of May 9th, 1883, which forms the third enclosure of the Despatch under reply, Your Lordship has pointed out, in terms in which we entirely agree, the inaccuracy of the statement which we have quoted above. Not only is it inaccurate to say that the Indian cotton duties were "avowedly protective," for, as is remarked in Sir Louis Mallet's letter, "these duties were originally imposed purely for fiscal purposes," but, as a matter of fact, the greater portion of the Indian cotton duties never acted protectively at all. The protective element was entirely eliminated from the Indian Tariff, so far as the cotton duties were concerned, on March 13th, 1879, when all cotton goods containing no yarn of a higher number than 30s were exempted from duty. The duties which were abolished in March 1882 did not act protectively. On this subject we beg to draw Your Lordship's attention to paragraphs 82-86 of the Financial Statement for 1883-84, which are to the following effect:—

"The twist which is imported from Europe does not compete with Indian twist. For years past the great bulk of the twist imported has been of counts much higher than any that can as yet be made in the Indian mills, which limit themselves to the production of twist of counts not exceeding 32 (mule) and 20 (water). All such kinds of English twist were freed from duty in March 1878.

"Of the grey piece-goods imported, those classes which compete with Indian-made goods were also exempted from duty in March 1879.

"White piece-goods are hardly produced at all as yet in India, except experimentally in one or two of the Bombay mills. As I have already mentioned, there has been a large decline in the imports of this class of goods.

"The piece-goods classed as 'other sorts' are not made in India.

"The remission of the Customs duties last year did not, therefore, in any way affect Indian mills, which have had to work without the protection of 3½ per cent. on twist since March 1878, and 5 per cent. on grey piece-goods of counts below 30s since March 1879. As was pointed out in the Financial Statement of last year (paragraphs 210 and 211), the duty which was abolished last March really protected one class of Manchester goods against another, and even to some slight extent protected English goods against those manufactured in India. The duty forced trade into an artificial channel by stimulating the consumption of the coarser kinds of goods and discouraging the use of medium and finer classes to the extent of a differential rate of 5 per cent."

4. If the Lords Commissioners of Her Majesty's Treasury are still under any misapprehension on this point, we think it would be very desirable that their attention should be again drawn to it. There can, in our opinion, be no comparison whatsoever between the Indian cotton duties, as they existed subsequent to March 13th, 1879, and the gold and silver plate duties in England which, as we remarked in the 6th paragraph of our Despatch of 23rd

January 1883, protect the English silversmith to a certain extent against foreign competition.

5. As regards the question of drawbacks, we would again draw attention to the point to which allusion is made in the 10th paragraph of our Despatch No. 26 of January 23rd, 1883, and in Sir Louis Mallet's letter to the Secretary to the Treasury of May 9th, 1883. No drawbacks have ever been allowed in India in the case of customs reforms, notwithstanding the frequent representations of pecuniary loss entailed upon individuals by reason of these reforms.

6. It was with great regret that we learned that Her Majesty's Government were not only unable to abolish the gold and silver plate duties immediately, but that the Lords Commissioners of Her Majesty's Treasury could not "hold out strong hopes of compliance with the wishes of the Indian Government, even in more favourable circumstances than now exist, until the traders are prepared to propose or accept such an arrangement in respect to drawbacks as Her Majesty's Government can recommend to Parliament." We are, of course, aware, in the words of Mr. Courtney's letter of March 13th, 1883, that "the financial equilibrium of the Budget must be a primary consideration with the Imperial Government;" but we venture to hope that, in view of the smallness of the amount of revenue involved, it will be possible at some early date to preserve fiscal equilibrium without the maintenance of these highly objectionable duties; whilst we cannot but consider that the payment of drawbacks should not be allowed to stand in the way of their abolition. Under these circumstances, we would again press the matter upon the consideration of Her Majesty's Government.

No. 186, dated 18th October, 1883.
From—The Secretary of State for India,
To—The Government of India.

With reference to your letter No. 39 (Separate Revenue) of 22nd June last, I enclose, for Your Excellency's information, a copy of further correspondence with the Treasury on the subject of plate duties.

2. I do not think it advisable to continue the discussion on this subject with the Treasury at present.

Dated 10th August, 1883.
From—Sir Louis Mallet, C.B., Under-Secretary of State for India,
To—The Secretary to the Treasury.

In continuation of my letter dated May 9th last, relative to the proposed repeal of the duties upon gold and silver plate, I am directed by the Secretary of State for India in Council to transmit herewith, for the consideration of the Lords of the Treasury, a copy of a letter from the Government of India, No. 39, Separate Revenue, dated 22nd June last.

I am directed to request that you will be so good as to call the attention of their Lordships to the last paragraph of the letter.

Dated 22nd September, 1883.
From—Leonard Courtney, Esq., Secretary to the Treasury,
To—The Under-Secretary of State for India.

With reference to Sir Louis Mallet's letter of 10th ultimo (R. S. & C. 1643), I am directed by the Lords Commissioners of Her Majesty's Treasury to request you to inform the Secretary of State for India in Council that my Lords have read with interest the remarks by the Government of India on the protective character of the former duties of cotton imported into India.

It would not be seemly for my Lords to controvert the views expressed by the Government of India on the objects of their fiscal arrangements. But, on the other hand, with reference to the last paragraph of the letter from the Government of India to which Lord Kimberley calls their Lordship's attention, they must remark that it is for them to judge whether, and when, Parliament can be asked to charge on the tax-payers large sums (under the name of drawback) to be paid to the holders of silver goods in order to relieve the purchasers of silver, who generally belong to the wealthier class of the community, from the present tax on plate.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

IRRIGATION BRANCH.

IRRIGATION OPERATIONS IN BENGAL FOR THE OFFICIAL YEAR 1883-84.

Areas leased for Irrigation up to the end of August 1883.

Circle.	District.	Canal.	Estimated full discharge.	Average discharge in month.	Discharge utilized.	Approximate area of land irrigated during the year up to the end of the month.	Approximate area of land under irrigation up to the same date last year.	DETAILS OF AREAS LEASED. Five years. All crops.	Five years. Khurreef.	ANNUAL LEASES. Khurreef	Rubbee.	Sugar-cane.	Bhadoi.	Hot weather.	TOTAL.	GRAND TOTAL.	RAINFALL, 1883-84. During month.	Up to end of month.	RAINFALL, 1882-83. During month.	Up to end of month.	REMARKS.
			C. ft.	C. ft.	C. ft.	Acres	Acres.	Acres.	Acres.	Acres.	Acres	Acres	Acres.	Acres.	Acres.	Acres.	Inches.	Inches.	Inches.	Inches.	
Orissa	Cuttack	Kendrapara	1,269	354·92	57·21	4,297	55,093	...	6,661	...	682	31	...	66	779	7,440	9·95	43·59	15·00	57·42	
		Gobri	372·82	105·46	3·42	...	4,096	...	...	...	...	...	...	...	...	...					
		Pattamoondee	1,042	33·53	9·42	346	13,809	...	350	...	2	...	...	15	17	367					
		High Level, Section I	675	97·58	21·24	1,026	14,260	...	1,426	...	67	3	...	16	86	1,513					
		Taldunda, 1st Reach	1,300	136	136	389	9,954	...	323	...	202	22	...	41	265	588					
		Ditto, 2nd do.	650	39	39			...		...			...								
		Matchgong	650	81	81	5,496	22,309	...	5,499	...	200	56	...	90	346	5,845					
	Balasore	High Level, Section II	727·16	115·37	115·37	101	64	...	...	...	...	440	...	...	440	440					
		Ditto, do. III	727·16	...	...	...	1,134	...		...	...		...	...							
		Total	...	...	...	11,657	120,709	...	14,259	...	1,153	552	...	228	1,933	16,192	..	..	..	..	
	Total of the corresponding period of last year.		...	...	...	...	...	...	100,489	23,234	3,900	276	...	...	27,516	128,005	..	..	..	..	
South-Western.	Midnapore	Midnapore	1,411	190	124	71,966	83,824	...	73,311	...	...	...	...	...	...	73,311	16·65	38·15	13·08	44·74	Whole month discharging.
	Howrah	Panchkoorah	533	...	...	9,894	10,212	...	10,174	...	...	...	...	...	...	10,174	12·31	43·00	6·90	32·59	No discharge during the month.
		Total	...	...	...	81,860	94,036	...	83,485	...	...	...	...	...	...	83,485	..	..	..	..	
	Total of the corresponding period of last year.		...	...	...	...	...	...	92,927	...	...	...	...	...	...	92,927	..	..	..	..	
Sone.	Shahabad	Western Main	4,342	1,530	157	8,513	3,990	4,860	...	1,797	...	381	...	...	2,178	7,039	2·00	23·17	10·63	15·55	
		Buxar	1,226	309	305	15,830	12,487	15,006	...	7,030	...	1,932	5	69	9,036	24,042					
		Arrah	1,680	925	899	54,538	5[illegible],759	52,021	...	9,5[illegible]8	...	1,502	155	7,004	18,158	71,209	4·72	25·05	13·28	26·34	
	Patna and Gya	Eastern Main	1,466	871·71	829·21	277	308	214	...	129	...	...	...	...	129	343	5·25	29·74	7·19	25·19	
		Patna				15,466	17,954	13,147	...	5,485	...	8	...	67	5,560	18,707					
		Total	...	...	...	97,422	85,217	85,248	...	23,969	...	3,823	160	7,139	65,091	120,339	..	..	..	..	
	Total of the corresponding period of last year.		...	...	...	...	...	59,193	...	36,541	3,425	10,209	...	...	50,175	109,368	..	..	..	..	
		Grand Total	...	...	...	190,939	299,962	85,248	97,744	23,969	1,153	4,375	160	7,367	37,024	220,016	..	..	..	..	
	Grand total of the corresponding period of last year.		...	...	...	...	...	59,193	193,416	59,875	7,331	10,465	...	...	77,691	330,300	..	..	..	..	

The 6th November 1883.

C. W. ODLING,
Under-Secy. to the Govt. of Bengal,
P. W. Department.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

IRRIGATION BRANCH.

IRRIGATION OPERATIONS IN BENGAL FOR THE OFFICIAL YEAR 1883-84.

Areas leased for irrigation up to the end of September 1883.

Circle.	District.	Canal.	Estimated full discharge.	Average discharge in month.	Discharge utilized.	Approximate area of land irrigated during the year up to the end of the month.	Approximate area of land under irrigation up to the same date last year.	Details of areas leased: Five years. All crops.	Details of areas leased: Five years. Khurreef.	Annual leases: Khurreef.	Annual leases: Rubbee	Annual leases: Sugar-cane.	Annual leases: Bhadoi.	Annual leases: Hot weather.	Annual leases: Total.	Grand Total.	Rainfall, 1883-84: During month	Rainfall, 1883-84: Up to end of month.	Rainfall, 1882-83: During month.	Rainfall, 1882-83: Up to end of month.	Remarks.
			C. ft.	C. ft.	C. ft	Acr.	Acr.	Acr.	Acr.	Acr.	Acr	Acr.	Acr.	Acr.	Acr.	Acr.	In.	In.	In.	In	
Orissa	Cuttack	Kendrapara	1,269	458	156·49	4,595	55,225	...	6,739	..	682	31	..	66	779	7,518					
		Gobri	372 82	125 20	11 05	...	4,096	...	...	..	..	..	..	..	...	...					
		Pattamoondee	1,042	39 24	16 32	524	13,609	...	550	..	2	..	..	15	17	567					
		High Level, Section I.	675	160·21	14 25	1,026	14,260	...	1,426	..	67	3	..	16	86	1,512					
		Taldunda, 1st Reach.	1,300	153	158																
		Taldunda, 2nd Reach.	660	...	...	9,954	...	...	323	..	202	22	..	41	265	588	9·01	52 60	16·81	74·23	
		Matchgong	660	120	120	5,723	22,309	...	5,720	..	200	56	..	90	346	6,066					
	Balasore	High Level, Section II.	727·16	...	...	187	230														
		High Level, Section III.	727·16	...	...	...	1,117	...	...	..	..	233	..	..	233	233					
		Total	...	...	...	22,009	111,046	...	14,758	..	1,153	345	..	228	1,726	16,484	..	..	..	..	
	Total of the corresponding period of last year.		...	...	...	...	...	...	123,823	..	4,004	308	..	..	4,312	128,135	..	..	..	..	
South-Western	Midnapore	Midnapore	1,411	741	564	72,989	84,802	...	73,726	..	..	..	..	..	...	73,726	4 10	43·25	9 37	54·11	Whole month discharging.
	Howrah	Panchkoorah	523	112	92	10,055	10,424	...	10,174	..	..	..	..	..	...	10,174	6 12	49·12	7 56	40 15	23 days discharging.
		Total	...	...	...	83,044	95,226	...	83,900	..	..	..	..	..	...	83,900	..	..	..	..	
	Total of the corresponding period of last year.		...	...	...	...	...	...	93,469	..	..	..	..	..	...	93,469	..	..	..	..	
Sone	Shahabad	Western Main	4,342	2,428	368	7,709	6,097	4,914	...	3,766	..	381	..	..	4,147	9,061	4 86	28·03	2 58	21·08	
		Buxar	1,226	496	403	29,166	19,896	15,565	...	13,699	..	1,932	20	69	15,720	31,285					
		Arrah	1,660	1,274	1,172	73,816	63,395	52,600	...	24,355	..	1,502	159	7,003	33,019	85,619	4·54	29·59	2·79	29·13	
	Patna and Gya.	Eastern Main	1,466	928·29	745 44	544	501	214	...	220	..	..	..	..	220	434	2·54	32 28	3 76	28·95	
		Patna				27,593	23,439	14,425	...	9,705	..	8	26	67	9,806	24,231					
		Total	...	...	...	137,828	113,328	87,718	...	51,745	..	3,823	205	7,139	62,912	150,630	..	..	..	..	
	Total of the corresponding period of last year.		...	...	...	...	...	62,192	...	46,325	3,347	10,275	..	..	59,947	122,139	..	..	..	..	
		Grand Total	...	...	...	242,881	319,600	87,718	98,658	51,745	1,153	4,168	205	7,367	64,638	251,014	..	..	..	..	
	Grand Total of the corresponding period of last year.		...	...	...	...	...	63,192	217,298	46,325	7,351	10,583	..	..	64,259	343,748	..	..	..	..	

The 8th November 1883.

C. W. ODLING,
Under-Secy to the Govt. of Bengal,
P. W. Dept.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

IRRIGATION OPERATIONS OF FASL KHARIF IN THE PUNJAB FOR 1883-84, UP TO 30th SEPTEMBER 1883.

Canal Division.	Water distributed during September 1883. Depth in Canal at Regulating Gauge. Full supply.	Actual throughout.	Gross Consumption, cubic feet per second. Estimated full supply.	Actual average throughout.	Navigation Return Canal. Principal items of Traffic. Up.	Down.	Land irrigated (approximate). Zila.	Acres.	Rainfall. Average	During month.	Chief crops (approximate). Name.	Area in acres.	Remarks.
Bari Doab Canal. 1st Division	4·9	4·4	3,073·60	1,199	. .	. . . .	Gurdáspur	18,655	5·59	8·70	Cotton	22,076	On the Bári Doáb Canal, there is an increase of 15,730 acres as compared with the corresponding month of last year, and of 41,464 acres as compared with the season of 1881-82. The increase during the month has been rather small (only 12,544 acres); this is due to the heavy rain in the early part of the month. The demand for water however again increased towards the end of the month, and there can now be no reasonable doubt that this Kharif will be the largest on record.
2nd Division, Main Branch, Lower	4·6	3·4		764	. .	. . . .	Amritsar	59,921	4·40	9·05	Rice	21,195	
2nd do., Lahore Branch	3·35	3·1		585	. .	. . . .	Lahore	73,916	3·90	13·00	Sugarcane	9,274	
Passed through Escapes	. .	. .	. . .	192	. .	. . . .	. . .	. . .	. .	. .	Others	99,947	
Total Bári Doáb Canal	. .	. .	3,073·60	2,740	. .	. . . .	. . .	152,492	. .	. .	. . .	152,492	
Corresponding period of last year	. .	. .	3,073·60	2,164	. .	. . . .	. . .	136,762	. .	. .	. . .	136,762	
Western Jumna Canal. Karnál Division	4·33	4·66	2,546	—65	. .	649,287 kurries, bullies, &c.; 40,414 cubic feet timber, and 71,021 mds. firewood.	Umballa	2,413	4·6	10·03	Cotton	68,192	The operations on the Western Jumna Canal during the month show an increase of 13,686 acres, and as compared with last year of 22,300 acres. The rainfall in September has enabled the canal to save a large area of crops that would otherwise have perished.
Delhi do.	5·70	5·61		805	. .		Karnál	43,580	3·0	6·73	Rice	50,155	
Hánsi do.	9·00	9·15		1,364	. .		Delhi	36,456	3·2	5·50	Sugarcane	35,301	
Do. Bulla Head	8·80	7·92		303	. .		Rohtak	37,892	2·9	5·20	Others	35,772	
Passed through Escapes	. .	. .	. . .	405	. .		Hissár	37,937	2·1	1·70	. . .	. . .	
							Jhínd	30,024	1·9	5·50	. . .	. . .	
							Bíkaner	201	. .	. .	. . .	. . .	
							Kalsia State	917	. .	. .	. . .	. . .	
Total Western Jumna Canal	. .	. .	2,546	2,812	. .	649,287	. . .	189,420	. .	. .	. . .	189,420	
Corresponding period of last year	. .	. .	2,546	2,387	. .	194,505	. . .	167,120	. .	. .	. . .	167,120	
Inundation Canals. Upper Sutlej Division	. .	. .	. . .	. . .	. .	. . . .	Lahore	13,000	. .	. .	Detail not obtainable for want of establishment.	. . .	On the Inundation Canals the decrease is entirely due to the unfavorable condition of the rivers during the late season. In Muzaffargarh Division 139,040 acres only are shown against 159,072 in preceding month. This is due to Rabbi irrigation having been included in the returns for August. The estimated Rabbi area to end of September in this Division is 97,321 acres, and will be reported in return for October.
Lower Sutlej and Chenab Division	. .	. .	. . .	. . .	. .	. . . .	Montgomery	28,000	. .	. .		. . .	
Indus Canals	. .	. .	. . .	. . .	. .	. . . .	Mooltan	170,255	0·65	2·0		. . .	
Muzaffargarh Canals	. .	. .	. . .	. . .	. .	. . . .	Dera Ghází Khan	109,218	0·35	. .	. . .	. . .	
							Muzaffargarh	139,030	. .	. .	. . .	. . .	
Total Inundation Canals	. .	. .	. . .	. . .	. .	. . . .	. . .	459,503	. .	. .	. . .	459,503	
Corresponding period of last year	. .	. .	. . .	. . .	. .	. . . .	. . .	544,569	. .	. .	. . .	544,569	
Perennial Canals, Grand Total	. .	. .	. . .	. . .	. .	. . . .	. . .	341,912	. .	. .	. . .	341,912	On the Perennial Canals there is an increase of 38,030 acres as compared with the corresponding period of the previous year.
Do. corresponding period of last year	. .	. .	. . .	. . .	. .	. . . .	. . .	303,882	. .	. .	. . .	303,882	

J. E. CATTON,

Offg. Asst. Secy. to Govt., Punjab, P. W. D., Irrigation Branch.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

IRRIGATION OPERATIONS OF FASL KHARIF IN THE NORTH-WESTERN PROVINCES, 1883, UP TO 30th SEPTEMBER 1883.

	Canal Division.	Water distributed during September, 1883. — Depth in canal at regulating gauge in feet. — Full supply.	Depth in canal — Actual average throughout.	Gross consumption, cubic feet per second. — Allotted discharge.	Gross consumption — Actual average throughout.	Total area of irrigation during current fasl.	Total area for the corresponding period of last year.
Upper Ganges.	Northern	10·00	8·30	950	212	49,945	48,778
	Anúpshahr	7·00	5·38	1,100	513	58,654	54,556
	Meerut	8·10	6·48	925	1,403	78,024	72,045
	Bulandshahr	7·20	5·46	925	138	81,483	69,638
	Aligarh	5·50	4·51	1,300	468	87,825	72,457
Lower Ganges.	Narora	9·00	3·27	975	17	14,592	13,497
	Mainpuri	7·00	1·2	600	66	34,043	34,124
	Cawnpore	8·20	3·80	825	223	50,331	51,907
	Etáwah	5·80	3·54	975	360	65,156	69,698
	Bhognipur	7·00	3·74	950	. .	25,818	21,072
Total Upper and Lower Ganges Canals		. .	. .	9,525	3,400	545,871	507,772
	Eastern Jumna Canal	4·74	3·06	1,300	814	111,547	104,665
	Agra Canal	8·50	6·7	1,300	183	59,489	43,123
	Rohilkhand	. .	. .	. .	. .	31,034	24,231
	Bijnor	. .	. .	. .	. .	1,516	1,471
	Dún	. .	. .	. .	. .	4,585	4,668
	Jhánsi	. .	. .	. .	. .	55	42
	Hamírpur	. .	. .	. .	. .	51	50
Total		. .	. .	. .	. .	754,148	686,022

Zila.	Land irrigated (approximate). — Sugarcane.	Indigo.	Rice.	Cotton.	Other food-grains.	Fodder crops.	Miscellaneous.	Total.	Rain-fall. — Total from 1st April to end of September, 1883.	Average of ten previous years for the same period.
Sahāranpur	16,809	1,802	29,062	1,010	3,622	822	1,258	54,385	14·0	30·8
Muzaffarnagar	42,034	4,615	22,868	4,062	8,742	3,201	4,388	89,910	15·3	27·5
Meerut	63,309	17,629	8,455	14,946	26,973	5,193	2,814	139,319	12·5	26·2
Bulandshahr	6,098	53,145	59	13,353	14,748	4,787	2,026	94,216	16·8	23·8
Aligarh	588	45,591	287	5,486	10,291	525	1,562	64,330	17·3	23·0
Muttra	1,111	10,007	. .	11,861	3,260	214	1,321	27,774	13·6	24·1
Agra	1,278	4,487	13	1,925	3,158	145	49	11,496	16·6	25·0
Etah	1,306	26,302	686	1,743	4,815	138	1,142	36,132	18·5	24·4
Mainpuri	2,895	34,418	1,385	1,427	6,955	985	1,844	49,907	19·6	28·6
Fatehgarh	2,234	14,842	648	696	3,124	276	90	21,910	15·2	26·8
Etáwah	5,273	42,489	1,069	316	2,333	740	1,100	53,320	18·0	24·2
Cawnpore	4,846	41,400	1,677	1 8	2,650	132	2,151	52,964	17·4	23·0
Delhi	. .	33	. .	22	. .	22	34	111	13·6	25·2
Gurgaon	1,134	4,808	14	11,765	525	2,582	305	21,133	16·7	24·4
Dehra Dún	768	. .	3,516	. .	. .	. .	301	4,585	34·6	67·8
Bijnor	1,480	. .	36	. .	. .	. .	. .	1,516	20·6	34·5
Tarái	1,270	. .	4,872	. .	. .	. .	. .	6,142	34·6	40·6
Pilibhit	813	. .	2,244	. .	. .	. .	. .	3,057	25·0	42·6
Bareilly	4,668	. .	17,167	. .	. .	. .	. .	21,835	14·0	37·0
Jhánsi	26	. .	9	8	. .	. .	12	55	13·3	30·1
Hamírpur	10	. .	4	. .	. .	. .	37	51	25·5	26·7
Total	157,950	301,568	94,071	68,728	91,196	19,760	20,875	754,148	. .	. .
Total for the same period last year	191,215	310,226	82,050	47,780	31,900	6,314	16,537	686,022	. .	. .
Increase	. .	. .	12,021	20,948	59,296	3,446	4,338	68,126	. .	. .
Decrease	33,265	8,658	. .	. .	. .	. .	. .	. .	. .	. .

Remarks.

			Cubic feet per second.
Supply—			
Entering head of Ganges Canal			5,187
" Lower Ganges Canal			644
			5,831
Expended—			
Ganges Canal	2,734		
Lower Ganges Canal	666		
		3,400	
Escaped—			
Anupshahr Branch, Ganges Canal	263		
Meerut Division, ditto	436		
Bulandshahr ditto ditto	164		
Narora ditto, Lower Ganges Canal	370		
Mainpuri ditto ditto	88		
Cawnpore ditto ditto	390		
Etawah ditto ditto	611		
Bhognipur ditto ditto	418		
Percolation from the Mainpuri Division	6		
		2,746	
			6,146
Deduct drainage water			315
			5,831

Executive Engineer, Northern Division, Ganges Canal, reports that during the month the supply in river met all demands, on the 28th September the rope was put across the river and work on head bunds begun. There was fair rain during the early part of the month, but not sufficient for rice; sugar in parts also took water. The outturn of irrigated crops is good.

Executive Engineer, Meerut Division, Ganges Canal, reports that the demand latterly has been universal for late autumn crops and *paleo* of *do fasli*; the closure of Rajbahas in the upper part of the division was impossible on account of sugar and rice.

Executive Engineer, Bulandshahr Division, Ganges Canal, reports that on the 4th and 5th of the month there was heavy rain all over the division which completely stopped irrigation, it was showery up to the 15th after which west wind began to blow which created a demand again for water for sugar, cotton, and maize, about the 24th September.

Executive Engineer, Aligarh Division, Ganges Canal, reports a general and heavy fall of rain on the 4th and 5th of the month which stopped the demand for canal water.

Executive Engineer, Narora Division, Lower Ganges Canal, reports that there were showers and rain up to the 15th when they ceased altogether, and there was little or no demand.

Executive Engineer, Mainpuri Division, Lower Ganges Canal, reports that the demand for water was limited to the first and last few days of the month, and that general rain fell over the division from the 4th to the 15th

Executive Engineer, Cawnpore Division, Lower Ganges Canal, reports that the deficiency is due to the rainfall of the 10th to 16th which stopped all further demand.

Executive Engineer, Etáwah Division, Lower Ganges Canal, reports that the decrease is chiefly in indigo, for reasons given in former reports.

Executive Engineer, Bhognipur Division, Lower Ganges Canal, reports that all distributaries were closed throughout the month; rain fell at intervals up to the 15th sufficient for most kharif crops.

Executive Engineer, Eastern Jumna Canal, reports that there was general rain on the 2nd and 3rd, and that canal was closed from the 5th to the 14th inclusively; the increase in area is due to the dry weather of August, and is principally under maize and cotton.

Executive Engineer, Rohilkhand Canals, reports that heavy rain fell on the 6th, and again on the 9th, 10th and 13th, which brought the rains to a close; the water was all used for rice irrigation except on the Dhora river, where it could not be utilized owing to dams being breached; there was a steady demand throughout after the rain ceased; the Kicha and Kailas canals had to be closed for silt clearance, and were not re-opened till the end of the month. Water is now in great demand and will be wanted for rabi paleo.

Hamirpur return reported blank.

No remarks from the other Divisions.

ALLAHABAD,
The 25th October 1883.

W. P. V. HORST,
Offg. Asst. Secy. to Govt., N.-W. P. and Oudh,
P. W. D., Irrigation Branch.

STATEMENT OF TRAFFIC ON UPPER AND LOWER GANGES CANALS FOR THE MONTH OF SEPTEMBER 1883.

UPPER GANGES CANAL. — Principal items of Local Traffic.

	Up. Mds.	Up. Nos.	Down. Mds.	Down. Nos.	Total up and down. Mds.	Total up and down. Nos.
Grains.						
Wheat	925	..	7,663	..	8,588	..
Gram	..	..	..	..	..	..
Rice	..	..	..	..	..	..
Paddy or dhán	..	..	..	..	..	..
Bejhar or mixed grain	..	..	..	..	..	..
Dál — Urd	40	..	..	..	40	..
Dál — Múng	..	..	..	..	..	..
Dál — Arhar	..	..	..	..	..	..
Dál — Masúri	..	..	..	..	..	..
Juár	..	..	..	..	..	..
Bájra	..	..	..	..	..	..
Maize or Indian-corn	..	..	..	..	..	..
Barley	..	..	..	..	..	..
Total	965	..	7,663	..	8,628	..
Cotton	..	..	..	..	..	..
Oil-seeds	..	..	..	..	..	..
Salt	..	..	..	..	..	..
Metals	21	..	82	..	103	..
Building materials	24,280	..	10,775	..	35,055	..
Miscellaneous goods	634	..	110	..	744	..
Firewood	1,825	..	1,180	..	3,005	..
Bamboos	..	..	645	12,900	645	12,900
Timber — Poles and unsquared timber	..	..	1,701	1,701	1,701	1,701
Timber — Karis and squared timber	60	80	1,044	1,044	1,104	1,124
Timber — Logs	..	..	320	16	320	16
Miscellaneous timber	1,500	3,000	180	360	1,680	3,360
Live-stock	..	..	..	..	..	..
Grand Total	29,285	3,080	23,700	16,021	52,985	19,101
Total during corresponding period of last year	2,862	..	11,375	28,350	14,237	28,350
Increase	26,423	3,080	12,325	..	38,748	..
Decrease	..	..	..	12,329	..	9,249

LOWER GANGES CANAL. — Principal items of Local Traffic.

	Up. Mds.	Up. Nos.	Down. Mds.	Down. Nos.	Total up and down. Mds.	Total up and down. Nos.
Grains.						
Wheat	..	..	853	..	853	..
Gram	3,104	..	..	..	3,104	..
Rice	..	..	..	..	..	..
Paddy or dhán	..	..	..	..	..	..
Bejhar or mixed grain	7	..	..	..	7	..
Dál — Urd	..	..	..	..	..	..
Dál — Múng	..	..	..	..	..	..
Dál — Arhar	2,427	..	..	..	2,427	..
Dál — Masúri	..	..	..	..	..	..
Juár	..	..	..	..	..	..
Bájra	..	..	..	..	..	..
Maize or Indian-corn	..	..	..	..	..	..
Barley	100	..	..	..	100	..
Total	5,638	..	853	..	6,491	..
Cotton	..	..	57	..	57	..
Oil-seeds	..	..	25	..	25	..
Salt	..	..	..	..	..	..
Metals	36	..	..	..	36	..
Building materials	315	..	9,348	..	9,653	..
Miscellaneous goods	6	..	1,206	..	1,212	..
Firewood	400	..	..	..	400	..
Bamboos	..	..	..	..	..	..
Timber — Poles and unsquared timber	..	..	..	..	..	..
Timber — Karis and squared timber	..	..	12	12	12	12
Timber — Logs	..	..	..	..	..	..
Miscellaneous timber	..	..	..	..	..	..
Live-stock	..	..	..	..	..	..
Grand Total	6,395	..	11,501	12	17,896	12
Total during corresponding period of last year	2,113	..	27,006	402	29,119	402
Increase	4,282	..	..	..	..	..
Decrease	..	..	15,505	390	11,223	390

UPPER AND LOWER GANGES CANALS. — Principal items of Through Traffic.

	Up. Mds.	Up. Nos.	Down. Mds.	Down. Nos.	Total up and down. Mds.	Total up and down. Nos.
Grains.						
Wheat	..	..	5,440	..	5,440	..
Gram	227	..	..	..	227	..
Rice	..	..	..	..	..	..
Paddy or dhán	..	..	..	..	..	..
Bejhar or mixed grain	..	..	..	..	..	..
Dál — Urd	..	..	..	..	..	..
Dál — Múng	..	..	..	..	..	..
Dál — Arhar	47	..	..	..	47	..
Dál — Masúri	..	..	..	..	..	..
Juár	..	..	..	..	..	..
Bájra	..	..	..	..	..	..
Maize or Indian-corn	..	..	..	..	..	..
Barley	..	..	..	..	..	..
Total	274	..	5,440	..	5,714	..
Cotton	..	..	..	..	..	..
Oil-seeds	250	..	..	..	250	..
Salt	..	..	177	..	177	..
Metals	..	..	..	..	..	..
Building materials	..	..	475	..	475	..
Miscellaneous goods	..	..	3,653	..	3,653	..
Firewood	400	..	..	..	400	..
Bamboos	..	..	..	..	..	..
Timber — Poles and unsquared timber	..	..	..	..	..	..
Timber — Karis and squared timber	..	..	..	..	..	..
Timber — Logs	..	..	..	..	..	..
Miscellaneous timber	..	..	..	..	..	..
Live-stock	..	..	..	..	..	..
Grand Total	924	..	9,745	..	10,669	..
Total during corresponding period of last year	501	..	8,573	..	9,074	..
Increase	423	..	1,172	..	1,595	..
Decrease	..	..	..	..	..	..

UPPER AND LOWER GANGES CANALS. — Principal items of Local and Through Traffic.

	Up. Mds.	Up. Nos.	Down. Mds.	Down. Nos.	Total up and down. Mds.	Total up and down. Nos.	Remarks.
Grains.							
Wheat	925	..	13,956	..	14,881	..	
Gram	3,331	..	..	..	3,331	..	
Rice	..	..	..	..	..	..	
Paddy or dhán	..	..	..	..	..	..	
Bejhar or mixed grain	7	..	..	..	7	..	
Dál — Urd	40	..	..	..	40	..	
Dál — Múng	..	..	..	..	..	..	
Dál — Arhar	2,474	..	..	..	2,474	..	
Dál — Masúri	..	..	..	..	..	..	
Juár	..	..	..	..	..	..	
Bájra	..	..	..	..	..	..	
Maize or Indian-corn	..	..	..	..	..	..	
Barley	100	..	..	..	100	..	
Total	6,877	..	13,956	..	20,833	..	
Cotton	..	..	57	..	57	..	
Oil-seeds	250	..	25	..	275	..	
Salt	..	..	177	..	177	..	
Metals	57	..	82	..	139	..	
Building materials	24,595	..	20,598	..	45,193	..	
Miscellaneous goods	640	..	4,969	..	5,609	..	
Firewood	2,625	..	1,180	..	3,805	..	
Bamboos	..	..	645	12,900	645	12,900	
Timber — Poles and unsquared timber	..	..	1,701	1,701	1,701	1,701	
Timber — Karis and squared timber	60	80	1,056	1,056	1,116	1,136	
Timber — Logs	..	..	320	16	320	16	
Miscellaneous timber	1,500	3,000	180	360	1,680	3,360	
Live-stock	..	..	..	..	..	..	
Grand Total	36,604	3,080	44,946	16,033	81,550	19,113	
Total during corresponding period of last year	5,476	..	46,954	28,752	52,430	28,752	
Increase	31,128	3,080	..	..	29,120	..	
Decrease	..	..	2,008	12,719	..	9,639	

Particulars.	Upper Ganges Canal (local). 1882.	Upper Ganges Canal (local). 1883.	Lower Ganges Canal (local). 1882.	Lower Ganges Canal (local). 1883.	Upper and Lower Ganges Canals (through). 1882.	Upper and Lower Ganges Canals (through). 1883.	Total, Upper and Lower Ganges Canals. 1882.	Total, Upper and Lower Ganges Canals. 1883.
Tonnage, including weight of timber and bamboos	523	1,947	1,070	657	333	392	1,926	2,996
Ton mileage	19,649	87,940	41,680	29,079	56,429	72,928	117,758	189,947
Value of goods . . . R	29,372	40,111	14,463	21,864	27,025	18,545	70,860	80,520
Number of passengers	101	283	16	..	..	25	117	308

ALLAHABAD,
The 25th October 1883.

W. P. V. HÖRST,
Offg. Asst. Secy. to Govt., N.-W. P.,
& Oudh, P. W. D., Irrigation Branch.

AGRA CANAL.

Nature of Traffic.	Principal items of Traffic.					
	Up.		Down.		Total up and down.	
	Mds.	No.	Mds.	No.	Mds.	No.
Grains—						
Wheat	...	...	1,225	...	1,225	...
Gram	...	...	...	...	...	...
Rice	...	...	...	...	...	...
Paddy or dhán	...	...	...	...	...	...
Bejhar or mixed grain	...	...	450	...	450	...
Dál—						
Urd	...	...	...	...	...	...
Múng	...	...	...	...	...	...
Arhar	...	...	...	...	...	...
Masúri	...	...	...	...	...	...
Juár	...	...	...	...	...	...
Bájra	...	...	...	...	...	...
Maize or Indian-corn	...	...	...	...	...	...
Barley	...	...	...	...	...	...
Total	...	...	1,675	...	1,675	...
Cotton	...	...	...	...	...	...
Oil-seeds	...	...	...	...	...	...
Salt	...	...	...	...	...	...
Metals	...	...	...	...	...	...
Building materials	1,300	...	...	...	1,300	...
Miscellaneous goods	...	...	500	...	500	...
Firewood	...	...	...	...	...	...
Bamboos	...	...	...	...	...	...
Timber—						
Poles and unsquared timber	...	...	...	...	...	...
Karis and squared timber	...	...	...	...	...	...
Logs	...	...	...	...	...	...
Miscellaneous timber	...	...	...	...	...	...
Live-stock	...	...	...	...	...	...
Grand Total	1,300	...	2,175	...	3,475	...
Total during corresponding period of last year	...	...	...	...	...	...
Increase	1,300	...	2,175	...	3,475	...
Decrease	...	...	...	...	...	...

Remarks.

Particulars.	Agra Canal.	
	1883.	1882.
Tonnage, including weight of timber and bamboos	128	...
Ton mileage	10,052	...
Value of goods	R 4,912	...
Number of passengers	...	...

Agra Navigation Channel closed for clearance on 15th September.

ALLAHABAD,
The 25th October 1883.

W. P. V. HÖRST,
Offg. Asst. Secy. to Govt., N.-W. P. and Oudh,
P. W. D., Irrigation Branch.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY TRAFFIC.

No. XLIII OF 1883.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Latest return received	Railways.	Total mean length open.	Receipts for week ending 4th November 1882.		Total mean length open.	Receipts for week ending 3rd November 1883.		Total Receipts from 1st April to 4th November 1882.		Total Receipts from 1st April to 3rd November 1883.		Total Increase in 1883-84.	Total Decrease in 1883-84.
			Total.	Per mile open.		Total.	Per mile open.	Total.	Per mile open per week	Total.	Per mile open per week		
			R	R		R	R	R	R	R	R	R	R
	Guaranteed.												
17th Nov. 1883	Eastern Bengal(a)	172	1,30,204	757	172	91,552	532	34,67,201	647	27,90,716	523	...	6,76,485
17th ditto	Oudh and Rohilkhand	547	1,15,086	210	547	1,00,663	184	28,93,434	170	33,59,489	198	4,66,055	...
10th ditto	Sind, Punjab & Delhi	676	2,11,849	313	735	1,85,373	252	55,19,980	262	67,40,618	294	12,20,638	...
17th ditto	Madras	861	1,31,550	153	861	1,01,527	118	42,16,882	158	39,59,894	149	...	2,56,988
10th ditto	South Indian	655	77,587	118	655	58,897	90	23,13,006	113	24,04,953	118	91,947	...
17th ditto	Great Indian Peninsula	1,458	7,62,233	523	1,458	4,16,164	285	1,85,50,335	410	1,86,34,495	414	84,160	...
10th ditto	Bombay, Baroda and Central India	461	1,76,682	383	461	1,42,212	308	55,85,006	389	64,13,988	449	8,28,982	...
	TOTAL	4,830	16,05,191	332	4,889	10,96,388	224	4,25,15,844	283	4,43,04,153	292	17,58,309	...
	State.												
24th Nov. 1883	East Indian	1,507	10,01,058	664	1,509	8,25,319	547	2,56,63,353	547	2,93,72,986	628	37,09,633	...
17th ditto	Calcutta and South-Eastern	33	2,737	83	56	4,430	79	1,18,129	12[illegible]	1,76,289	105	58,160	...
17th ditto	Nalhati	27	1,161	43	27	1,372	51	40,966	49	48,041	57	7,075	...
17th ditto	Northern Bengal	230	41,577	181	239	41,100	172	11,64,426	162	12,30,564	169	66,138	...
17th ditto	Tirhoot	75	10,264	137	166	14,530	88	3,71,725	149	5,07,308	99	1,35,583	...
20th Oct. 1883	Patna-Gya	57	9,647	169	..	(b)	.	(c)2,82,216	170	(d)2,41,088	145	...	41,128
10th Nov. 1883	Cawnpore-Achnera	138	12,011	87	138	11,257	81	3,08,746	72	3,19,645	75	10,899	...
10th ditto	Dildarnagar-Ghazipur	12	874	73	12	674	56	26,438	71	26,965	73	527	...
17th ditto	Rajputana-Malwa	1,116	1,87,555	168	1,117	2,00,530	180	58,53,255	168	69,89,049	202	11,35,794	...
17th ditto	Wardha Coal	45	9,238	205	45	3,108	69	2,08,326	220	3,99,650	286	91,324	...
17th ditto	Nagpur & Chhattisgarh	98	6,983	71	149	7,991	54	2,95,341	97	6,88,443	149	3,93,102	...
10th ditto	Rangoon and Irrawaddy Valley	161	31,061	199	161	26,941	167	8,21,992	164	7,92,442	159	...	29,550
10th ditto	Sindia	75	7,279	97	75	6,815	91	1,82,521	78	1,85,468	80	2,947	...
10th ditto	Punjab Northern	419	51,625	123	421	56,340	134	17,32,783	137	18,21,312	140	88,529	...
17th ditto	Indus Valley and Kandahar	660	1,42,453	216	660	76,238	116	26,39,490	127	42,32,736	207	15,93,246	..
10th ditto	Kaunia-Dhurla	32	2,179	68	32	2,601	81	47,580	48	62,820	63	15,240	...
17th ditto	Rewari-Ferozepore	..	...	.	89	4,980	56	...	..	2,35,098	85	2,35,098	...
	TOTAL	4,178	5,16,6[illegible]2	163	(e)3,387	4,58,907	135	1,41,93,934	143	1,79,56,918	171	37,62,984	...
	Assisted Company.												
17th Nov. 1883	Bengal Central	21	772	37	35	2,120	61	(f)1,979	32	65,756	61	63,777	...
	Native States.												
10th ditto	Bhavnagar-Gondal	193	11,200	58	193	9,302	48	5,08,079	85	5,53,509	93	45,430	...
17th ditto	Nizam's	121	6,696	55	121	12,927	107	5,05,363	134	4,72,818	126	...	32,545
10th ditto	Mysore	86	7,219	84	86	4,523	53	1,87,193	70	1,89,275	71	2,082	...
17th ditto	Jodhpore	19	736	39	19	700	37	(g)10,312	28	22,812	39	12,500	...
	TOTAL	419	25,941	62	419	27,452	66	12,10,947	95	12,[illegible]8,414	95	27,467	...
	GRAND TOTAL	9,955	31,49,614	316	(e)10,239	24,10,186	235	8,36,16,057	270	9,29,38,227	298	93,22,170	...
	*Gross Estimated Expenses	..	...	.	..	...	.	4,33,35,113	140	4,72,07,644	149	...	...
	Net Receipts	..	...	.	..	...	.	4,02,80,944	130	4,57,30,583	144	54,49,639	...

(a) Exclusive of the Company's share of the earnings of the Bengal Central Railway.
(b) Return not received.
(c) Total receipts from 1st April to 21st October 1882.
(d) Total receipts from 1st April to 20th October 1882.
(e) Excludes mileage of Patna-Gya State Railway (57).
(f) Total receipts from 16th October to 4th November 1882.
(g) Total receipts from 24th June to 4th November 1882.

R. A. SARGEAUNT, *Major, R.E.,*
Offg. Under Secretary.

FORT WILLIAM.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASONS AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 4th DECEMBER 1883.

GENERAL REMARKS.—During the past week there has been light rain in British Burma, Assam, and Eastern Bengal, but none elsewhere.

In Madras and Mysore harvesting is still going on. Standing crops are in good condition. In Bombay the *kharif* harvest is nearly over and the *rabi* crops are doing well; but in two districts cotton has been injured by late rains. The river is now rising in Sindh. In the Berars and Hyderabad cotton is being picked and the *kharif* harvested, and the prospects of the *rabi* are favourable.

In Central India and Rajputana rain is required for the *rabi* crops in parts; but general prospects continue good.

In the Punjab and North-Western Provinces and Oudh *rabi* sowings have been nearly finished and are germinating fairly well, but rain is wanted. Cloudy weather has prevailed in the Northern Districts, but no rain has fallen.

In the Central Provinces the prospects of the *rabi* crop are reported to be very favourable.

In Bengal there has been a change of weather, the sky being overcast and slight showers having fallen. General prospects continue unfavourable; the *rabi* sowings have been greatly affected by want of rain, much land has been left unsown, and the outturn of the rice crop, which is now being harvested, is expected to be very poor in all save the Eastern Districts and Orissa.

In British Burma the prospects of the rice crop, which has been sown over a larger area than usual, are generally good, but some loss has been caused in the Arakan Division and Bassein by excessive rain.

Slight small-pox and fever are prevalent in most Provinces, and sporadic outbreaks of cholera still occur in Southern India, otherwise the public health is good.

Prices continue to fluctuate in Bengal.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects
Madras—(Dec. 5th)		
Bellary	. . . . .	Standing crops generally good; harvest paddy and *ragi*, yield average; *cholum*, *cumbu*, *korra*, and oil-seeds, below average; nineteen deaths from cholera.
Kurnool	. . . . .	Standing crops good; harvest paddy, yield above average.
Ganjam	. . . . .	Fever and small-pox slight in one taluk.
Kistna	. . . . .	*Cholum* partly affected by insects in two taluks, otherwise standing crops good; harvest dry grains and black paddy, yield below average; fever prevalent, small-pox and cattle-disease in parts.
Coimbatore	. . . . .	Harvest paddy and *ragi*, yield average; *cumbu* below average; 79 deaths from cholera; fever, small-pox, and cattle disease in parts.
Tanjore	·18 (average of 1 station).	Standing crops generally good; harvest paddy, *cholum*, and *ragi*, yield below average; 152 deaths from cholera.
Madura	. . . . .	Standing crops fair; harvest dry crops, yield about average; cholera severe in Madura town; elsewhere slight.
Malabar	. . . . .	Second crop in good condition; small-pox and fever slight.
Travancore	. . . . .	Standing crops good; fever in parts.
		General Remarks.—General prospects good.
Bombay—(Dec. 5th)		
Kurrachee	. . . . .	Fever generally prevalent; cattle-disease in 3 talukas, loss of 60 buffaloes, 57 cows, and 89 sheep and goats; river at Kotri on 28th 6 feet 3 inches against 5 feet 2 inches on same date last year; no fresh case of small-pox in Karachi; disease prevalent in 5 villages in districts, 20 fresh cases, 3 deaths, 16 remaining sick; prices—wheat, red rice, and *bajri* in Karachi 24, 28, and 32; in Manjhand 22, 30, and 40; in Ghorabari 20, 30, and 40; and in Sajawal 24, 36, and 44 lbs. per rupee respectively.
Hyderabad	. . . . .	Average outturn of *kharif* crop is reported to be 11 annas 4 pies; weather seasonable; small-pox in 6, fever in 10, and cattle-disease in 4 talukas; wheat 26, *bajri* 35½, *jowari* 41, red rice 24, and white rice 20 lbs. per rupee.
Ahmedabad	. . . . .	*Rabi* sowing nearly completed; standing crops healthy; slight fever in Viramgaum, Sanand, Molasa, and Dholka; *bajri* 30 and wheat 26½ lbs. per rupee.
Baroda	. . . . .	Slight cholera in Naosari Mahal still continues; fever in some parts of Naosari, Baroda, and Kadi divisions; cotton and sugar crops in good condition; *rabi* sowing almost completed; prices—34 to 35 and rice 24 to 25 lbs. per rupee.
Surat	. . . . .	*Rabi* crops healthy; fever and cholera still prevailing in some talukas; *jowari* 38 and *nagli* 47 lbs. per rupee.
Nasik	. . . . .	Reaping of *kharif* and sowing of *rabi* crops nearly completed; *rabi* crops healthy; public health good; no cattle disease; wheat 33, *bajri* 34, and rice 24 lbs. per rupee.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay—*contd.*		
Colaba (Bombay)	. . . .	Average abnormal temperature 3° cool; vapour in air defective; wind normal.
Poona	. . . .	Harvesting of *kharif* completed; *bajri* 43 and *jowari* 50 lbs. per rupee; in Poona, *bajri* 34 and *jowari* 43 lbs. per rupee.
Ahmednagar	. . . .	*Bajri* reaping finished; *rabi* sowing finished, except in Newasa and Akola; locusts in Shrigonda; *bajri* maximum 57 lbs. per rupee in Shrigonda, minimum 39 lbs. in Nagar; *jowari* maximum 72 lbs. in Jamkhed, minimum 49 lbs. in Sheogaon.
Sholapore	. . . .	Cholera in Malsiras taluka, 6 cases, 3 fatal; cotton crop somewhat injured in Barsi and Sholapore talukas; *jowari* 62 and *bajri* 55 lbs. per rupee.
Dharwar	. . . .	Reaping of rice crops nearly completed, that of other early crops in progress; sowing of late crops completed; cholera in 3 villages of Ranibennur, out of 8 cases 2 fatal; fever in 5 and cattle-disease in 2 talukas; rice 24 to 41 and *jowari* 52 to 88 lbs. per rupee.
Kanara	. . . .	Much fever in Haliyal and Mundgod; small-pox in Hanawar and Sidapore; sowing second rice crop on coast; common rice in Karwar 11½ seers per rupee, in district average 15½ seers per rupee.
Rajkot	. . . .	Weather cold; fever continues in some parts; *bajri* 31 and *jowari* 35 lbs. per rupee.
		General Remarks.—River rising in Sindh; *kharif* harvesting and *rabi* sowing operations completed except in 5 districts; young *rabi* crops doing well; cotton crops slightly injured by late rain in parts of Sholapore and Satara; fever in most districts; slight cholera, cattle-disease, and small-pox in a few places.
Bengal—(Dec. 5th)		
Chittagong	·11	Weather alternately cloudy and fair; outturn of rice crops not promising; cold-weather crops doing well; prices stationary; cattle-disease has abated; general health good.
Dacca	*Nil*	Rice crop good; rain wanted for cold-weather crops.
24-Pergunnahs	·06	Prospects of both late rice and winter crops unfavourable; harvesting of late rice proceeding, average yield estimated at about 8 to 10 annas; cultivation of pulses and other winter crops not progressing favourably owing to the dryness of the soil; average price of common rice from 12½ to 16 seers per rupee; public health fair, though sporadic cases of cholera and fever reported from most parts of the district.
Moorshedabad	*Nil*	Weather bright and cool; *amun* is being reaped; an eight-anna crop is expected on an average; winter crops suffering from want of rain, but those on *dearah* lands doing well; fever still prevails in the Jungypore town; cholera has broken out in thana Shamshirgunge.
Rajshahye	*Nil*	Weather cloudy; *amun* reaped in parts of the district; *rabi* wants rain, but on *dearah* lands it is said to be a good crop; prices easier.
Burdwan	. . . .	A few drops of rain; weather overcast; in the Raneegunge subdivision the *amun* is estimated at a 4½-anna crops; sugarcane is beginning to feel the effects of drought, and rain is much wanted for winter crops; general health indifferent.
Rungpore	*Nil*	Weather cloudy and cool; *amun* is being reaped; prospects bad; the crop on high lands is almost a total failure; transplanting of tobacco going on; prices stationary; fever prevalent.
Bhagulpore	*Nil*	Prospects unfavourable; rice harvest has commenced; the crop on high lands has almost altogether failed, on low lands it is expected to yield on an average an outturn of from 4 to 8 annas; *rabi*, where sown, is still green and strong, and, if rain falls, may yield a fair outturn, but a good deal of land has remained unsown; price of rice 13 seers 14 chittacks per rupee.
Purneah	*Nil*	Weather cloudy to-day (4th); prospects of crops bad if no rain falls; *rabi* sowings only made here and there; price of common rice 14 seers per rupee; fever still continues.
Patna	*Nil*	Paddy is being reaped, it will be a poor crop; *rabi* coming on well; irrigation is being resorted to where practicable, but rain is much wanted; public health good.
Durbhanga	*Nil*	Weather cloudy to-day (4th); a very poor rice crop is being harvested; *rabi* stunted for want of moisture in the soil; fever not increasing.
Hazareebagh	*Nil*	Weather cold and cloudy since the night of 3rd; rice harvest continues, but outturn unfavourable; *rabi* prospects not improved; a few cases of small-pox still reported; public health good.
Cuttack	. . . .	Weather cool and cloudy; slight rain on 3rd, and it was rainin gat the time of report; rice crop on high lands is being reaped, on low lands it is ripening; winter crops doing well; price of rice almost unchanged; public health generally good.
		General Remarks.—The weather was cloudy in almost all districts, and there was a slight rainfall in Chittagong, the 24-Pergunnahs, Burdwan, and Cuttack; it is still raining in Calcutta; the general prospects of the crops continue to be very unfavourable; the cold-weather crops are generally much in need of rain, so also is sugarcane in some places; a good deal of land is said to have remained unsown with cold-weather crops on account of the continued drought;

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
		the earlier kind of the rice crop is being harvested, and the later kind is ripening; the rice crop, as already reported, will yield a very poor outturn; in some districts the average outturn will not exceed four annas; Eastern Bengal and Orissa will have a fair crop, but even in these parts it will be much below the average in some places; in some districts the prices continue to rise, in others they have fallen slightly, and in others again they remain stationary; fever is still prevalent in several districts.
N.-W. Provinces and Oudh—		
Benares .(Dec. 4th)	No rain	Land being irrigated where feasible; in other parts rain is required; bazars well supplied; prices falling slightly; no sickness of men or cattle.
Allahabad .(„ 5th)	No rain	Crops doing well; health good; prices risen.
Gorakhpore .(„ 3rd)	No rain	Tanks nearly dry and rain much wanted; small-pox and fever in north; prices slightly rising.
Jhansi .(„ „)	No rain	*Kharif* outturn will be below the average; harvesting in progress; *rabi* crops germinating; prices stationary; health of people and cattle good.
Cawnpore . („ 4th)	. . .	Weather seasonable; *rabi* crops being irrigated and have germinated fairly well; health of people good, except few cases of small-pox in 3 tahsils; markets well supplied.
Farukhabad . („ „)	. . . .	Weather seasonable; sky clear; fever here and there, but not extensive; prospects of crops hopeful, but rain wanted; condition of cattle good; markets well supplied
Agra .(„ „)	No rain	*Rabi* sowings nearly completed; health good; prices steady.
Bareilly .(„ „)	. . . .	*Rabi* being irrigated extensively; rain much wanted; weather cloudy.
Meerut .(„ „)	No rain	*Rabi* crops flourishing; irrigation commenced; health good; supplies ample; prices steady.
Kumaun .(„ „)	. . . .	Clouds again gathering, otherwise no change in agricultural prospects; health good; cattle-disease still prevails; prices unchanged.
Lucknow .(„ „)	No rain	Weather cold; westerly wind; *kewat* crops nearly harvested; *rabi* crops are being watered from wells and tanks; rain wanted; condition of people and cattle good; markets well supplied; prices steady.
Partabgarh .(„ „)	. . . .	Reports as to *rabi* crops from all tahsils fairly good; sowings still continue; small-pox reported from a few villages in Kunda, health otherwise good.
Rae Bareli .(„ 3rd)	No rain	Wind westerly; *rabi* prospects fair; isolated cases of small-pox in the districts; markets well stocked; prices almost stationary.
Sitapur .(„ „)	No rain	Prospects fair; prices fluctuating; markets well supplied; general health good.
Fyzabad .(„ „)	No rain	Prospects of *rabi* crops on irrigated land good; general health good; prices stationary.
		General Remarks.—The weather has been cloudy in several northern districts, but no rain has fallen; *rabi* prospects are fair, but rain is generally needed; the markets are sufficiently supplied and prices in most districts steady; the public health is fairly good, some fever and small-pox being reported.
Punjab—(Dec. 5th)—		
Delhi	. . . .	Health good; *rabi* sowing completed; prices stationary.
Hissar . . .	. . . .	Health good; rain required for *rabi* sowings.
Umballa . . .	. . . .	Health good; *rabi* sowings finished; prospects good; prices steady.
Jullundur . . .	. . . .	Health good; *rabi* sowings finished; prices falling.
Lahore . . .	. . . .	Health and condition of crops good; prices steady.
Ferozepur . . .	. . . .	Health and crop prospects good; prices falling.
Sialkot . . .	. . . .	Health and crop prospects good; prices stationary.
Rawalpindi . . .	. . . .	Health and crop prospects good; prices falling.
Peshawar . . .	. . . .	Small-pox prevalent; prices falling.
Mooltan . . .	. . . .	Health good; *rabi* sowings nearly finished; prices fluctuating.
Dera Ismail Khan .	. . . .	Health and harvest prospects good; prices steady.
Amritsar . . .	. . . .	Health good; rise in prices of barley, *jowar*, and rice; prices of other food-grains stationary.
		General Remarks.—No rain during the week; small-pox is prevalent in Peshawar, health elsewhere good; *rabi* sowings nearly completed.
Central Provinces—		
Nagpur . (Dec. 5th)	. . . .	Weather clear and cold; crop prospects good; fever prevails to some extent; prices of wheat falling.
Jubbulpore . („ „)	. . . .	Weather clear and cold; reaping and cotton picking continues; *rabi* sowings approaching completion; wheat 25 seers and rice 15 seers per rupee; health good.
Saugor . („ 4th)	. . . .	Weather clear and cool; *kharif* harvest nearly finished; prospects favourable; health good; prices stationary.
Seoni . („ 5th)	. . . .	Weather cool; reaping and threshing of rice progressing; *rabi* crops promising; fever prevalent; prices stationary.
Hoshangabad („ „)	. . . .	Weather seasonable; crop prospects good; cotton picking in progress; fever prevalent; wheat 16 seers and rice 10 seers per rupee.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Central Provs.—*contd.*		
Raipur . (Dec. 5th)	. . . .	Weather chilly and cloudy latterly; *kharif* harvest almost finished; estimated outturn of rice in Sunga and portions of Drug varies from 4 to 8 annas in the rupee; cotton being picked; *rabi* prospects good; public health good; prices fluctuating; common rice 27½ seers, and wheat 28¾ seers per rupee.
Khandwa . („ „)	. . . .	Weather cold and clear; crop prospects good; *rabi* sowings continue; fever prevalent; prices steady.
		General Remarks.—*Kharif* harvest approaching completion; prospect of *rabi* crops very favourable; health good.
British Burma— **(Nov. 29th)**		
Akyab .(Nov. 17th)	3·36	Total rainfall 183·09 inches; public health and health of cattle good; crops in Naaf township and Koladan damaged by salt water inundation; reports from other townships favourable.
„ . („ 24th)	*Nil*	Total rainfall 183·09 inches; public health and health of plough cattle good; Naaf and Koladan slight damage of crops by salt water inundation in the former; *loungphroo* crops being reaped; in Writaung west about 136 acres destroyed by salt water inundation; in Rathaidaung late rainfall not sufficient, and crops in some places suffered a little, in other townships crops good.
Kyoukphyu . („ 17th)	2·62	Total rainfall 159·19 inches; public health and health of cattle good; cyclone of 14th and 15th has damaged crops in vicinity of Kyoukphyu, extent not known; price of paddy and rice gone up 25 per cent., but will probably fall again shortly.
„ . („ 24th)	*Nil*	Total rainfall 159·19 inches; public health and health of cattle good; crops much damaged in Ramri and Kyoukphyu townships by cyclone of 13th and 14th instant, estimated yield will not be more than half that of last year.
Sandoway . („ 17th)	11·32	Total rainfall 220·17 inches; three deaths from sporadic cholera in town, otherwise public health good; weather stormy; heavy rain and wind has caused some damage to crops, actual loss unknown.
„ . („ 24th)	*Nil*	Total rainfall 220·17 inches; three deaths from cholera in town, otherwise public health good; estimated damage to crops in central township owing to heavy rain and wind reported last week 72¾ tons.
Rangoon . .	. . . .	Four fatal cases of small-pox, otherwise public health good; paddy no supplies; prices nominal.
Hanthawaddy . .	. . . .	Public health and health of cattle good; 44,224 acres have been ploughed in Hmawbi township; one-seventh of the paddy crops in Hmawbi have been destroyed by floods; price of paddy Rs. 100 per 100 baskets.
Pegu	*Nil*	Total rainfall 124·00 inches; public health and health of cattle good; crops unusually heavy and in fine condition; price of paddy nominal up to 100.
Tharrawaddy (Nov. 17th)	2·40	Total rainfall 105·47 inches; public health good; 7 deaths of cattle in Sanywe township; crops good; about 322 acres have been reaped in the 5 townships; slight damage done to crops in Gyobingauk and Minhla townships from flooding of Myitmaka, Bawbin and Myole Chaungs; price of paddy from Rs. 100 to 125 per 100 baskets.
„ .(„ 24th)	*Nil*	Total rainfall 105·47 inches; public health good; cattle-disease rare; about 702 acres of paddy land have been reaped in the Sanywe township; the crops on higher lands have not matured; in some places the ears are without grain; slight damage on account of flooding has been done to the crops in the Minhla township and loss from drought in the Tapon township; report of areas affected not received; crops in other places flourishing; price of paddy stationary.
Prome . . .	*Nil*	Total rainfall 52·69 inches; public health and health of cattle good; ploughed fields all planted out; crops much benefited by late rains and there is every prospect of good harvest; on high-lying lands the rain has come too late, but the heavy rains 10 days ago seem to have freshened up the country all round, and much is now promising which before seemed likely to turn out a failure; price of paddy Rs. 65 per 100 baskets.
Bassein . . .	*Nil*	Total rainfall 103·64 inches; public health good; cattle-disease slight in Lemyethna; 17 deaths in Bassein township; reaping commenced in parts of district; price of paddy from Rs 100 to 125 per 100 baskets.
Thongwa . . .	*Nil*	Total rainfall 94·09 inches; public health and health of cattle good; about ½ of the replanted crops in the flooded parts of the Shwelaung township good; slight damage to crops from floods in Kyonton and Kyriklat circles, Pyapon township, and from drought in Seitha and Kyonmange circles, Thongwa township, otherwise agricultural prospects good; price of paddy from Rs. 95 to 100 per 100 baskets.
Henzada . . .	*Nil*	Total rainfall 86·63 inches; public health and health of cattle good; prospects of crops good; owing to recent heavy rains, crops have been slightly damaged by flood in Myanoung sub-division and Okepo township; reaping commenced.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
British Burma— (Nov. 29th)—*contd.*		
Amherst (Moulmein)	. . . . .	Total rainfall 166·28 inches; public health and health of cattle good; condition of ripening crops good; reaping progressing on early paddy; in Moulmein town public health and health of cattle good; reaping progressing of *shangale* and *yakine* paddy, average outturn about 20 baskets an acre; nearly 180 acres reaped this week; wages of reaping same as last reported; ripening paddy in good condition; price of *shangale* risen to 100 and *yakine* to Rs. 90 per 100 baskets.
Shwegyin	*Nil*	Total rainfall 139·52 inches; public health and health of cattle good; price of paddy Rs. 85 per per 100 baskets.
Toungoo	*Nil*	Total rainfall 79·68 inches; public health and health of cattle good; prospects of crops good.
Tavoy	*Nil*	Total rainfall 195·44 inches; public health and health of cattle good; prospects of crops very good; estimated area of crops damaged up to date 300 acres.
		General Remarks.—No rain during the week; monsoon at an end total rainfall considerably less in Akyab and Bassein and in the coast districts of the Tenasserim Division than last year; elsewhere rainfall up to average; in Akyab damage caused by inundation of salt water in parts of the Naaf and Koladan townships, and in Kyoukpyu and Sandoway some injury to the ripening crop by the hurricane of 14th and 15th November; in parts of Prome and Tharrawaddy the rain of the middle of November came too late to save the crops on the higher and more thirsty lands, much of which had dried up before the rainfall; some slight damage by floods in Thongwa and Henzada; with these exceptions the prospects of a full crop appear excellent; reaping has commenced of the early rice; cattle-disease very rare; public health good.
(Dec. 1st)		
Akyab	0·06	Total rainfall 183·15; public health and health of cattle good; *letori* crops in Naaf ripe; 50 acres injured in Naaf and 236 in Writtaung west Chittagong by salt water inundation; also slight damage in Koladan and Kyelet townships; crops not sufficiently matured in some places in Rathidaung for want of rain; in other townships crops fair.
Rangoon	*Nil*	Total rainfall 84·23; two deaths from small-pox, otherwise public health good; paddy no supplies; prices nominal.
Bassein	2·40	Total rainfall 106·04; public health good; cattle-disease slight in Thaboung township; one-third of crop in Myoungmeya sub-division reported injured by late rain; price of paddy Rs. 100 to 130 per 100 baskets.
Prome	0·79	Total rainfall 53·48; public health and health of cattle good; crops reported in good condition; rain has done great good, but continuance would be injurious; price of paddy Rs. 85 per 100 baskets.
Kyoukphyu	1·66	Total rainfall 160·85; public health and health of cattle good; damage to crops in Kyoukphyu and Ramri townships estimated at one-third of average yield; township officers' reports not yet received; price of paddy Rs. 25 per 100 baskets.
Sandoway	2·27	Total rainfall 222·24; two deaths from cholera in districts, otherwise public health good; agricultural prospects slightly unfavourable; early sowings all reaped; reaping of later sowings retarded on account of rain; reaping wages Rs. 2 per acre.
Hanthawaddy	. . . . .	Public health and health of cattle good; 45,303 acres ploughed in Hmawbi township, but one-seventh has been destroyed by floods; price of paddy from Rs. 90 to 100 per 100 baskets.
Tharrawaddy	0·80	Total rainfall 106·27; public health and health of cattle good; probable area actually cultivated with paddy 229,798 acres, or an increase of about 23,624 acres; monsoon at an end; condition of reaping crop good, about 1,099 acres have been reaped in Sangune township; price of paddy Rs. 95 to 125 per hundred baskets.
Thonegwa	0·55	Total rainfall 94·64; one death from small-pox, otherwise public health good; 2 deaths of cattle; some damage from recent excessive rain in Shwayloung township and from floods caused by cyclonic wave in Dedaye township; plants in flower somewhat injured; price of paddy Rs. 90 to 100 per 100 baskets.
Henzada	0·20	Total rainfall 86·83; public health and health of cattle good; prospects of crops good; reaping progressing; 500 acres of miscellaneous cultivation reported destroyed by floods in Zaloom township.
Thayetmyo	1·37	Total rainfall 48·65; public health good; 4 deaths of cattle in Myede sub-division from cow-pox; reaping begun; rain during last few days has slightly damaged the crops; prices of paddy Rs. 110 per 100 baskets.
Shwaygyin	0·16	Total rainfall 139·68; 17 deaths from small-pox reported, otherwise public health good; health of cattle good.
Mergui (Nov. 17th)	4·65	Total rainfall 175·84; public health good; cattle healthy; reaping commenced, but main portion of crop not yet ripe; 8 acres destroyed by blight; paddy area about 580 acres more than last year; price of paddy Rs. 80 per 100 baskets.
„ („ 24th)	*Nil*	Total rainfall 175·84; public health good; cattle healthy; reaping commenced, but main portion of crop not ripe yet; price of paddy Rs. 80 per 100 baskets.

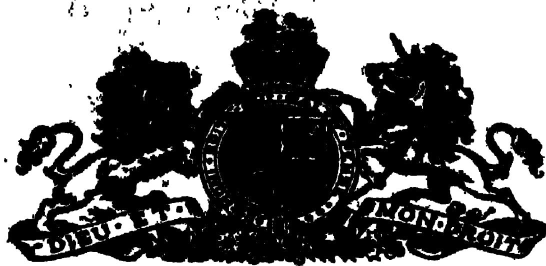
Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
British Burmah—*contd.*		
Amherst (Moulmein)	*Nil*	Total rainfall 166·28; public health and health of cattle good; some 2,000 acres damaged by salt-water in Suaton township; reaping of *kankyi* paddy commenced; reaping wages 10 annas per man per day; price of early paddy about Rs. 87 per 100 baskets; in Moulmein town public health and health of cattle good; 200 acres of *shangale* and *yalune* paddy reaped during the week, outturn about 20 baskets an acre; price of paddy from Rs. 90 to 95 per 100 baskets.
Toungoo	0·20	Total rainfall 79 78; public health good; prospects of crops good.
Tavoy	*Nil*	Total rainfall, 195·44; public health and health of cattle good; prospects of crops very good; estimated area of damaged crop 300 acres; price of paddy from Rs. 60 to 65 per 100 baskets. *General Remarks.*—Public health good; no cattle-disease worth speaking of; some rain has fallen over most districts during the week; reaping commenced; the area under paddy is larger than last year, but the increase is not yet accurately ascertained; the crop prospects are still good throughout the province with the exception of parts of the Arakan division and Bassein where considerable damage has been caused by excessive rain.
Assam—		
Gauhati . (Dec. 4th)	No rain	Weather cloudy; lands being broken for *ahu* cultivation; rain wanted for mustard; public health fair.
Sylhet	*Nil*	Crop prospects unchanged; cattle-disease has appeared.
Cachar	0·12	Weather cold and cloudy; sowing of winter crops finished; reaping of *sali* crops in progress; common rice 16 seers per rupee; no small-pox reported.
Dibrugarh	0 08	Weather cloudy; harvesting *sali dhan*; cholera reported in the station.
Mysore and Coorg—		
Bangalore . (Dec. 5th)	No rain	Harvesting of *ragi* continues; crops in good condition; agricultural operations in progress throughout the province; cholera and small-pox still prevalent in Darangere taluk, Shimogah district; prices have slightly fallen; public health good.
Mercara	No rain	Picking and pulping coffee proceeding, outturn good; every promise of a fine rice crop.
Berar & Hyderabad—		
Amraoti	. . . .	*Kharif* harvest in progress; *rabi* crops favourable; wheat 16 and *jowari* 26 seers per rupee.
Akola	. . . .	Weather cool; *rabi* crops good; cotton gathering in progress.
Hyderabad	No rain	Sowing of *rabi* and reaping of *abi* crops continue; fever, ague and cattle-disease prevail in some talukas; prices—wheat 15½, coarse rice 12¼, white *jowar* 23½; yellow *jowar* 31 and *tur* 21¾ seers per current sicca rupee.
Central India States—		
Indore . (Dec. 5th)	*Nil*	Health good; weather seasonable; prices slightly less than last week.
Morar (Gwalior)	*Nil*	Health good; weather seasonable; rain required for *rabi* crops.
Sutna	*Nil*	Health and prospects good.
Neemuch	. . . .	Weather cold; crops thriving; public health good.
Goona	. . . .	Health and prospects good.
Agar	*Nil*	Health and prospects good.
Sehore	*Nil*	Health and prospects good.
Nowgong	*Nil*	Health good; weather seasonable; prices falling.
Rajputana—		
Abu . (Dec. 5th)	. . . .	Cold moderate; weather seasonable.
Sirohee . („ 2nd)	. . . .	Tanks, wells, and health good; crops all sown; weather seasonable.
Marwar . (Nov. 30th)	. . . .	Three months' water in Jodhpur City; tanks and wells almost full; health good; *kharif* all gathered; *rabi* in good condition; cold increasing; prices stationary.
Meywar . (Dec. 2nd)	. . . .	State of wells and tanks very good; health and crops good; weather seasonable.
Harowtee . („ 1st)	. . . .	Weather seasonable; health good; crop prospects fair; prices fallen.
Jhallawar (Nov. 30th)	. . . .	*Kharif* harvested; *rabi* sowings completed; health good.
Ajmere . (Dec. 4th)	. . . .	Slight fever prevalent in district.
Jeypore . („ „)	. . . .	Weather cold and seasonable; prospects fair; prices stationary; health good.
Ulwur . („ „)	. . . .	*Rabi* crops coming up; wells failing; prices steady; health good.
Nepal—		
Katmandu (Nov. 30th)	*Nil*	Weather cold and seasonable; fields being prepared for the sowing of spring crops; rain wanted.

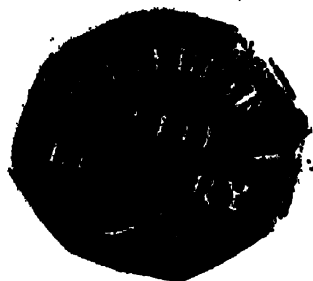
E. C. BUCK,

Secretary to the Government of India.

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Printed & published for the GOVT. OF INDIA *at the Office of* SUPDT. GOVT. PRINTING, *166, Dhurrumtollah Street, Calcutta.*





The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 50.} CALCUTTA, SATURDAY, DECEMBER 15, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

CONTENTS.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

The 12th December, 1883.

No. 24.—ERRATUM.—In Act XX of 1883 (the Panjáb District Boards Act, 1883), section 57 (1), as published in the *Gazette of India* of the 3rd November, 1883, *for* "he" *read* "the offender."

D. FITZPATRICK,
Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Calcutta, the 12th December 1883.

No. 1792.—The Governor General in Council has been pleased to appoint Alay Muhammad, a Probationer in the Central Provinces, to be a Member of the Bengal Civil Service, in accordance with the rules issued under Section 6 of the Statute 33 Victoria, Cap. 3.

ESTABLISHMENTS.

The 13th December 1883.

No. 256.—APPOINTMENT.—Colonel A. E. Campbell, Deputy Commissioner, 2nd Grade, in Assam, to be Deputy Commissioner, 1st Grade, *vice* Colonel A. K. Comber.

POLICE.

The 11th December 1883.

No. 333.—The services of Mr. C. H. Parish, Officiating Assistant Superintendent of Police, Chittagong Hill Tracts, are placed at the disposal of the Chief Commissioner of Assam.

PORT BLAIR.

The 12th December 1883.

No. 528.—Mr. H. Godwin-Austin, Officiating Extra Assistant Superintendent, 1st Class, Port Blair and the Nicobars, has obtained leave on medical certificate for one year, with effect from the 7th June 1883, together with the usual subsidiary leave.

The 13th December 1883.

No. 531.—APPOINTMENT.—Mr. O. H. Brookes, Extra Assistant Superintendent, 2nd Class, Port Blair and the Nicobars, to be Extra Assistant Superintendent, 1st Class, *vice* Mr. F. A. deRoepstorff, deceased.

Mr. M. V. Portman, Officiating Extra Assistant Superintendent, 2nd Class, is confirmed in that appointment *vice* Mr. Brookes, promoted.

ECCLESIASTICAL.

The 11th December 1883.

No. 329.—The following Junior Chaplains on the Bengal Establishment to be Senior Chaplains

with effect from the dates specified opposite their names :—

The Rev. E. M. Beasley, B.A.,—10th December 1883.

The Rev. W. MacCarthy,—20th December 1883.

The [illegible] J. Brown-Brunesson, B.A.,—29th December [illegible].

A. MACKENZIE,
Secretary to the Government of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.—GENERAL.

Calcutta, the 14th December, 1883.

No. 827 *G.*—Mr. T. W. Holderness, Officiating Under-Secretary to the Government of India in the Revenue and Agricultural Department, is confirmed in that appointment with effect from the 1st October 1883.

E. C. BUCK,
Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 8th December, 1883.

No. 2726 *G.*—Mr. H. M. Durand, C.S.I.,C.S., Under-Secretary to the Government of India in the Foreign Department, is appointed to officiate as Secretary to the Government of India in the Foreign Department, with effect from the 1st December, 1883, during the absence on privilege leave of Mr. C. Grant, C.S.I.,C.S.

J. W. RIDGEWAY, *Lieut.-Colonel,*
Offg. Under-Secretary to the Government of India.

The 12th December, 1883.

No. 2754 *G.*—Surgeon-Major F. A. Smyth, Medical Officer, 27th (Punjab) Regiment of Native Infantry, is appointed to the medical charge of the Gwalior Political Residency, Morar Cantonment Magistracy, and Morar Jail, in addition to his own duties, with effect from the date of assuming charge, *vice* Surgeon W. A. Mawson.

No. 2682 *E.*—Muhammad Mahdi Khan, Extra Assistant Commissioner in the Punjab Commission, is appointed to officiate temporarily as Native Assistant, at Sibi, to the Agent to the Governor-General in Biluchistan, with effect from the date of assuming charge, during the absence on special duty of Rai Bahadur Hittu Ram, C.I.E.

MILITARY.

No. 2756 *G.*—Jemadar Amir Khan, 1st Regiment, Central India Horse, is permitted to resign his commission, with effect from the 14th November, 1883.

POLITICAL.

No. 2737 *G.*—With reference to Foreign Department Notification, No. 1911 G., dated the 1st August, 1883, the recognition by the Government of India of the appointment of Mr. Henry Beer as Vice-Consul for Portugal, at Calcutta, has been confirmed by Her Majesty's Government.

No. 2741 *G.*—With reference to Foreign Department Notification, No. 2160 G., dated the 6th September, 1883, the recognition by the Government of India of the appointment of Monsieur E. Bertrand as Vice-Consul for France, at Aden, has been confirmed by Her Majesty's Government.

No. 2744 *G.*—With reference to Foreign Department Notification, No. 1714 G., dated the 2nd July, 1883, Mr. H. F. Brown, Consul-General for Denmark, at Calcutta, has resumed charge of his office.

No. 2749 *G.*—With the sanction of Her Majesty's Government, the Governor-General in Council is pleased to recognize the appointment of Hamid Bey as Consul-General for Turkey, at Bombay.

The 13th December, 1883

No. 2764 *G.*—Subject to the confirmation of Her Majesty's Government, the Governor-General in Council is pleased to recognize the appointment of Mr. James Rose Hunter as Acting Consular Agent for the United States of America, at Madras, *vice* Mr. L. Strange.

H. M. DURAND,
Offg. Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATION.

Fort William, the 14th December 1883.

No. 1874.—*Abstract of the Accounts of the Department of Issue of Paper Currency on the 30th November 1883, published as required by Section 27 of the Indian Paper Currency Act XX of 1882.*

CIRCLES OF ISSUE.	Whole amount of Notes in circulation.	Reserve in Silver Coin and Bullion.		
		Coin.	Bullion.	Total.
	R	R	R	R
Calcutta	6,38,46,720	1,10,10,862	57,06,317	1,67,17,179
Allahabad	61,71,105	47,80,455	...	47,80,455
Lahore	84,34,855	74,18,965	..	74,18,965
Bombay	4,97,86,655	4,13,22,411	32,37,484	4,45,59,895
Kurrachee	27,38,145	26,56,675	17,900	26,74,575
Madras	1,10,46,510	41,99,535	8,00,000	49,99,535
Calicut	9,63,205	4,44,225	...	4,44,225
Rangoon	17,61,640	33,54,040	...	33,54,040
TOTAL	14,47,48,835	7,51,87,168	97,61,701	8,49,48,869
Deduct Suspense Account				2,00,000
				8,47,48,869
Price paid for Government Securities of the nominal value of R6,25,37,700 held under Section 19 of the Act				5,99,99,966
GRAND TOTAL				14,47,48,835

J. WESTLAND,
Officiating Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 14th December, 1883.

APPOINTMENTS.

No. 644.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Secretary of State for India:—

Lieutenant Maurice Zouch Darrah, South Lancashire Regiment, Officiating Wing Officer, 18th Native Infantry,—1st November, 1882.

Lieutenant William Charles Loudon, West Yorkshire Regiment, Officiating Wing Officer, 26th Native Infantry,—17th November, 1882.

No. 645.—MEDICAL DEPARTMENT—

The undermentioned Surgeons appointed to the Bengal Establishment in G.G.O. No. 537 of 1883, reported their arrival at Bombay on the 6th November, 1883:—

John More Young.

Granville Jameson.

No. 646.—PUNJAB FRONTIER FORCE—

6th Punjab Infantry.

Lieutenant G. R. MacMullen, Officiating Wing Officer, to be Wing Officer, *vice* Major T. F. Bruce, appointed Wing Commander.

FURLOUGH AND LEAVE.

No. 647.—Lieutenant-Colonel (Brevet Colonel) J. Burn, Bengal Staff Corps, is permitted, on succeeding to the Colonel's allowance, to reside out of India.

No. 648.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Captain A. T. Banon, Bengal S.C., Wing Officer, 39th Native Infantry, (p.a.) for two years, under rule IX of the regulations of 1868.

Captain W. O. Harris, Bengal S.C., Wing Officer, 20th Native Infantry, (p. a.) for 323 days, under rule I of the regulations of 1875.

Lieutenant W. J. Newell, Bengal S.C., Wing Officer, 11th Native Infantry, (p. a.) for one year, under rule I of the regulations of 1875.

No. 649.—Lieutenant C. H. Desvœux, Bengal S.C., Wing Officer, 4th Native Infantry, is granted an extension (m. c.) for 182 days of the furlough granted to him in G.G.O. No. 247 of 1883.

No. 650.—Honorary Captain and Deputy-Commissary D. Buckley, Ordnance Department, (m. c.) for one year, under the regulations of 1868.

Second Class Apothecary S. Saxon, (m. c.) for one year, under the regulations of 1868.

No. 651.—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India:—

Lieutenant-Colonel (Brevet Colonel) F. B. Norman, C.B., Bengal S.C., (p. a.) for one month.

Major D. W. Inglis, General List, Infantry (m. c.) for three months.

Lieutenant E. W. F. Martin, Bengal S.C., (m. c.) for six months.

Surgeon-Major W. A. C. Roe, (m. c.) for thirty-one days.

Conductor W. Howes, Ordnance Department, (m. c.) for three months.

Conductor A. Anderson, Ordnance Department, (m. c.) for three months.

LONDON GAZETTE.

No. 652.—The following extracts are published for general information:—

"London Gazette," dated the 9th November, 1883, page 5304.

India Office, 9th November, 1883.

The Queen has approved of the following promotions among the Officers of the Staff Corps and Indian Military Forces made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major and Brevet Lieutenant-Colonel James Calder Stewart. Dated 4th September, 1883.

Major and Brevet Lieutenant-Colonel John Francis FitzGerald Cologan. Dated 20th September, 1883.

To be Majors.

Captain Charles Henry Stoddart. Dated 11th September, 1883.

Captain James Graves Kelly. Dated 11th September, 1883.

Captain and Brevet Major Henry Vere Hunt. Dated 11th September, 1883.

To be Captains.

Lieutenant Alfred Fox Cotton. Dated 23rd September, 1883.

Lieutenant Frederick Charles Maisey. Dated 23rd September, 1883.

Lieutenant George Wingate. Dated 23rd September, 1883.

Lieutenant Charles Hogge. Dated 23rd September, 1883.

Lieutenant John William Hogge. Dated 23rd September, 1883.

Lieutenant Oswald Claude Radford. Dated 26th September, 1883.

BENGAL ARMY.

INFANTRY.

To be Colonel.

Lieutenant-Colonel and Brevet Colonel Henry Hamer Stansfeld. Dated 23rd September, 1883.

* * *

BREVET.

To be Colonel.

Lieutenant-Colonel William Duncan Macturk, Bengal Infantry, since transferred to the Retired List. Dated 1st July, 1881.

"London Gazette," dated the 13th November, 1883, page 5383.

War Office, Pall Mall, 13th November, 1883.

MEMORANDA.

* * *

Deputy Assistant-Commissary Graham Young, Bombay Establishment, to have the honorary rank of Lieutenant. Dated 16th July, 1883.

PROMOTIONS.

No. 653.—The following promotions are made, subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major Charles Allan Baylay,—11th December, 1883.

Major William Henry Wilkins,—12th December, 1883.

Major Robert Henry Palmer,—12th December, 1883.

Major John Finnis,—12th December, 1883.

Major Charles Edward Macaulay,—12th December, 1883.

BENGAL ARMY.

To be Colonel.

Lieutenant-Colonel (Brevet Colonel) Thomas Martin Shelley, Bengal Infantry,—14th December, 1883.

BREVET.

To be Colonels.

Lieutenant-Colonel James Sconce, Bengal S.C.,—9th December, 1883.

Lieutenant-Colonel Henry Archibald Mallock, Bengal S.C.,—9th December, 1883.

Lieutenant-Colonel George Lodwick Warden, Bombay S.C.,—9th December, 1883.

Lieutenant-Colonel Thomas Weldon, Madras S.C.,—9th December, 1883.

Lieutenant-Colonel William Popham Dicken, Madras S.C.,—9th December, 1883.

Lieutenant-Colonel Woulfe Hay, Madras S.C.,—10th December, 1883.

Lieutenant-Colonel Francis Frederick Rowcroft, Bengal S.C.,—10th December, 1883.

Lieutenant-Colonel Harry DeBrett, Bengal S.C.,—10th December, 1883.

Lieutenant-Colonel Thomas Obbard, Madras S.C.,—10th December, 1883.

Lieutenant-Colonel Charles Walker Street, Madras S.C.,—10th December, 1883.

Lieutenant-Colonel George Shepherd Stevens, Bombay S.C.,—10th December, 1883.

Lieutenant-Colonel William Rice Morland Holroyd, Bengal S.C.,—10th December, 1883.

Lieutenant-Colonel John Germain Watts, Bombay S.C.,—10th December, 1883.

Lieutenant-Colonel Henry Ibbetson Lugard, Madras S.C.,—14th December, 1883.

Lieutenant-Colonel Robert Andrews Cole, Madras S.C.,—14th December, 1883.

Lieutenant-Colonel James Keating Clubley, Madras S.C.,—14th December, 1883.

No. 654.—COLONEL'S ALLOWANCE—

The undermentioned officers are admitted to the Colonel's allowance from the dates specified:—

Lieutenant-Colonel (Brevet Colonel) Augustus Kirkwood Comber, Bengal S.C.,—12th December, 1883.

Lieutenant-Colonel (Brevet Colonel) James Burn, Bengal S.C.,—12th December, 1883.

Lieutenant-Colonel (Brevet Colonel) William Robert Gordon, Bengal S.C.,—12th December, 1883.

Lieutenant-Colonel (Brevet Colonel) Frederick Cortlandt Anderson, Bengal S.C.,—13th December, 1883.

Lieutenant-Colonel (Brevet Colonel) Montgomery Hunter, Bengal S.C., 13th December, 1883.

No. 655.—ORDNANCE DEPARTMENT—

In G.G.O. No. 611 of 1883, opposite the names of Sub-Conductors George James Stokes and William Pannell, for "1st October 1883" and "11th October 1883," read *1st April 1883* and *11th April 1883*, respectively.

No. 656.—VOLUNTEER CORPS—

Eastern Bengal Railway Volunteer Rifle Corps.

Captain William Innes to be Major-Commandant, *vice* Major T. Hindmarsh, resigned.

Lieutenant Walter Raleigh Haughton to be Captain, *vice* Captain W. Innes.

Mr. Charles Foster Chadburn to be Lieutenant, *vice* Lieutenant W. R. Haughton.

O. R. NEWMARCH, *Lieut.-Colonel,*

Officiating Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Fort William, the 7th December 1883.

No. 286.—The following reversions are ordered with effect from 24th October 1883, consequent on the return from furlough of Lieutenant-Colonel E. Swetenham, Superintending Engineer, Class II, sub. *pro tem.*:—

Major J. H. Western, R.E., Superintending Engineer, Class II, temporary rank, to Superintending Engineer, Class III, special.

Mr. W. D. Brockman, Superintending Engineer, Class III, temporary rank, to Executive Engineer, 1st Grade.

No. 287.—Mr. R. B. Buckley, Executive Engineer, 1st Grade, Bengal, is appointed to officiate as Under-Secretary to the Government of India in the Public Works Department, during the absence on furlough of Major G. F. L. Marshall, R.E., or until further orders.

The 11th December 1883.

No. 288.—The services of Mr. G. S. T. Harris, Executive Engineer, 4th Grade, British Burma, are placed at the disposal of the Government of India in the Foreign Department.

No. 289.—Mr. W. A. Campbell, Accountant, 1st Grade, Military Works Department, is promoted to the honorary rank of Assistant Examiner.

The 12th December 1883.

No. 290.—Mr. W. B. Carter, Executive Engineer, 1st Grade, Railway Branch, has been granted by Her Majesty's Secretary of State for India, twelve months' furlough on medical certificate, in extension of the one year's furlough granted in Government of India, Public Works Department, Notification No. 196, dated the 25th August 1882.

The 13th December 1883.

No. 291.—Mr. W. Wiseman, Executive Engineer, 3rd Grade, is, on return from furlough, transferred from the Establishment under the Government of Bombay to that under the Director General of Railways.

No. 292.—The services of Mr. H. H. Gahan, Executive Engineer, 4th Grade, temporary rank, Railway Branch, are placed at the disposal of the Foreign Department, with effect from the 19th September 1883.

The 14th December 1883.

No. 293.—Lieutenant-Colonel C. H. Luard, R.E., Chief Engineer, 3rd Class, temporary rank, Railway Branch, is attached temporarily to the Office of the Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta.

No. 294.—CORRIGENDUM.—In Public Works Department Notification No. 287, dated 7th December 1883, appointing Mr. R. B. Buckley to officiate as Under-Secretary to the Government of India in the Public Works Department, for "Executive Engineer, 1st Grade," read "Executive Engineer, 2nd Grade."

No. 295.—Mr. S. A. L. Corrigan, Assistant Engineer, 1st Grade, British Burma, is permitted, at his own request, to resign his appointment in the Public Works Department.

No. 296.—Hon'ble L. M. St. Clair, Executive Engineer, 4th Grade, temporary rank, Central Provinces, reverted to his substantive rank of Assistant Engineer, 1st Grade, with effect from the 17th November 1883.

No. 297.—Consequent on the return to duty of Mr. I. S. Hubbard, Examiner, 4th Class, 3rd Grade, temporary rank, Mr. W. F. Barrow reverted from Examiner, 4th Class, 3rd Grade, temporary rank, to Deputy Examiner, 1st Grade, with effect from the 6th December 1883.

W. S. TREVOR, *Colonel, R.E.,*
Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 15, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 27th October 1883.

From the 24th of November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 17th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurrumtollah Street Calcutta.

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts is R5 per annum, payable in advance. When sent by post, R2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance.*

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Postage	5	8	0
Subscription for Supplement only .	6	0	0
Postage	3	0	0
For a single copy of the *Gazette* .	0	8	0
For a single copy of the Supplement .	0	4	0

Postage on single copies varies according to weight.

E. J. DEAN,

Publisher, Gazette of India.

SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 11th December 1883.

No. 402.—Mr. Francis William Moore is appointed an Assistant Surveyor, 3rd Grade, Survey of India Department, with effect from the date on which he reports himself for duty, to fill an existing vacancy.

No. 403.—Mr. Joshua Paul Barker is appointed an Assistant Surveyor, 3rd Grade, Survey of India Department, with effect from the date on which he reports himself for duty, to fill an existing vacancy.

G. C. DEPRÉE, *Colonel,*

Offg. Surveyor General of India.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 13th December 1883.

No. 12.—Mr. A. Hullah, an Assistant Superintendent of the 1st Grade, is allowed furlough for fifteen months, under Section 49 of the Civil Leave Code, with effect from the forenoon of the 23rd November 1883.

The 14th December 1883.

No. 13.—Mr. M. R. Trower, a Superintendent of the 3rd Grade, is allowed furlough for twelve months, under Section 49 of the Civil Leave Code, with effect from the forenoon of the 3rd December 1883.

A. J. L. CAPPEL.

Director General of Telegraphs in India.

AGENT, GOVERNOR GENERAL, FOR BILUCHISTAN, P. W. D.

NOTIFICATIONS.

Quetta, the 3rd December 1883.

No. 5.—Lieutenant W. Huskisson, R.E., Assistant Engineer, 2nd Grade, is transferred from the Bolan Road Division to the Sibi Division.

No. 6.—With reference to Military Works Department Notification No. 33, dated 9th November 1883, Lieutenant H. J. W. Jerome, R.E., Assistant Engineer, 1st Grade, is posted to the Quetta Division. Lieutenant Jerome joined the Quetta Division on the afternoon of the 27th November 1883.

No. 7.—With reference to Military Works Department Notification No. 35, dated 13th November 1883, Lieutenant C. A. R. Browne, R.E., Assistant Engineer, 2nd Grade, is posted to the Bolan Road Division. Lieutenant Browne joined the Bolan Road Division on the afternoon of 18th November 1883.

W. P. TOMKINS, *Major, R.E.,*
Supdg. Engr. & Secy. to Agent, Govr. Genl., Biluchistan, P. W. D.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 6th December 1883.

No. 3169 A.—The undermentioned Hospital Assistant passed his English qualification Examination, according to the test laid down in G. G. O. No. 945 of 1868, on the date specified:—

Name.	Date of rank.	Date of passing English qualification.
Govindram . . .	19th Oct. 1883 .	16th Nov. 1883.

C. W. RAVENSHAW, *Lieut.,*
2nd Asst. Agent, Govr. Genl., for Central India, In charge of the Residency.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATIONS.—ESTABLISHMENT.

Indore, the 7th December 1883.

No. 18.—Pending arrival of Mr. A. Stoddard, Executive Engineer, 1st Grade, or until further orders, Mr. F. W. M. Scott, Assistant Engineer, 2nd Grade, has been placed in charge of the Office of Executive Engineer, Indore Division, which he received from Mr. R. E. Nelson, Executive Engineer, 3rd Grade, on the afternoon of the 22nd November 1883.

No. 19.—Mr. R. H. Tickell, Assistant Engineer, 2nd Grade, has been transferred from Mhow Division to Neemuch Division, which he joined on the forenoon of the 15th November 1883.

By Order,
C. S. THOMASON, *Col., R.E.,*
Secy. to Agent, Govr. Genl., for Central India, P. W. D.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER IN THE P. W. D., RAJPUTANA.

NOTIFICATION.

Mount Abu, the 8th December 1883.

No. 3036 S.—Mr. A. E. Lowrie, Assistant Conservator of Forests, 3rd Grade, attached to Ajmere and Merwara, has passed an examination in Urdu and Hindi by the higher standard as laid down for the North-Western Provinces in the Appendix V of the Forest Department Code and adopted for Ajmere.

By Order,
H. Y. MURRAY, *Major,*
Offg. Secy. to the Agent, Govr. Genl. & Chief Commr. in the P. W. D., Rajputana.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Abu, the 4th December 1883.

No. 4605 G.—Mr. A. F. Ashton, Assistant Commissioner, Northern India Salt Revenue Department, Sambhar, is appointed to be Lieutenant in the Rajputana-Malwa Volunteer Rifle Corps, with effect from the 26th November 1883.

By Order,
E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER, AJMER-MERWARA.

NOTIFICATIONS.

Mount Abu, the 3rd December 1883.

No. 1057.—With reference to Foreign Department Notification No. 2571 G., dated 6th November 1883, Mr. E. J. Kitts, C.S., and Captain W. H. C. Wyllie, C.I.E., respectively, made over and received charge of the Office of Assistant Commissioner, Ajmir, on the afternoon of the 17th November 1883.

The 6th December 1883.

No. 1061.—Munshi Allah Noor Khan and Rae Bishen Sarup, respectively, made over and received charge of the Office of Deputy Magistrate, Kekree, on the afternoon of the 20th November 1883.

By Order,
E. A. FRASER,
1st Asst. to the Chief Commr.

ACCOUNTANT GENERAL'S OFFICE.

Public Works Department.

NOTIFICATION.

Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 4th December 1883.

PUBLIC WORKS (BUILDINGS AND ROADS AND MILITARY WORKS BRANCH) AND TELEGRAPH.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Assam	Sept. 1883	Nov. 15, 1883
2	Coorg	Do. „	Do. 16, „
3	Punjab	Do. „	Do. 19, „
4	Military Works	Do. „	Do. 22, „
5	Port Blair	Do. „	Do. 23, „
6	Bombay; Central Provinces; Hyderabad (Imperial); Rajputana; Hyderabad Assigned Districts	Do. „	Do. 26, „
11	Madras; Central India	Do. „	Do. 27, „
13	British Burmah	Do. „	Do. 29, „
14	North-Western Provinces and Oudh	Do. „	Dec. 3, „
15	Bengal	Aug. „	Nov. 6, „
	TELEGRAPH.		
1	Indo-European; Indian	Aug. 1883	Nov. 6, 1883
	FOREIGN RAILWAYS.		
1	Bhavnagar-Gondal	Sept. 1883	Nov. 22, 1883
2	Nizam's	Do. „	Do. 24, „
3	Khamgaon; Oomrawti	Do. „	Do. 28, „

IRRIGATION.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Punjab	Sept. 1883	Nov. 21, 1883
2	Bombay; Bengal; Rajputana	Do. „	Do. 26, „
5	Madras	Do. „	Do. 27, „
6	British Burmah	Do. „	Do. 29, „
7	North-Western Provinces and Oudh	Aug. „	Do. 22, „
	GUARANTEED RAILWAYS.		
1	State Railways Stores	Sept. 1883	Nov. 16, 1883
2	Punjab	Do. „	Do. 19, „
3	Bombay	Do. „	Do. 26, „
4	Madras	Do. „	Do. 27, „
5	North-Western Provinces and Oudh	Do. „	Do. 29, „
6	Bengal	Aug. „	Do. 6, „
7	Provincial Railways, N.-W. P. & Oudh	Do. „	Do. 16, „

STATE RAILWAYS (CAPITAL).

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Assam Railway Surveys	Oct. 1883	Dec. 1, 1883
2	Umritsar-Pathankote; Western Deccan	Sept. „	Nov. 12, „
4	N.-W. P. & Oudh Railway Surveys	Do. „	Do. 15, „
5	State Rys. Stores Branch	Do. „	Do. 16, „
6	Bhopal; Punjab Railway Surveys	Do. „	Do. 17, „
8	Bengal & North-Western	Do. „	Do. 19, „
9	Punjab Northern; Jhansi-Manikpur	Do. „	Do. 22, „
11	Nalhati; Northern Bengal; Patna & Gya; Sindia; Wardha Coal; Nagpur-Chhattisgarh; Indus Valley; Dhond & Manmad; Kandahar; Southern Mahratta; Central Bengal; Dacca & Mymensing; Kawnia & Dhurla; Parbatipur-Dinagepur; Northern Bengal & Tirhoot Extensions	Do. „	Do. 26, „
27	Calcutta & South-Eastern; Tirhoot; Madras Railway Surveys; Chittagong-Dawoodkandi	Do. „	Do. 27, „
31	British Burmah; Rewari-Ferozepur; Ranaghat-Bhagwangola	Do. „	Do. 29, „
34	Rajputana; Holkar	Do. „	Dec. 3, „
36	Calcutta & South-Eastern Extension	Aug. „	Nov. 15, „
37	Bengal Railway Surveys	Do. „	Do. 19, „
38	Cawnpore-Achnera	Do. „	Do. 26, „
39	East Indian	Do. „	Do. 29, „
40	Provincial Railways, N.-W. P. & Oudh	Do. „	Do. 30, „

STATE RAILWAYS (REVENUE).

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Bhopal	Sept. 1883	Nov. 12, 1883
2	Punjab Northern	Do. „	Do. 21, „
3	Wardha Coal	Do. „	Do. 23, „
4	Northern Bengal; Nagpur-Chhattisgarh; Kawnia & Dhurla	Do. „	Do. 26, „
7	Calcutta & South-Eastern; Nalhati; Tirhoot; Indus Valley	Do. „	Do. 27, „
11	British Burmah	Do. „	Do. 28, „
12	Cawnpore-Achnera	Do. „	Do. 24, „
13	Rajputana; Sindia; Rewari-Ferozepore	Do. „	Dec. 3, „
16	East Indian	Aug. „	Nov. 29, „

Fort William, the 11th December 1883.

A. FILGATE, *Lieut.-Colonel, R.E.,*
Accountant General, P. W. Dept.

Statement of the Affairs of the Bank of Bengal for the week ending 11th December 1883.

LIABILITIES.	R	a.	p.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	35,10,156	4	4
Public Deposits at Head Office . 88,04,021 R 2 a. 8 p.; Public Deposits at Branches . 1,20,47,692 1 0	2,08,51,713	3	8
Other Deposits at Head Office and Branches	2,28,33,139	5	2
Bank Post Bills, &c.	2,47,673	1	1
Sundries	16,14,835	6	2
RUPEES	6,90,57,517	4	5

ASSETS.	R	a.	p.
Government Securities	50,17,611	5	0
Other authorized Investments	57,41,175	0	0
Loans on Government and other authorized Securities	1,22,07,902	14	5
Accounts of Credit on Government and other authorized Securities	66,14,980	4	2
Bills discounted and purchased	1,88,51,124	1	6
Balances with other Banks	3,21,114	3	7
Bullion	82,117	3	0
Dead Stock	12,01,552	5	1
Stamps	7,537	3	0
Sundries	5,49,972	8	3
	5,05,95,087	0	0
Cash and Currency Notes at Head Office . 74,14,143 R 5 a. 7 p.; Cash and Currency Notes at Branches . 1,10,48,286 14 10	1,84,62,430	4	5
RUPEES	6,90,57,517	4	5

By order of the Directors.

BANK OF BENGAL,
Calcutta, 13th December 1883.

J. GORDON.
Chief Acctt. & Depy. Secretary.

R. HARDIE.
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED OF General Treasury	Currency Department.	BALANCE OF BULLION Under Assay.	Assayed	Held on account of the Currency Department.
1883.	R	R	R	R	R	R
Dec. 3	. . .	1,05,050	. . .	50	72,44,165	32,89,534
" 4	1,17,616	1,96,536	. . .	1,17,696	72,44,165	30,88,998
" 5	. . .	1,47,684	. . .	1,17,696	72,44,165	29,38,280
" 6	. . .	1,59,533	. . .	1,17,696	72,44,165	27,75,500
" 7	. . .	1,84,493	49	1,17,640	72,44,215	25,87,291
" 8	. . .	98,037	. . .	1,17,648	72,44,215	24,87,255

J. F. TENNANT, *Major-Genl., R.E.,*
Mint Master.

CALCUTTA MINT,
The 11th December 1883.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. R	Name of Claimant.
256	P 39—41249	50	Mutty Lal Goro.
	" —41250	50	
	" —41251	50	
	" —41252	50	
	" —41253	50	
257	P 42—97734	100	Sarffuddin Hossain.
	P 43—87409	100	
	P 76—67105	100	
	" —67104	100	
258	P 39—17101	50	Mr. A. Keaugh.
	" —47315	50	
259	P 39—18284	50	Babu Bepin Behari Dey.

CALCUTTA,
The 14th December 1883.

J. TAYLOR,
Asstt. Comptr. Genl., in charge, Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. R	Name of Claimant.
14	E 20—46185	100	The District Superintendent of Police, Delhi, on behalf of Lieutenant L. Lushington, 2nd Dorset Regiment.
15	E 20—36281	100	The Examiner of Accounts, Punjab Northern State Railway, Rawalpindi.
	" —37439	100	
	" —13810	100	
	E 19—50085	50	
16	E 19—55065	50	Lala Gobind Sahai, care of Kunhya Lal, Assistant Treasury Clerk, Deputy Commissioner's Office, Gujranwalla.

LAHORE,
The 8th December 1883.

H. J. BRERETON,
for Depy. Commr. of Paper Currency.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Calcutta, the 8th December 1883.

No. 71.—The six months' leave to Europe on private affairs, granted to Mr. G. F. Lamb, Assistant Engineer, 1st Grade, Railway Branch, in Director General of Railways' Notification No. 13, dated the 10th February 1881, was commuted by Her Majesty's Secretary of State for India into eight months' leave on medical certificate.

F. S. STANTON, *Col., R.E.,*
Director General of Railways.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 8th December 1883.

No. 9272.—Privilege leave for three months under Section 136 of the Civil Leave Code having

been granted to Mr. L. G. Wait, Assistant Director General of the Post Office of India, Foreign Post Branch, with effect from the afternoon of the 1st December 1883, Mr. E. C. O'Brien, Secretary to the Director General of the Post Office, is appointed to officiate as Assistant Director General of the Post Office of India, Foreign Post Branch, with effect from that date, or until further orders.

No. 9273.—Mr. C. A. Stuart, Presidency Postmaster, Bombay, having been granted two months' privilege leave, made over charge of his office on the afternoon of the 4th December 1883, to Mr. W. Merrett, who has been appointed to officiate as Presidency Postmaster, Bombay, during Mr. Stuart's absence, or until further orders.

G. J. HYNES,

Asst. Director General of the Post Office of India.

Unclaimed Letters held in the Calcutta General Post Office on 13th December 1883

Best & Co.
Browne, J. M.
Brown, C. A.
Cook & Co. (Kutnee lime merchants).
Davidson, A. L
Fagan, Major J. G.
Hall, J.
Hind, J.
Hubbard, Waler.
Irving, Wm.
Judge, Fred. C.
Kiernander, A. D.
Lacy, O B.
McCarthy, S. T.
Mooney, Miss Louisa.
Pirrie, J. Sinclair.
Smith, E M. Lawson.
Shepard, Joseph.
Stone, J. J.
Swainson, G , Mrs.
Timmis, Charles
Thornhill, W & Co.
Wiselius, T. A. B.

Letters marked "Care of Post Office"

A. B., No. 100.
A. M.
Alpin, E. B.
Allanby, Thomas.
Allen, J. H.
Antram, Mrs. C. H.
Ashton, Thomas.
Barber, R. J.
Barley, E., Mrs.
Bayns, J. W.
Bergman, Morits.
Berry, J.
Bowden, J.
Brace, L. J. R.
Bradley, Walter.
Branson, T. F.
Brown, John.
Burns, W. H.
Burton, Miss L.
Colvin, Cecil.
Cornelius, Percy F.
Cowie, Miss.
Curtis, G. C.
C. S.
Davidson, Harry.
Dean, William Edward.
DeCruz, Mr.
DeSilva, S A.
Durrant, G. F. N.
Dyett, W. H. R.
Edden, Sergeant J.
Engel, Israil.
Erler, Albert.
"European."
Fane, Mr.
Filker, Jebb.
Fergus, C. B.
Fontimayne, D.
Forrest, Francis
Fowler, James William.
Fraser, Mrs. F.
G O.
Hackett, C. A.
Hallett, W. O.
Hankuwis, C.
Hargreaves, P.
Harland, W.
Haselmayer, L.
Hillard, Mrs.
Hodges, W James.
Huddlerton, J. G. L.
Hughes, Pringle.
Hunt, Henry.
Ireland, Dr. J. S.
Jordan, Miss A. J.
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Calcutta, the 15th December 1883.

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	1883.	
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E. HUTTON,

Presidency Post Master.

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NOTICE.

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An examination for admission to the Mechanical Apprentice Classes will be held at this College on Wednesday and Thursday, the 30th and 31st January. The subjects for examination are—

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Algebra (to Simple Equations, inclusive).
Euclid (Books I and II).
English (Grammar and Composition).

Applications for permission to appear at the examination should reach the Principal not later than the 25th January 1884.

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Applications for scholarships will be received by the Principal up to the 30th January.

Every applicant, before admission to the College, will be examined by the College Surgeon as to his physical strength, fitness for manual labour, and eye-sight.

Further particulars will be supplied on application to the Principal.

G. BELLETT,

Officiating Director of Public Instruction.

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یهه هوا کلکته کے بڑے بڑے ولایتی اور دیسی هوا خانونمین بکتی هی ماسیواے قیمت مذکورۂ بالا کے محصول ڈاک چار ور آٹهه اونس کے ٹین کا آٹهه آنه ; اور ایک پونڈ کے ٹین کا بارہ آنه

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	R	a.	p.	
Entire Gazette	15	0	0	per annum.
Postage	5	0	0	"
Supplement	6	0	0	"
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Parts III, IV, V, and VI, containing the Acts and Bills of the Legislative Councils of India and Bengal	5	0	0	"
Postage	2	8	0	"
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E. N. BAKER,
Offg. Under-Secy. to the Govt. of Bengal.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 15, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

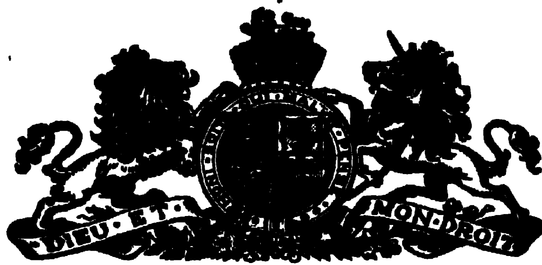
PROMISSORY NOTES.

Lost

The Government Promissory Note No. 021728, of the 4 per cent. of 1879, for R700, originally standing in the name of the Oriental Bank Corporation, and last endorsed by the Deputy Commissioner, Kolar, to the Dewan of Mysore, by whom it was never endorsed to any other person, but bears an unsigned form of receipt for renewal. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favor of the proprietor.

D. SREENIVASSIENGAR,
Under-Secretary.

The 3rd December 1883.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 15, 1883.

☞Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th December, 1883 :—

No. 24 OF 1883.

A Bill to repeal Bengal Regulation XIX of 1810 within the territories administered by the Lieutenant-Governor of the North-Western Provinces.

WHEREAS the provisions of Bengal Regulation XIX of 1810 (*for the due appropriation of the rents and produce of lands granted for the support of mosques, Hindu temples, colleges and other purposes; for the maintenance and repair of bridges, serdis, kattras and other public buildings; and for the custody and disposal of nazúl property or escheats,*) are, in so far as they are still in force within the territories administered by the Lieutenant-Governor of the North-Western Provinces, either obsolete or unnecessary, and it is therefore expedient entirely to repeal the Regulation within those territories; It is hereby enacted as follows :—

Repeal of Bengal Regulation XIX of 1810 in the North-Western Provinces.

1. Bengal Regulation XIX of 1810 is hereby repealed within the territories administered by the Lieutenant-Governor of the North-Western Provinces.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill, which has been prepared on the recommendation of the Local Government, is to repeal Bengal Regulation XIX of 1810 (*for the due appropriation of the rents and produce of lands granted for the support of mosques, Hindu temples, colleges, and other purposes; for the maintenance and repair of bridges, serdis, kattras, and other public buildings; and for the custody and disposal of nazúl property or escheats*) within the territories administered by the Lieutenant-Governor of the North-Western Provinces. So far as the Regulation vests the superintendence of serâis in the Board of Revenue, it is at variance with the existing practice, as serâis are now managed in the North-Western Provinces entirely by the executive authorities under the immediate orders of the Government, and the Local Government reports that the other provisions of the Regulation, which provide for the management of lands granted as charitable and educational endowments and the superintendence of escheats, are not required for the territories under its administration.

Though the Regulation, in so far as it relates to serâis, is obsolete also in the Lower Provinces, it is still in active operation in those Provinces with regard to a few trusts and small endowments administered by the Board of Revenue, and still governs the procedure there with regard to escheats. Under these circumstances it has been considered best to confine the Bill to the North-Western Provinces and leave it to the Bengal Legislature to legislate for the Lower Provinces if it thinks necessary.

C. P. ILBERT.

The 7th December, 1883.

D. FITZPATRICK,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th December 1883, and was referred to a Select Committee:—

No. 25 OF 1883.

A Bill to amend the Burma Courts Act, 1875.

XVII of 1875. WHEREAS it is expedient to amend the Burma Courts Act, 1875; It is hereby enacted as follows:—

Short title. 1. (1) This Act may be called the Burma Courts Act, 1883; and

Commencement. (2) It shall come into force at once.

Definition of "section." 2. In this Act, unless there is something repugnant in the subject or context, "section" means a section of the Burma Courts Act, 1875. XVII of 1875.

Alteration of names of certain Courts. 3. (1) In section 6, in clause (a), for the words "Extra Assistant Commissioner of the third class" the word "Myo-ôk" shall be substituted, and in clause (b) the words "of the second class, the Extra Assistant Commissioner of the first class" shall be omitted.

(2) In the table subjoined to section 12, in clause (a), for the words "Extra Assistant Commissioner of the third class" the word "Myo-ôk" shall be substituted, and in clause (b), the words "of the second class, the Court of the Extra Assistant Commissioner of the first class" shall be omitted.

(3) In section 13, the words "of the first or second class" shall be omitted.

(4) The substitutions and omissions made by this section shall be deemed to have been made from the thirty-first day of March, 1882.

Substitution of new section for section 8. 4. For section 8 the following section shall be substituted:—

"8. The Governor General in Council and the Chief Commissioner may, respectively, from time to time, vary the number of Courts mentioned in section six, in clauses (c), (d), (e) and (f), and in clauses (a) and (b)."

Substitution of new section for section 9. 5. For section 9 the following section shall be substituted:—

"9. The Chief Commissioner may, from time to time, vary the local limits of the jurisdiction of any Court mentioned in section six, clauses (a) and (b), and, with the previous sanction of the Governor General in Council, of any Court mentioned in section six, clauses (c), (d), (e) and (f)."

Insertion of section after section 9. 6. After section 9 the following section shall be inserted, namely:—

Validation of certain proceedings already taken. "9A. Any order heretofore passed, or decree made or proceeding taken by any Civil Court in British Burma acting as if it had the jurisdiction of a Court mentioned in section six, clause (a) or clause (b), shall not be invalid merely because the Court was established by the Chief Commissioner instead of by the Governor General in Council or because the local limits of its jurisdiction were varied by the Chief Commissioner without the previous sanction of the Governor General in Council."

Amendment of section 23. 7. In section 23 the following amendments shall be made, namely:—

(a) after the word "Commissioner" each time it occurs, the words "or Deputy Commissioner,"

(b) after the words "Judicial Commissioner" the first time they occur, the words "or Commissioner respectively," and

(c) after the words "Judicial Commissioner," the second time they occur, the words "or Commissioner,"

shall be respectively inserted.

Insertion of section after section 23. 8. After section 23 the following section shall be inserted, namely:—

Power for Chief Commissioner to invest Assistant Commissioners with appellate powers. "23A. The Chief Commissioner may invest any Assistant Commissioner with power to hear appeals from decrees and orders in original suits and proceedings of any Court mentioned in section six, clause (a) or (b).

"The Chief Commissioner may withdraw the power with which any Assistant Commissioner has been invested under this section."

Substitution of new section for section 38. 9. For section 38 the following section shall be substituted, namely:—

Appointment of officers. "38. The presiding officer of the Court of the Judicial Commissioner shall be appointed by the Governor General in Council.

"The presiding officers of all the other Courts mentioned in section six may be appointed and may be removed by the Chief Commissioner."

STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to make certain amendments in the Burma Courts Act, 1875 (XVII of 1875), which experience has shown to be required.

2. In the Act as it at present stands the presiding officers of the Courts of the lowest grades are termed Extra Assistant Commissioners of the 1st, 2nd and 3rd class respectively. In 1882 the Subordinate Executive and Judicial Service in British Burma was reorganized, and the designations of the service were changed. The term Extra Assistant Commissioner was restricted to Extra Assistant Commissioners of the 1st and 2nd classes under the old system; and Extra Assistant Commissioners of the 3rd class were styled Myo-ôks. The result is that the present designations of the Subordinate Judicial Officers do not correspond with the designations given to the Subordinate Civil Courts by the Act. This difficulty has hitherto been ignored. Now, however, the Judicial Commissioner, Mr. Jardine, is of opinion that, as the law stands, the nomenclature used in the Courts Act should be adhered to as regards all officers of the Subordinate Judicial Service appointed to preside in Civil Courts. He advises the Chief Commissioner that questions of jurisdiction may arise and may cause inconvenience and loss to suitors; and he reports that a case of the kind has already occurred. This being the view taken by the Judge of the highest Appellate Court, the Chief Commissioner has addressed the Government of India on the subject. He wishes that all doubt on the point should be removed by substituting the words "Extra Assistant Commissioner" for the words "Extra Assistant Commissioner of the 1st and 2nd class," and the word "Myo-ôk" for the words "Extra Assistant Commissioner of the 3rd class" wherever they occur in the Courts Act. With this view section 3 of the Bill has been drafted. It gives the amendments made by the section retrospective effect from the 1st April, 1882, the date of the re-organization of the Subordinate Service.

3. Further difficulties have also arisen from the provisions of sections 8 and 9 of the Act. Under recent orders the Chief Commissioner has power to create additional Myo-ôkships; but in consequence of the provisions of section 8 of the Act additional Myo-ôks appointed by the Chief Commissioner can do no civil work unless the sanction of the Government of India is first obtained to the creation of an additional Civil Court. Again, the duties performed by Extra Assistant Commissioners and those performed by Myo-ôks are practically of the same description. The exigencies of the public service often render necessary the appointment of a Myo-ôk to succeed an Extra Assistant Commissioner or of an Extra Assistant Commissioner to succeed a Myo-ôk in the charge of a township; and the result is that an officer who should preside in a Court of grade (*a*) is appointed to preside in a Court which has hitherto been a Court of grade (*b*), or *vice versâ*. Such changes have from time to time been made by the Chief Commissioner. The Judicial Commissioner is of opinion that, having regard to the provisions of sections 8 and 9 of the Act, such an interchange cannot legally be effected except by, or with the previous sanction of, the Governor General in Council. The inconvenience which would arise if it were held to be necessary to submit a reference to the Government of India on every occasion such as those described is apparent. The administration of the province, and particularly the administration of civil justice, would be seriously hampered. Sections 4 and 5 of the Bill therefore re-enact sections 8 and 9 of the Act in such a form that the Local Government is empowered to vary the number of Courts of grades (*a*) and (*b*), and to vary the local limits of the jurisdiction of these Courts without the previous sanction of the Government of India, and section 6 legalizes the variations in the numbers, and limits of the local jurisdictions, of these Courts, which have heretofore from time to time been made by the Chief Commissioner instead of by the Governor General in Council or by the Chief Commissioner without the previous sanction of the Governor General in Council.

4. The Chief Commissioner states that the Deputy Commissioners in certain districts are overburdened by the pressure of civil appellate duties to the detriment of their executive work, and that, in order to increase their efficiency as executive officers, it is necessary to relieve them of some portion of their appellate jurisdiction. With this object sections 7 and 8 of the Bill have been prepared. The latter section, which is based on the recommendation of the Chief Commissioner, gives him authority to invest an Assistant Commissioner with power to hear certain civil appeals which would ordinarily be heard by the Deputy Commissioner. The former section empowers the Chief Commissioner to transfer to Commissioners of Divisions all or any part of the appellate jurisdiction exercisable under the Act by Deputy Commissioners. It seems desirable to provide this second and additional mode of affording the proposed relief to Deputy Commissioners, as it is possible that the result of transferring civil appellate work from the Deputy Commissioner to the Assistant Commissioner may not always prove satisfactory.

Lastly, under section 38 of the Act, the Chief Commissioner is only empowered to appoint and remove the presiding officers of the Court of the Extra Assistant Commissioner of the 3rd class (now styled the Myo-ôk). The presiding officers of all the other Courts under the Act must be appointed by the Governor General in Council. These provisions have been found to cause practical inconvenience, and the Government of India see no reason why the Chief Commissioner should not have, in regard to civil jurisdiction, like powers to those which the Criminal Procedure Code gives him in regard to criminal jurisdiction. Accordingly, section 9 of the Bill amends section 38 of the Act, and confers power on the Chief Commissioner to appoint and remove the presiding officers of all the Courts mentioned in section 6 of the Act with the exception of the Court of the Judicial Commissioner; the power to appoint the presiding officer of that Court being reserved to the Governor General in Council.

C. P. ILBERT.

The 7th December, 1883.

D. FITZPATRICK,

Secretary to the Government of India.



SUPPLEMENT TO

The Gazette of India.

No. 50.} CALCUTTA, SATURDAY, DECEMBER 15, 1883.

OFFICIAL PAPERS.

A Supplement to the Gazette of India will be published from time to time, containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

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No Official Orders or Notifications, the publication of which in the Gazette of India is required by Law, or which it has been customary to publish in the Calcutta Gazette, will be included in the Supplement. For such Orders and Notifications the body of the Gazette must be looked to.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

[TELEGRAPH.]

ABSTRACT OF FOREIGN TRAFFIC FOR THE MONTH OF AUGUST 1883.

CLASS OF MESSAGES.	ROUTE. West. Via Teheran. No.	Via Teheran. Indian Value.	Via Turkey. No.	Via Turkey. Indian Value.	Persian Gulf. No.	Persian Gulf. Indian Value.	Via Suez. No.	Via Suez. Indian Value.	East. Via Amur. No.	Via Amur. Indian Value.	Via Madras. No.	Via Madras. Indian Value.	Via Rangoon. No.	Via Rangoon. Indian Value.	Native Burma. No.	Native Burma. Indian Value.	Ceylon. No.	Ceylon. Indian Value.	TOTAL. No.	TOTAL. Indian Value.
		R a.		R a.		R a.		R a.		R a.		R a.		R a.		R a.		R a.		R a.
INDIAN.																				
Sent	3,482	22,152 15	125	352 13	20	78 11	3,025	990 6	13	33 10	750	14,623 15	208	750 10	360	526 11	1,677	3,111 10	9,660	[illegible]
Received	1,954	10,046 12	148	630 6	47	159 9	3,580	12,858 5	7	23 6	813	2,349 3	298	847 13	...	...	1,614	2,956 12	8,455	29,972 2
TOTAL	5,436	32,199 11	273	983 3	67	238 4	6,605	13,848 11	20	57 0	1,563	16,972 7	500	1,598 7	360	526 11	3,291	6,068 6	18,115	72,4[illegible] 7
TRANSIT.																				
From East to West—																				
Recd. Viâ Madras	833	2,616 10	15	42 0	7	19 14	5,098	20,811 5	...	...	...	...	...	...	...	...	...	...	5,442	[illegible] 13
Recd. " Rangoon	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Recd. " Laingha	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Recd. From Ceylon	24	73 8	1	3 1	...	...	340	987 9	...	...	...	...	...	...	...	...	...	...	376	1,014 3
From West to East—																				
Sent. Viâ Madras	1,103	5,233 8	144	409 6	5	16 5	3,617	15,997 5	4	19 14	...	...	...	...	...	...	...	...	[illegible]	[illegible] 6
Sent. " Rangoon	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Sent. " Laingha	...	...	3	36 9	...	...	5	28 13	...	...	...	...	...	...	...	...	...	...	8	55 8
Sent. Viâ Ceylon	86	[illegible] 11	6	18 1	...	...	197	624 0	...	...	...	...	...	...	...	...	...	...	287	[illegible] 12
From West to West—																				
Recd. Viâ Bombay	...	...	...	...	6	30 0	...	...	...	...	...	...	...	...	...	...	...	...	6	30 0
Sent. Viâ Bombay	...	...	3	10 8	2	11 4	...	...	...	...	...	...	...	...	...	...	...	...	4	21 12
From East to East—																				
Recd. From Ceylon	...	...	...	...	...	...	...	...	...	...	56	225 8	...	...	...	...	...	...	56	225 8
Recd. Viâ Madras	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	58	260 0	58	260 0
TOTAL	[illegible]	[illegible]	171	[illegible]	20	77 7	9,2[illegible]	38,3[illegible] 0	4	19 14	56	225 8	...	...	...	...	58	260 0	11,109	47,7[illegible]
GRAND TOTAL																			[illegible]	1,20,[illegible]

ABSTRACT OF FOREIGN TRAFFIC WITH INDIA BY THE INDO-EUROPEAN AND RED SEA ROUTES FOR THE MONTH OF AUGUST 1883.

ROUTE.		Number of Messages by each Route (exclusive of Transit). To India.	From India.	Total.	Percentage of Number. To India.	From India.	Total.
Indo-European	Viâ Teheran	1,954	3,482	5,436	34·11	52·35	43·91
	" Turkey	148	125	273	2·58	1·88	2·20
	Persian Gulf viâ Karachi	47	20	67	0·82	0·30	0·54
Red Sea	Viâ Suez	3,580	3,025	6,605	62·49	45·47	53·35
	TOTAL	5,729	6,652	12,381	100·00	100·00	100·00

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE.

Provinces.	Districts.	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of 1882.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of 1882.	Rice (best sort). Present fortnight.	Rice (best sort). Past fortnight.	Rice (best sort). Corresponding fortnight of 1882.	Rice (common). Present fortnight.	Rice (common). Past fortnight.	Rice (common). Corresponding fortnight of 1882.	Great Millet (Cholum, Jowar), Holcus Sorghum. Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of 1882.	Spiked Millet (Cumboo, Bajra), Penicillaria Spicata. Present fortnight.	Spiked Millet. Past fortnight.	Spiked Millet. Corresponding fortnight of 1882.
		S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
BENGAL—continued.	*Central Districts.*																		
	Calcutta	14 0	15 6	13 11	20 0	20 10	23 12	8 14	11 0	10 0	14 9	16 0	17 12	20 10	20 10	...	22 10	21 5	...
	24-Pergunnahs	13 0	13 4	13 5	17 8	16 0	16 0	8 0	8 0	8 0	13 5	13 5	18 0	16 0	20 0	...	...	...	...
	Nuddea	14 8	14 8	14 8	24 10	24 10	...	12 5	11 14	15 8	13 5½	13 5½	19 0	...	...	...	...	...	...
	Khoolna	...	...	...	...	...	...	13 0	14 0	16 0	16 0	18 0	24 0	...	...	...	...	...	...
	Jessore	12 0	11 0	10 0	...	...	...	12 4	13 0	16 0	16 0	20 0	22 8	...	...	...	...	...	...
	Moorshedabad	16 0	15 0	16 0	...	...	...	12 0	12 0	14 4	16 0	16 0	21 0	...	...	...	...	...	...
	Dinagepore	14 8	15 0	13 12	14 0	15 0	13 5	12 0	12 0	20 0	15 8	15 8	27 8	...	...	...	...	...	...
	Rajshahye	13 8	13 5	15 0	22 8	22 8	26 4	12 0	12 0 to 13 0	15 0 to 18 0	13 8 to 14 0	13 8 to 14 0	19 11 to 20 0	...	...	...	...	...	...
	Rungpore	11 14	13 5	20 0	...	...	...	10 0	10 0	12 5	13 5	13 5	22 12	..	...	...	...	...	...
	Bogra	15 12	16 8	12 0	...	...	...	9 12	10 8	15 12	15 0	15 0	28 2	...	...	...	...	...	...
	Pubna	18 0	18 0	17 4	...	...	...	8 0	8 0	9 8	13 8	14 8	22 8	...	...	...	...	...	...
	Darjeeling	7 0	7 0	8 0	7 0	7 0	8 0	5 0	5 0	5 0	10 0	10 0	12 0	...	...	...	...	...	...
	Jalpáiguri	10 0	10 0	10 0	20 0	20 0	20 0	13 4	12 8	14 0	14 0	16 0	20 0	...	...	...	...	...	...
	Eastern Districts.																		
	Dacca	16 0	14 4	13 5	16 0	18 0	40 0	14 0	16 0	22 10	16 0	18 0	25 0	...	...	...	...	...	...
	Furreedpore	22 0	22 0	19 0	13 0	30 0	37 0	12 0	15 0	17 8	14 0	18 0	21 8	...	...	...	...	...	...
	Backergunge	...	...	...	...	...	...	13 0	13 0	16 0	15 0	15 0	25 0	...	...	...	...	...	...
	Mymensingh	12 8	12 0	12 4	...	...	...	11 0	11 8	20 0	14 8	15 0	26 0	...	...	...	...	...	...
	Chittagong	11 0	12 8	9 0	...	...	...	12 0	14 0	14 0	22 0	22 0	22 8	...	...	...	...	...	...
	Noakholly	...	...	...	...	...	...	17 0	19 0	22 0	19 0	21 0	26 0	...	...	...	...	...	...
	Tipperah	13 0	13 0	12 0	...	...	...	17 0	18 8	18 0	18 12	19 8	28 0	...	...	...	...	...	...
	Chittagong Hill Tracts	...	...	...	...	...	...	12 4	12 4	13 5	13 14	13 14	16 0	...	...	...	...	...	...
	Hill Tipperah	10 0	10 0	10 0	...	...	...	15 0	16 0	20 0	18 0	19 0	28 0	...	...	...	...	...	...
	Behar.																		
	Patna	20 0	20 0	22 0	29 0	32 0	28 0	13 0	13 0	14 0	14 0	16 0	22 0	...	...	...	...	...	...
	Gya	17 0	17 0	16 0	23 0	21 0	24 8	10 8	11 0	12 8	13 0	14 8	20 8	...	...	...	...	...	...
	Shahabad	16 0 to 17 0	16 0 to 17 0	16 0 to 17 0	28 8	24 0	27 0	10 0 to 11 0	10 0 to 11 0	18 0	13 8 to 14 0	15 0	19 0	24 0	22 0	...	24 0	24 0	...
	Durbhunga	13 0	13 0	15 0	23 0	23 0	35 0	11 0	11 0	12 0	13 0	12 8	17 0	...	...	...	...	...	...
	Mozufferpore	17 0	15 0	17 0	25 0	25 0	30 0	10 0	9 0	12 0	13 0	11 0	16 0	...	...	...	...	...	...
	Sarun	15 8	17 0	16 0	24 0	25 0	32 0	9 8	9 8	10 0	13 0	16 0	20 0	22 0	25 0	36 0	...	...	...
	Chumparun	19 0	19 0	16 0	31 0	31 0	30 0	14 0	14 0	14 0	19 0	18 0	21 0	...	...	...	...	...	...
	Monghyr	17 13	18 9	17 14	21 0	27 4	33 9	10 8	12 5	16 13	11 9	13 15	18 14	...	...	...	...	...	...
	Bhágalpur	15 2	15 2	15 12	22 11	22 11	32 13	11 15	12 10	18 15	13 14	15 12	22 11	...	...	...	...	...	...
	Purneah	15 0	16 0	15 0	...	...	...	13 0	13 0	16 0	15 0	16 0	18 0	...	...	...	...	...	...
	Maldah	17 8	16 0	16 0	...	...	...	12 0	10 0	16 0	13 0	12 0	20 0	...	...	...	...	...	...
	Sonthal Pergunnahs	14 0	13 0	14 0	...	...	...	14 0	14 0	16 0	17 0	16 0	23 0	...	...	...	...	...	...
	Orissa.																		
	Cuttack	13 2	13 2	13 2	...	...	...	13 2	13 2	15 12	21 0*	21 0	26 4	...	...	...	...	...	...
	Pooree	10 8	10 8	12 8	...	...	...	14 7	15 12	22 8	19 11	19 11	27 8	...	...	...	...	...	...
	Balasore	14 0	14 0	14 0	...	...	...	10 0	10 0	16 0	16 0	16 0	28 0	...	...	...	...	...	...
	CHOTA NAGPORE. *South-Western Frontier Agency.*																		
	Hazáribágh	15 8	14 8	14 0	18 0	18 0	16 0	9 8	9 8	11 0	15 0	14 8	20 0	...	...	...	...	...	...
	Lohardugga	15 0	16 0	14 0	16 0	18 0	18 0	14 0	14 0	22 0	18 0	18 0	28 0	...	...	...	...	...	...
	Singbhoom	16 0	20 0	20 0	24 0	24 0	28 0	18 0	24 0	26 0	22 0	28 0	44 0	...	...	...	...	...	...
	Manbhoom	13 0	13 0	13 0	...	...	...	14 8	16 0	17 0	20 0	21 0	30 0	...	...	...	...	...	...

* In the interior retail price of common rice varies from 26-4 to 39-8 seers per rupee.
f In the sub-divisions retail prices of salt are as follow:—Baraset and Bussirhat 13 seers, Diamond Harbour 10-8 seers, Barrackpore 12-12 seers, and Dum-Dum 12 seers.
g In the sub-divisions retail prices of salt are as follow:—Kooshtea 13 seers, Meherpore 11-8 seers, Chooadanga 12 seers, and Ranaghat 11-14 seers.
h In Satkhira and Bagirhat sub-divisions retail price of salt 11 seers per rupee.
i In the sub-divisions retail prices of salt are as follow:—Jhenidah, Magura and Narail 12 seers and Bongong 12 seers.
j In the sub-divisions retail prices of salt are as follow:—Lalbagh 11 seers, Jungypore 12 seers, and Kandi 11-8 seers.
k Retail price of salt at Raigunge 10-8 seers and Nitpore 10 seers.
l Retail price of salt at Nattore and Nowgong 12 seers.
m In Nilphamari and Gaibanda sub-divisions retail prices of salt 12 seers.
n In Serajgunge retail price of salt 13 seers per rupee.
o Retail price of salt at Kurseong and Silligoree 8 seers.
p Retail price of salt at Tallacotta in the Alipore sub-division 10 seers per rupee.
q In the sub-divisions retail prices of salt are as follow:—Manickgunge 12 seers, Moonsheegunge 10 seers 10¾ chittacks, and Naraingunge 12 seers.
r In the sub-divisions retail prices of salt are as follow:—Goalundo 10-8 seers, Madaripore and Bhanga 12 seers, and Gopalgunge 12-14 seers.
s In the sub-divisions retail prices of salt are as follow:—Patuakhali 15-10 seers, Perozepore 11 seers, and Bhola 9 seers.

INDIA FOR THE 1st HALF OF NOVEMBER 1883—*continued*.

IN SEERS OF 80 TOLAHS.

BENGAL—*continued*.

Lesser Millets, Bari, &c. (Kavârs, Verâgu, Sawes, Cheena, Coralee, Murhwa, Nagles), *Panicum Miliaceum, &c.*			Gram.			Firewood.			Salt. Wholesale prices per maund of 40 seers.			Salt. Retail.			Districts.
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	R a. p.	R a. p.	R a. p.	S. Ch.	S. Ch.	S. Ch.	
															Central Districts.
...	...	...	14 9	18 13	21 5	90 0	90 0	90 0	2 12 0	2 12 0	2 10 0	13 5	13 5	14 9	Calcutta
...	...	...	16 0	17 8	18 12	80 0	80 0	100 0	3 5 0	3 0 0	3 0 0	12 4f	12 13	13 5	24-Pergunnahs
...	...	...	18 13	18 13	18 12	...	...	..	3 0 0	3 0 0	3 0 0	11 10½g	11 10½	11 10½	Nuddea
...	...	...	16 0	16 0	12 0	200 0	180 0	160 0	3 4 0	3 4 0	3 2 0	10 8h	10 8	11 0	Khoolna
...	...	...	16 0	16 0	16 0	120 0	120 0	120 0	3 2 0	3 2 0	3 0 0	11 8i	11 8	11 8	Jessore
...	...	...	19 0	19 0	22 0	120 0	120 0	120 0	3 0 0	3 0 0	3 0 0	12 0j	13 5	12 0	Moorshedabad
...	...	...	14 0	15 0	14 0	160 0	160 0	160 0	3 6 0	3 6 0	3 4 0	11 8k	11 8	12 0	Dinagepore
...	...	...	18 0	20 0	21 9	240 0	240 0	240 0	3 1 3	3 1 0	3 2 0	12 0l	12 0	12 12	Rajshahye
...	...	...	16 0	16 0	14 0	110 0	110 0	130 0	...	3 5 0	3 0 0	... m	11 14	13 5	Rungpore
...	...	...	15 0	15 12	12 0	67 8	67 8	67 8	3 2 8	3 2 8	3 2 8	12 0	12 0	12 0	Bogra
...	...	...	18 0	18 13	18 4	200 0	200 0	200 0	3 2 6	3 2 6	3 0 0	12 0n	12 0	...	Pubna
13 0	12 0	9 0	9 0	8 0	8 0	110 0	128 0	160 0	4 8 0	4 8 0	4 8 0	8 0o	8 0	8 0	Darjeeling
...	...	...	14 0	16 0	16 0	128 0	128 0	128 0	3 4 0	3 4 0	3 4 0	12 4p	12 4	11 0	Julpáiguri
															Eastern Districts.
...	...	...	18 0	20 0	17 10	97 0	97 0	101 0	3 4 0	3 2 0	2 15 0	12 0q	13 0	13 5	Dacca
...	...	...	20 0	20 0	16 0	120 0	120 0	120 0	3 5 0	3 5 0	3 2 0	12 0r	12 0	13 0	Furreedpore
...	...	...	16 0	16 0	18 0	120 0	120 0	100 0	2 11 0	2 11 0	3 0 0	13 0s	13 0	13 0	Backergunge
...	...	...	18 0	18 0	17 8	...	...	...	3 4 0	3 4 0	3 2 0	12 4t	12 4	12 12	Mymensingh
...	...	...	16 0	16 0	16 0	40 0	40 0	120 0	3 0 0	3 4 0	2 14 0	13 0u	10 8	13 0	Chittagong
...	.	...	12 0	12 0	16 0	...	...	...	...	...	3 2 0	10 0v	10 0	10 0	Noakholly
...	...	...	18 4	18 4	16 0	..	...	...	3 4 0	3 2 0	3 2 0	12 0w	12 0	12 8	Tipperah
...	...	...	...	...	...	320 0	320 0	320 0	...	...	4 8 0	8 0	8 0	8 0	Chittagong Hill Tracts
...	...	...	14 0	14 0	14 0	...	...	...	3 4 0	3 4 0	3 4 0	11 0	11 0	11 0	Hill Tipperah
															Behar.
...	..	...	25 0	28 0	27 0	130 0	130 0	130 0	3 0 0	3 0 0	3 0 0	11 0	11 0	10 8	Patna
...	...	...	20 0	20 0	23 0	160 0	160 0	180 0	3 5 0	3 5 0	3 2 0	11 0	11 0	12 0	Gya
...	...	30 0	23 0	24 0	20 0 to 30 0	120 0	120 0	120 0	3 1 0	3 1 0	3 1 0	12 8x	12 8	12 8	Shahabad
24 0	24 0	45 0	22 0	18 0	21 0	160 0	160 0	160 0	3 1 6	3 10 0	3 10 0	12 6y	10 0	11 0	Durbhunga
...	...	...	21 0	21 0	21 0	140 0	140 0	140 0	3 4 0	3 5 0	3 4 0	12 0z	11 8	12 0	Mozufferpore
26 0	30 0	32 0	20 0	22 0	28 0	160 0	160 0	160 0	3 5 0	3 5 0	3 2 0	11 0z1	11 0	12 0	Sarun
...	...	...	23 0	23 0	23 0	...	...	...	3 6 0	3 6 0	3 5 0	11 0z2	11 0	11 0	Chumparun
...	...	...	21 8	24 2	27 13	126 0	126 0	126 0	3 2 5	3 2 5	2 15 0	12 1z3	12 1	13 9	Monghyr
...	...	...	22 11	22 11	27 12	151 8	151 8	151 8	3 1 0	3 1 0	2 14 0	12 10z4	12 10	12 10	Bhágalpur
...	...	...	17 0	19 0	20 0	160 0	160 0	160 0	3 12 0	3 12 0	3 13 0	10 8z5	11 0	11 0	Purneah
...	...	...	18 0	20 0	20 0	160 0	160 0	120 0	3 4 0	3 4 0	...	12 0	12 0	12 0	Maldah
...	...	...	17 0	17 0	19 0	200 0	200 0	200 0	3 4 0	3 6 0	3 2 0	11 0z6	10 8	11 8	Sonthal Pergunnahs
															Orissa.
15 12	18 6	14 7	21 0	18 6	21 0	80 0	80 0	160 0	2 12 0	2 12 0	2 12 0	14 0	14 0	14 0	Cuttack
...	...	...	17 1	17 1	15 0	100 0	96 0	120 0	2 12 0	2 12 0	2 12 0	13 3	13 3	13 4	Pooree
...	...	...	14 0	14 0	12 0	120 0	120 0	120 0	4 2 0	4 2 0	3 2 0	9 2z7	9 2	12 12	Balasore
															CHOTA NAGPUR.
															South-Western Frontier Agency.
24 0	27 0	36 0	18 0	17 8	20 0	240 0	240 0	240 0	3 9 0	3 10 0	3 4 0	10 0	10 8	11 0	Hazáribágh
22 0	24 0	32 0	14 0	14 0	14 0	100 0	100 0	120 0	4 0 0	4 0 0	3 14 0	9 0	9 0	10 8	Lohardugga
...	...	...	20 0	24 0	24 0	180 0	180 0	180 0	4 7 0	4 7 0	3 12 0	8 0	8 0	9 0	Singbhoom
...	...	...	16 0	16 0	18 0	120 0	120 0	120 0	3 8 0	3 10 0	3 12 0	10 12z8	10 12	10 12	Manbhoom

t In the sub-divisions retail prices of salt are as follow:—Kishoregunge 10-10 seers, Attea 12 seers, Jamalpore 11-4 seers, and Netrokona 12-8 seers.
u Retail price of salt at Kumeriah 10 seers and Hathazaree and Cox's Bazar 8 seers.
v In the interior retail prices of salt range from 8 to 12-4 seers.
w In Chandpore and Brahmunberiah sub-divisions retail prices of salt 12 seers.
x In the sub-divisions retail prices of salt are as follow:—Buxar and Sasseram 11-8 seers, and Bhabooah 11 seers.
y In the sub-divisions retail prices of salt are as follow:—Madhubani 11 seers and Tajpur 11-8 seers.
z In the Seetamurrhee sub-division retail price of salt 11 seers per rupee.
z1 In Gopalgunge sub-division retail price of salt 12 seers.
z2 In the interior retail prices of salt range from 10 to 12 seers.
z3 In the sub-divisions retail prices of salt are as follow:—Begusarai 10-8 seers, and Jamui 11-8 seers.
z4 In the sub-divisions retail prices of salt are as follow:—Banka 11 seers, Muddehpoora 10-8 seers and Soopole 11-8 seers.
z5 In the sub-divisions retail prices of salt are as follow:—Kissengunge 10 seers and Arrareah (at Raneegunge) 11 seers.
z6 In the sub-divisions retail prices of salt are as follow:—Rajmehal 12-8 seers, Godda 11 seers.
z7 In Bhudruck retail price of salt 9 seers per rupee.
z8 Retail prices of salt at Ragunathpore 12 seers, Burrabazar 10 seers, and Govindpore 11 seers.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Provinces: Bengal—continued.

Provinces.	Districts.	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of 1882.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of 1882.	Rice (best sort). Present fortnight.	Rice (best sort). Past fortnight.	Rice (best sort). Corresponding fortnight of 1882.	Rice (common). Present fortnight.	Rice (common). Past fortnight.	Rice (common). Corresponding fortnight of 1882.	Great Millet (Cholum, Jowar), *Holcus Sorghum*. Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of 1882.	Bulrush Millet (Cumboo, Bajra), *Pencillaria Spicata*. Present fortnight.	Bulrush Millet. Past fortnight.	Bulrush Millet. Corresponding fortnight of 1882.
		S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Assam.	Sylhet	13 0	12 8	12 0	...	...	...	11 4	12 0	14 0	16 8	17 8	31 8	...	...	...	...	...	...
	Cachar	9 2	9 6	10 0	12 13	13 5	16 0	15 4	16 0	21 5	16 0	17 12	24 10	...	...	...	...	...	...
	Goálpárá	20 0	22 8	24 0	...	...	...	11 4	11 8	13 0	13 4	16 0	20 0	...	...	..	...	...	...
	Gáro Hills	4 0	4 0	4 0	...	...	...	5 0	5 0	5 0	11 0	10 0	18 0	...	...	...	...	...	...
	Kámrúp	14 0	15 0	16 0	...	...	...	12 0	12 8	12 0	15 0	19 0	18 0	...	...	...	...	...	...
	Darrang	...	...	..	...	...	...	10 0	10 0	10 0	13 0	16 0	16 0	...	...	...	...	...	...
	Nowgong	...	...	...	...	...	...	10 8	10 8	13 8	16 0	16 0	16 0	...	...	...	...	...	...
	Sibságar	...	...	...	...	...	...	8 0	6 8	6 8	18 0	18 0	18 0	...	...	...	...	...	...
	Lakhimpur	9 0	9 0	8 0	8 0	9 0	10 0	6 8	8 0	8 0	8 0	12 0	16 0	...	...	...	...	...	...
	Khásí & Jaintiá Hills	6 10	...	8 0	...	...	...	8 0	9 0	9 0	9 0	10 0	10 0	...	...	...	...	...	...
	Nága Hills	...	...	...	...	...	...	4 0	4 0	6 0	8 0	8 0	8 0						
N. W. Provinces.	Dehra Dún																		
	Sahéranpur																		
	Muzaffarnagar																		
	Meerut																		
	Bulandshahr																		
	Aligarh																		
	Kumaun																		
	Garhwál																		
	Bijnor																		
	Moradabad																		
	Budaun																		
	Bareilly																		
	Sháhjahánpur																		
	Tarái Pergunnahs																		
	Muttra																		
	Agra																		
	Farukhabad																		
	Mainpuri																		
	Etáwah	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	....
	Etah																		
	Jalaun																		
	Jhánsi																		
	Lalitpur																		
	Cawnpore																		
	Fatehpur																		
	Bánda																		
	Allahabad																		
	Hamírpur																		
	Jaunpur																		
	Gorakhpur																		
	Basti																		
	Azamgarh																		
	Mirzapur																		
	Benares																		
	Gházipur																		
	Balia																		
	Pilibhít																		
Oudh.	Sultánpur																		
	Partábgarh																		
	Fyzabad																		
	Kheri																		
	Lucknow																		
	Bára Banki	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Bahraich																		
	Rai Bareli																		
	Sitapur																		
	Gonda																		
	Unao																		
	Hardui																		
Punjab.	Gujránwála (a)	22 4	23 8	27 8	40 0	40 0	55 0	...	...	...	14 0	14 0	16 0	32 0	32 0	40 0	28 0	28 0	25 0
	Lahore (b)	23 0	23 0	25 0	40 0	38 0	45 0	...	...	...	13 0	11 0	13 0	38 0	38 0	30 0	24 0	24 0	27 0
	Ferozepore	24 0	21 0	23 0	36 0	35 0	42 0	...	...	...	12 0	11 0	12 0	37 0	36 0	...	...	...	...
	Sirsa (c)	20 8	20 8	23 8	36 0	36 0	44 0	...	...	...	12 0	12 0	12 0	36 0	35 0	44 0	29 0	28 0	35 0
	Hissar	20 0	20 0	19 0	29 0	29 0	32 0	...	...	...	9 0	9 0	10 0	28 0	28 0	34 0	22 0	23 0	27 0
	Rohtak (d)	19 0	19 0	18 0	27 0	27 0	24 0	...	...	...	8 0	8 0	9 0	24 0	22 0	25 0	20 0	21 0	24 0
	Gurgaon (e)	20 0	20 0	20 0	26 8	27 0	28 0	...	...	...	10 0	10 0	13 0	22 0	23 0	29 0	21 0	22 0	25 0
	Delhi (f)	18 0	18 8	19 8	26 0	24 8	25 8	...	...	...	12 0	12 0	13 0	24 0	24 0	28 0	21 0	20 0	22 0
	Karnál	10 0	19 0	20 0	26 0	27 0	32 0	...	...	...	12 8	12 8	12 0	24 0	23 0	32 0	22 0	21 0	20 0
	Umballa (g)	20 12	20 8	23 8	24 0	28 0	32 0	...	...	...	11 4	11 4	14 8	28 0	30 0	40 0	18 0	16 0	28 0
	Ludhiána (h)	23 0	23 8	26 0	33 0	38 0	38 0	...	...	...	11 0	11 0	12 8	34 0	34 0	40 0	25 0	26 0	27 0
	Simla (i)	17 0	17 0	16 12	...	...	...	...	...	...	9 0	...	11 0	...	...	...	...	...	...

* No wholesale salt sold. (a) Wheat rising; gram falling. (b) Prices falling. (c) Bajra and jowar falling; gram rising. (d) Bajra rising; jowar and gram falling.

INDIA FOR THE 1st HALF OF NOVEMBER 1883—*continued.*

IN SEERS OF 80 TOLAHS.

Lesser Millets, Ragi, &c. (Kavaru, Veragu, Sewee, Cheena, Coraloo, Murhwa, Nugles), *Panicum Miliaceum, &c.*			Gram.			Firewood.			Salt.						Districts.	Provinces.
									Wholesale.			Retail.				
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	R a.	R a. per md.	R a.	S. Ch.	S. Ch.	S. Ch.		
...	...	...	16 8	16 4	16 12	108 0	108 0	108 0	3 6	3 4	3 4	11 8	12 8	12 4	Sylhet	Assam.
...	...	...	14 4	12 13	13 15	80 0	80 0	80 0	3 8	3 8	3 4	10 10	10 10	11 13	Cachar	
...	...	...	14 4	14 0	16 0	80 0	62 0	120 0	3 4	3 4	3 4	13 0	12 4	12 0	Goálpárá	
...	...	...	8 0	8 0	8 0	160 0	160 0	160 0	5 6	5 0	5 6	6 6	8 0	6 6	Gáro Hills	
...	...	...	12 0	13 0	11 4	200 0	200 0	160 0	3 8	3 8	3 12	11 0	11 0	10 8	Kámrúp	
...	...	...	9 12	10 5	9 0	160 0	160 0	160 0	4 8	4 8	4 8	8 0	8 0	8 0	Darrang	
...	...	...	8 0	8 0	8 0	120 0	120 0	100 0	4 0	4 0	5 0	9 0	9 0	8 0	Nowgong	
...	...	...	11 8	11 8	10 0	80 0	80 0	80 0	4 4	4 8	4 8	9 0	8 0	8 8	Sibságar	
...	...	...	16 0	16 0	11 0	160 0	160 0	200 0	4 8	4 8	5 0	9 0	9 0	8 0	Lakhimpur	
...	...	...	...	...	8 0	...	...	...	5 0	5 0	5 0	8 0	5 0	8 0	Khási & Jaintiá Hills	
...	...	...	2 0	2 0	2 0	120 0	120 0	120 0	16 0	16 0	13 0	2 8	2 8	8 0	Nága Hills	
									S. Ch.	S. Ch.	S. Ch.					
															Dehra Dún	N. W. Provinces.
															Saháranpur	
															Muzaffarnagar	
															Meerut	
															Bulandshahr	
															Aligarh	
															Kumaun	
															Garhwál	
															Bijnor	
															Moradabad	
															Budaun	
															Bareilly	
															Sháhjahánpur	
															Tarái Pergunnahs	
															Muttra	
															Agra	
															Farukhabad	
															Mainpuri	
...	...	...	...	...	...	...	...	...	...	...	No	return	received		Etawah	
															Etah	
															Jalaun	
															Jhánsi	
															Lalitpur	
															Cawnpore	
															Fatehpur	
															Banda	
															Allahabad	
															Hamírpur	
															Jaunpur	
															Gorakhpur	
															Basti	
															Azamgarh	
															Mirzapur	
															Benares	
															Gházipur	
															Balia	
															Pilibhít	
															Sultánpur	Oudh.
															Partábgarh	
															Fyzabad	
															Kheri	
															Lucknow	
...	...	...	...	..	...	...		...		...	No	return	received		Bára Banki	
															Bahraich	
															Rai Bareli	
															Sitapur	
															Gonda	
															Unao	
															Hardui	
...	...	...	34 0	31 4	28 12	95 0	95 0	95 0	15 4	15 4	15 4	15 0	15 0	15 0	Gujránwála (a)	Punjab.
...	...	...	38 0	35 0	32 0	80 0	80 0	80 0	15 0	15 0	15 0	14 0	14 0	14 0	Lahore (b)	
...	...	...	35 0	33 0	38 0	100 0	100 0	90 0	13 0	13 8	12 0	13 0	13 8	12 0	Ferozepore	
...	...	...	35 0	36 0	41 0	120 0	120 0	120 0	12 8	12 8	12 0	12 0	12 0	11 8	Sirsa (c)	
...	...	...	28 0	28 0	30 0	120 0	120 0	80 0	13 0	13 0	12 8	12 8	12 8	12 0	Hissar	
...	...	...	26 0	25 0	27 0	100 0	100 0	100 0	12 0	12 0	11 10	11 8	11 0	11 4	Rohtak (d)	
...	...	...	21 8	22 0	25 0	140 0	130 0	120 0	12 0	12 0	12 0	12 0	12 0	12 0	Gurgáon (e)	
...	...	...	23 0	22 8	24 8	80 0	80 0	80 0	12 8	13 0	12 8	11 8	12 0	11 8	Delhi (f)	
...	...	...	25 0	24 0	26 0	140 0	140 0	160 0	12 4	12 4	12 0	12 0	12 0	11 12	Karnál	
...	...	...	30 0	27 0	28 4	150 0	150 0	140 0	13 15	14 0	13 12	13 12	13 12	13 8	Umballa (g)	
...	...	...	32 0	31 0	34 8	100 0	100 0	100 0	14 0	14 0	14 10	14 0	14 0	14 8	Ludhiana (h)	
...	...	...	22 0	21 0	18 0	80 0	80 0	80 0	11 4	11 4	10 0	10 8	10 8	10 0	Simla (i)	

(e) Barley, bajra, jowar and gram rising; wood falling. (f) Wheat, salt, rising; barley, bajra and gram falling. (g) Wheat, bajra and gram falling, barley and jowar rising. (h) Prices rising. (i) Prices pretty steady.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Districts.	Wheat. Present fortnight.	Wheat. Past fortnight.	Wheat. Corresponding fortnight of 1882.	Barley. Present fortnight.	Barley. Past fortnight.	Barley. Corresponding fortnight of 1882.	Rice (best sort). Present fortnight.	Rice (best sort). Past fortnight.	Rice (best sort). Corresponding fortnight of 1882.	Rice (common). Present fortnight.	Rice (common). Past fortnight.	Rice (common). Corresponding fortnight of 1882.	Great Millet (Cholum, Jowar), *Holcus Sorghum*. Present fortnight.	Great Millet. Past fortnight.	Great Millet. Corresponding fortnight of 1882.	Bulrush Millet (Cumboo, Bajra), *Penicillaria Spicata*. Present fortnight.	Bulrush Millet. Past fortnight.	Bulrush Millet. Corresponding fortnight of 1882.
	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Kángra	20 0	20 0	24 0	32 0	32 0	40 0	...	...	...	14 0	14 0	15 0	...	...	...	...	...	...
Jullundur (a)	21 8	21 8	26 0	32 0	34 0	44 0	...	...	...	6 0	6 0	8 0	32 0	36 0	40 0	24 0	24 0	22 0
Hoshiárpur (b)	21 0	20 0	26 0	28 0	25 0	36 0	...	...	...	12 0	12 0	14 0	28 0	28 0	36 0	20 0	20 0	18 0
Gurdáspur	24 8	24 8	32 0	28 0	30 0	45 0	...	...	...	14 0	14 0	16 0	30 0	30 0	40 0	14 0	14 0	14 0
Amritsar (c)	23 8	23 8	27 4	38 0	37 0	53 0	...	...	...	13 8	13 8	14 8	37 0	37 0	39 0	31 0	31 0	25 8
Siálkot (b)	23 8	24 8	28 0	40 0	39 0	47 0	...	...	...	13 0	12 0	17 0	35 0	35 0	34 0	36 0	31 0	27 0
Gujrát (d)	26 0	25 8	29 4	40 0	40 0	46 0	...	...	...	12 0	11 8	14 0	40 8	40 0	40 0	40 8	40 0	38 8
Jhelum	25 0	25 0	25 0	33 0	33 0	39 0	...	...	...	12 0	12 0	10 0	34 0	34 0	32 0	38 0	38 0	32 0
Ráwalpindi (e)	27 12	27 0	24 0	45 0	41 0	40 0	...	...	...	14 4	11 12	14 4	45 0	...	40 0	45 0	46 0	35 0
Shahpúr (b)	27 0	27 0	22 0	41 0	40 0	34 0	...	...	...	15 0	15 0	12 0	38 0	36 0	30 0	36 0	34 0	32 0
Jhang (f)	20 0	19 6	20 0	32 0	29 0	35 0	...	...	...	10 0	9 8	10 0	32 0	24 0	30 0	32 0	30 0	22 0
Montgomery	18 0	18 0	20 0	28 0	...	31 0	...	...	...	5 8	5 8	5 8	...	...	...	...	...	...
Mooltan (g)	16 0	16 8	17 0	28 0	28 0	28 0	...	...	...	13 0	11 0	10 0	25 0	26 0	30 0	25 0	25 0	26 0
Muzaffargarh (h)	..	17 8	18 8	...	27 0	28 0	...	...	...	...	5 0	7 0	...	22 0	18 0	...	23 0	22 0
Dera Gházi Khán	18 15	18 2	18 7	28 12	25 0	26 4	...	...	...	11 4	10 0	7 8	32 12	31 4	32 8	29 1	27 8	31 14
Dera Ismail Khán (i)	20 10	20 10	19 15	31 4	31 4	28 4	...	...	...	7 10	8 0	9 1	32 8	33 12	38 2	28 12	30 0	29 8
Bannu	28 2	28 2	30 10	37 8	36 4	47 8	...	...	...	8 12	8 12	9 6	45 0	40 0	50 0	32 8	32 8	37 8
Kohát (j)	19 12	20 6	18 3	33 2	33 2	29 5	...	...	...	11 8	11 8	14 0	30 10	30 10	35 12	31 14	31 14	37 0
Peshawar (k)	21 12	21 8	19 10	31 8	37 0	38 0	...	...	...	11 10	11 5	10 12	30 3	30 14	33 8	32 13	33 8	24 4
Házára (b)	28 0	26 0	...	43 0	40 0	42 0	...	...	...	13 0	13 0	13 0	40 0	38 0	...	36 0	30 0	...
Saugor	25 0	23 12	19 0	...	...	...	10 0	8 0	10 0	12 0	10 0	11 0	...	...	...	...	...	...
Damoh	29 0	28 0	22 8	...	...	...	13 8	13 8	13 8	14 8	14 8	14 8	...	...	...	...	..	..
Jubbulpore	22 0	23 0	17 12	23 0	23 8	20 0	10 0	10 0	11 0	15 0	16 0	15 0	29 0	30 0	28 0	17 0	16 0	18 0
Mandla	26 8	26 0	20 0	...	...	...	15 0	15 0	16 0	21 0	21 8	22 0	...	...	...	...	...	...
Seoni	21 8	22 8	17 8	...	...	...	12 0	13 8	12 8	19 0	20 0	17 8	...	..	...	...	...	...
Narsinghpur	19 0	19 0	16 8	...	...	...	10 0	9 8	10 0	12 8	12 0	13 0	...	...	...	...	..	...
Hoshangabad	16 9	15 12	15 7	...	...	...	4 0	4 8	5 0	10 14	10 3	13 0	..	...	24 0	...	...	23 13
Nimár	17 8	17 8	16 0	...	...	...	12 9	13 10	...	15 15	15 15	13 0	18 12	20 10	30 0	20 0	20 0	24 0
Betúl	18 0	18 0	16 0	...	...	...	12 0	12 0	12 0	13 0	13 0	13 0	19 8	19 8	21 0	...	...	...
Chhindwára	25 8	25 8	16 0	...	...	...	8 8	8 8	10 0	15 0	15 0	13 0	31 0	31 0	21 0	...	...	...
Wardha	20 0	20 0	19 0	...	...	...	10 0	9 0	9 8	16 0	14 0	12 4	25 0	26 0	22 0	...	...	...
Nágpur	20 8	19 12	17 12	...	...	...	9 12	9 12	9 12	16 0	16 0	16 0	31 4	31 4	25 12	...	...	...
Chánda	20 0	20 0	19 4	...	...	...	...	...	...	16 0	15 0	16 0	37 0	35 8	27 0	...	...	...
Bhandára	20 4	21 12	19 8	...	...	...	10 8	10 0	9 12	20 0	22 0	23 4	35 0	42 0	24 0	...	...	...
Bálághát	20 0	20 0	17 0	...	...	...	18 0	18 0	15 0	27 0	27 0	28 0	...	...	...	...	...	...
Raipur	24 4	24 4	29 8	...	...	..	15 8	15 8	21 0	30 8	30 8	37 0	...	...	...	...	...	...
Bilaspur	28 8	28 8	42 0	...	...	...	28 8	28 8	36 0	34 2	39 0	54 0	...	...	...	...	...	...
Sambalpur	14 8	16 8	19 13	...	..	...	24 8	27 12	35 0	29 12	31 0	44 0	...	...	...	...	...	...
Arakan Division.																		
Akyab	No return received																	
Northern Arakan				...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Kyoukpyoo																		
Sandoway	...	...	...	...	...	...	19 2	17 2	27 7	22 14	19 2	33 9	...	...	...	...	...	...
Pegu Division.																		
Rangoon Town	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tharrawaddy	...	...	...	...	...	...	7 2	...	16 5¼	7 14	...	17 13⅝	...	...	...	...	...	...
Prome	12 2	9 11	12 2	...	...	...	10 5	12 3	13 7	13 1	14 7	17 2	...	...	...	...	...	...
Irrawaddy Division.																		
Bassein	...	...	...	...	...	...	10 15	12 12½	...	10 12	13 5	...	...	...	...	...	...	...
Henzada	...	...	...	...	...	...	7 15	10 4	14 5	10 6	13 0	19 8	...	...	...	...	...	...
Thonegwa	...	...	...	...		...	9 6	...	10 12	10 7	...	14 11	...	...	...	...	...	...
Thayetmyo	9 4	9 4	12 1	...	...	...	10 0	10 0	11 11	11 13	11 13	15 9	...	...	...	...	...	...
Tenasserim Division.																		
Moulmein Town & Amherst	9 0	9 0	12 2	...	...	...	9 0	9 0	12 2	12 2	12 2	15 5	...	...	...	...	...	...
Tavoy	...	...	...	...	...	...	13 12	13 12	18 12	17 15	17 15	19 6	...	...	...	...	...	...
Mergui	...	...	...	...	...	.	14 9	14 9	17 5	16 10	16 10	21 12	...	...	...	...	...	...
Toungoo	...	...	...	...	...	...	10 10	10 10	18 5	12 13	12 13	21 5	...	...	...	...	...	...
Shwaygyin	...	...	...	...	...	...	8 8	9 13	10 10	9 9	11 5	12 7	...	...	...	...	...	...
Salween	No return received			...	...	...	..	...	...	...	...	...	...	...	...	...	...	...
Secunderabad	15 8	15 8	17 4	...	...	...	8 4	8 4	7 8	11 4	11 4	9 13	28 0	22 8	25 14	28 4	27 0	...
Bolarum	17 0	18 0	20 4	...	...	...	8 6	8 1	7 6	10 7	10 4	10 0	27 0	27 0	30 14	...	...	...
Chudderghat	14 0	14 0	13 8	...	...	...	7 8	7 0	7 0	10 0	10 0	9 8	26 0	25 8	27 0	34 0	34 0	34 0
Amraoti	16 0	15 0	16 0	10 8	10 0	11 0	8 0	8 0	8 0	10 0	10 0	10 0	28 0	28 0	28 0	16 0	16 0	16 0
Akola	17 0	17 0	16 0	...	...	...	7 0	7 0	7 0	13 0	13 0	11 0	26 0	26 0	28 0	21 0	21 0	20 0
Ellichpur	17 8	17 0	16 8	9 8	9 8	9 8	6 8	6 8	6 8	10 0	12 0	10 0	27 0	27 8	27 8	13 0	22 8	22 8
Buldána	18 0	18 0	19 0	...	...	...	...	...	...	11 0	11 0	11 0	24 0	24 0	32 0	22 0	22 0	28 0
Wún	18 0	17 0	18 0	...	...	...	8 0	8 0	9 0	11 8	11 8	12 0	29 4	29 4	27 0	...	...	...
Básim	22 0	22 0	21 0	...	...	...	6 0	6 0	5 4	13 0	14 0	14 0	32 0	30 0	40 0	...	...	...

...rices are fluctuating. (b) Prices falling. (c) Barley and gram falling. (d) Wheat, rice, bajra, jowar and gram falling. (e) Wheat, barley, rice, and gram falling; bajra rising. (f) Wheat, barley, rice, bajra, jowar, gram and salt falling. (g) Wheat, rice, jowar, gram, rising; salt falling. (h) Statement not received.

[IN]DIA FOR THE 1st HALF OF NOVEMBER 1883—*continued.*

[IN] SEERS OF 80 TOLAHS.

Lesser Millets, Ragi, &c. (Kavara, Veragu, Samee, Cheena, Coraloo, Murawa, Nurico), Panicum Miliaceum, &c. Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Gram. Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Firewood. Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Salt. Wholesale. Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Salt. Retail. Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	DISTRICTS.	PROVINCES.
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.		
...	...	...	21 0	21 0	24 0	140 0	140 0	140 0	11 8	11 8	11 0	11 0	11 0	10 8	Kángra	PUNJAB—*continued.*
...	...	...	31 0	29 0	34 0	110 0	110 0	105 0	14 8	14 8	14 6	14 0	14 0	14 0	Jullundur (*a*)	
...	...	...	28 8	27 8	30 8	111 0	110 0	110 0	14 0	14 0	14 0	13 12	13 12	13 12	Hoshiárpur (*b*)	
...	...	...	31 0	29 0	31 0	120 0	120 0	120 0	13 4	13 4	13 8	12 8	12 8	13 0	Gurdaspur	
...	...	...	35 0	34 8	37 8	90 0	90 0	85 0	15 6	15 6	14 12	15 0	15 0	14 6	Amritsar (*c*)	
...	..	...	34 0	31 0	26 0	120 0	120 0	130 0	15 8	15 8	15 0	15 0	15 0	14 0	Siálkot	
...	...	...	30 8	28 12	27 0	100 0	100 0	100 0	*	*	*	15 8	15 8	15 0	Gujrát (*d*)	
...	...	...	31 0	29 0	25 8	120 0	120 0	160 0	16 0	16 0	16 8	15 0	15 0	15 8	Jhelum (*a*)	
...	...	...	36 0	35 0	24 8	.	95 0	85 0	...	15 6	15 0	...	15 4	14 8	Ráwalpindi (*e*)	
...	...	...	41 0	39 0	24 0	320 0	320 0	320 0	17 0	17 0	17 0	16 0	16 0	16 0	Shahpúr	
...	...	...	28 8	26 12	28 0	200 0	200 0	200 0	14 12	14 4	14 8	14 8	14 2	14 4	Jhang (*f*)	
...	...	...	31 0	31 0	31 0	200 0	200 0	200 0	12 0	12 0	13 0	11 0	11 0	12 0	Montgomery	
...	...	...	27 0	28 0	23 8	90 0	90 0	90 0	14 8	14 0	14 4	14 0	13 8	14 0	Mooltan (*g*)	
...	...	...	..	22 0	20 0	...	90 0	120 0	...	*	*	...	13 8	13 0	Muzaffargarh (*h*)	
...	...	...	21 14	21 14	18 12	100 0	125 0	100 0	28 12	29 14	30 0	27 8	26 14	27 8	Dera Ghazi Khan	
...	...	...	27 0	26 9	24 8	125 0	125 0	100 0	42 8	50 0	62 8	40 0	47 8	60 0	Dera Ismail Khan (*i*)	
...	...	...	31 4	29 6	27 3	80 0	80 0	80 0	80 0	80 0	120 0	60 0	80 0	100 0	Bannu	
...	...	...	25 8	26 12	20 6	102 0	102 0	120 0	68 14	68 14	102 0	63 12	63 12	87 0	Kohát (*j*)	
...	...	...	28 8	28 0	20 8	110 0	107 0	91 0	43 9	40 0	55 4	42 0	38 8	53 0	Peshawar (*k*)	
...	...	...	25 8	23 0	17 0	80 0	80 0	70 0	...	...	13 0	12 0	12 0	12 0	Házára (*b*)	
...	...	...	30 8	28 0	26 0	140 0	120 0	160 0	9 12	9 12	8 12	9 8	9 8	8 8	Saugor	CENTRAL PROVINCES.
...	...	...	39 0	39 0	31 0	200 0	200 0	200 0	11 0	10 8	9 8	10 12	10 4	9 4	Damoh	
...	...	...	27 0	30 0	29 0	110 0	120 0	120 0	11 8	11 8	11 12	11 0	11 0	11 6	Jubbulpore	
25 0	25 0	25 0	40 0	40 0	34 0	256 0	256 0	256 0	.	..	...	10 0	9 0	9 0	Mandla	
...	...	...	23 0	26 0	17 8	220 0	220 0	220 0	11 0	11 8	11 8	10 12	11 0	11 4	Seoni	
...	...	...	24 8	25 8	26 8	140 0	140 0	160 0	11 0	11 0	11 0	10 8	10 8	10 12	Narsinghpur	
...	...		21 10	23 8	22 12	160 0	160 0	160 0	11 12	11 8	10 8	11 0	10 8	10 0	Hoshangabad	
...	..	...	20 4	20 4	19 0	160 0	160 0	120 0	13 13	13 13	13 0	13 0	13 0	12 12	Nimár	
15 8	15 0	16 0	18 0	18 0	16 0	320 0	320 0	240 0	10 8	8 8	9 8	10 0	8 0	9 0	Betúl	
21 0	21 0	18 0	28 0	28 0	18 0	200 0	200 0	200 0	9 0	9 0	9 8	8 0	8 0	8 8	Chhindwára	
...	...	...	17 0	21 0	18 0	120 0	100 0	135 0	12 8	12 0	12 8	12 0	11 0	12 0	Wardha	
...	...	...	21 12	21 12	18 0	120 0	120 0	150 0	12 0	12 0	12 0	11 12	11 12	11 12	Nagpur	
...	..	...	19 8	20 0	27 0	360 0	360 0	360 0		...	.	9 8	9 8	11 0	Chánda	
...	...	...	21 8	23 0	22 8	112 2	95 0		11 8	10 4	11 0	11 0	10 0	10 12	Bhandára	
...	...	...	26 0	26 0	30 0	275 0	275 0	275 0	10 0	9 4	10 0	9 0	9 0	10 0	Balaghát	
...	...	...	26 8	26 8	31 8	64 0	64 0	64 0	11 4	11 4	9 4	11 0	11 0	8 12	Raipur	
123 4	123 4	140 0	29 12	34 0	49 0	120 0	120 0	130 0		..		9 0	10 0	8 0	Biláspur	
...	...	...	13 0	14 8	24 0	120 0	120 0	110 0	11 0	11 0	11 0	10 0	10 0	10 0	Sambalpur	
															Arakan Division.	BRITISH BURMA.
...	...	...	...	.	...	...	...	...	...	...	...	No return received			Akyab, Northern Arakan, Kyoukpyoo	
...	...	...	...	...	...	469 11	469 11	469 11	...	...	...	39 0	39 0	28 6	Sandoway	
															Pegu Division.	
...	...	...	...	...	...	...	...	...	...	...	..	No return received			Rangoon Town	
...	...	...	16 5	...	31 $9\frac{1}{5}$	535 11	...	535 $11\frac{1}{4}$	..	..	...	22 5	...	27 $7\frac{1}{11}$	Tharrawaddy	
...	...	...	10 6	12 7	15 9	139 11	139 11	139 11	25 5	25 5	29 9	16 9	16 9	18 10	Prome	
															Irrawaddy Division.	
...	...	...	7 10	10 $15\frac{1}{2}$	..	281 10	284 $7\frac{1}{2}$	..	24 5	24 $5\frac{1}{2}$	.	22 2	22 $2\frac{3}{4}$	...	Bassein	
...	...	...	...	...	...	183 8	183 8	183 8	29 9	29 9	29 9	29 9	29 9	29 9	Henzada	
...	...	...	18 3	..	22 7	184 8	...	184 8	32 4		47 5	25 5	...	37 5	Thonegwa	
...	...	...	13 13	13 13	18 7	245 0	245 0	245 0	25 5	25 5	17 2	18 15	18 15	14 3	Thayetmyo	
															Tenasserim Division	
...	...	...	12 2	12 2	12 2	220 0	220 0	220 0	35 8	20 15	32 5	25 5	20 8	22 12	Moulmein Town & Amherst	
...	...	...	...	...	...	399 3	399 3	399 3	24 2	24 2	24 2	16 1	16 1	16 1	Tavoy	
...	...	..	...	...	.	428 0	428 0	428 0	24 5	24 5	26 1	14 $5\frac{1}{2}$	14 $5\frac{1}{3}$	14 $5\frac{1}{2}$	Mergui	
...	...	...	12 9	12 9	12 0	24 0	24 0	24 0	23 8	23 8	30 12	18 12	18 12	18 12	Toungoo	
...	...	...	...	...	...	250 0	250 0	250 0	25 4	35 6	32 3	18 14	18 14	18 4	Shwaygyin	
...	...	...	...	...	...	..	.	...	...	...	...	No return received			Salween	
29 9	29 9	...	14 13	14 7	17 4	125 0	125 0	125 0	10 11	10 11	11 1	10 3	10 3	10 8	Secunderabad	HYDERABAD ASSIGNED DISTRICTS.
...	...	...	14 15	15 7	19 10	116 14	116 14	116 14	...	...	...	10 12	10 12	11 1	Bolarum	
...	...	...	15 0	14 0	17 8	80 0	80 0	80 0	...	...	...	9 8	9 8	9 8	Chudderghat	
...	...	...	16 0	17 0	22 0	64 0	64 0	70 0	12 8	12 8	11 8	12 0	12 0	11 0	Amraoti	
8 0	8 0	7 8	16 0	17 0	22 0	64 0	64 0	64 0	10 0	11 0	11 0	10 0	10 0	10 0	Akola	
...	...	...	12 8	15 8	16 12	...	...	...	11 0	11 0	11 0	10 8	10 8	10 8	Ellichpur	
...	...	...	14 0	14 0	22 0	...	...	...	...	...	...	10 0	10 0	11 0	Buldana	
...	...	...	14 0	14 0	27 0	200 0	200 0	300 0	...	...	...	10 0	10 0	11 8	Wun	
...	...	...	17 0	19 0	28 0	64 0	60 0	64 0	10 8	10 8	9 8	10 0	10 0	9 0	Básim	

* No Wholesale salt sold. (*i*) Rice, bajra, jowar and salt rising; gram falling. (*j*) Wheat and gram rising. (*k*) Barley, bajra and jowar rising; wheat, rice, gram, salt and firewood falling.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

QUANTITIES PER RUPEE

Districts	Wheat. Present fortnight. S. Ch.	Wheat. Past fortnight. S. Ch.	Wheat. Corresponding fortnight of 1882. S. Ch.	Barley. Present fortnight. S. Ch.	Barley. Past fortnight. S. Ch.	Barley. Corresponding fortnight of 1882. S. Ch.	Rice (best sort). Present fortnight. S. Ch.	Rice (best sort). Past fortnight. S. Ch.	Rice (best sort). Corresponding fortnight of 1882. S. Ch.
Bangalore, Kolar, Túmkúr, Mysore, Hassan, Shimoga, Kadur, Chitaldroog	No return received				...	...	...	...	...
Coorg	8 6	8 8	9 5	9 15	10 2	9 7	15 5	15 11	10 6
Jeypore	16 0	17 0	17 0	25 0	25 0	24 0	6 0	6 0	6 0
Kishengurh	17 8	17 8	16 8	24 0	24 0	27 0	8 0	8 0	9 0
Kerrowlee	18 12	18 2	19 4	25 10	26 14	26 4	10 0	10 0	15 0
Ulwur	18 0	18 12	20 2	23 3	23 13	29 5	8 10	8 10	9 0
Bhurtpore (City)	17 10	17 1	19 3	22 15	22 9	29 8	7 12	7 12	6 12
Ajmere	16 0	16 0	16 0	24 0	25 0	24 0	5 0	5 0	5 0
Deoli Cantonment	21 12½	21 3	17 4	31 9	30 8	23 4	...	...	...
Erinpura	16 4	16 4	17 14	25 2	25 2	31 10	...	...	...
Sirohee	13 8	13 8	17 0	25 0	25 0	[illegible]0 0	6 8	6 8	7 0
Abu	12 12	12 12	15 10	20 0	19 0	22 4	6 8	6 8	6 12
Anadra	14 0	14 0	17 0	23 0	22 0	25 4	7 0	7 0	7 4
Hilly Tracts of Meywar	18 0	20 0½	22 0	21 0	25 0	28 0	...	...	...
Meywar (Oodeypore)	15 10	16 0½	14 13½	22 10½	22 10½	21 14	7 13	9 6	10 8¾
Bánswára (Meywar Agency)	18 12	19 6	22 8	...	...	...	10 0	10 0	8 12
Partábgarh („)	16 11	16 9	19 11	...	...	...	10 0	8 12	10 0
Marwar (Jodhpore)	16 4	16 4	*	21 4	21 4	*	6 4	6 4	*
Bikaneer	10 10	10 7	13 10	...	...	...	3 7	3 6	3 4
Boondee	24 8	24 8	17 0	40 0	40 0	28 0	9 8	9 8	10 0
Kotah	24 0	24 0	17 6	25 0	25 0	14 0	8 0	8 0	10 0
Tonk	20 12	20 8	15 3	30 0	30 12	24 2	6 8	6 8	7 0
Jhallawar	19 0	18 13	15 11½	20 0	20 0	12 0	...	...	...
Shahpoora	20 2	19 14	17 8	28 12	30 0	21 8	11 0	11 0	12 4
Dholpur	16 7	16 9	18 12	23 6	23 10	30 0	10 2	10 2	10 2
Indore	15 12	15 8	15 8	...	...	...	9 3	9 3	9 3
Gwalior	17 7	17 6	16 13	23 5	21 15	21 15	7 13	7 9	7 13
Goona	26 0	25 0	21 8	20 0	20 0	20 0	9 0	8 0	9 0
Baghelkhand (Sutna)	26 9	25 4	20 0	47 5	41 4	33 10	7 0	7 0	8 0

Districts	Rice (common). Present fortnight. S. Ch.	Rice (common). Past fortnight. S. Ch.	Rice (common). Corresponding fortnight of 1882. S. Ch.	Great Millet (Cholum, Jowar), *Holcus Sorghum*. Present fortnight. S. Ch.	Great Millet. Past fortnight. S. Ch.	Great Millet. Corresponding fortnight of 1882. S. Ch.	Spiked Millet (Cumboo, Bajra), *Penicillaria Spicata*. Present fortnight. S. Ch.	Spiked Millet. Past fortnight. S. Ch.	Spiked Millet. Corresponding fortnight of 1882. S. Ch.
Bangalore, Kolar, Túmkúr, Mysore, Hassan, Shimoga, Kadur, Chitaldroog	...	...	...	...	...	...	..	...	...
Coorg	21 0	20 10	13 14	...	...	...	...	...	...
Jeypore	8 8	8 8	9 0	24 0	24 0	20 0	21 8	22 0	22 0
Kishengurh	9 0	9 0	10 0	23 8	23 8	26 8	19 8	19 8	19 0
Kerrowlee	10 10	10 10	17 8	25 10	26 4	28 12	22 8	20 10	25 0
Ulwur	10 8	10 8	12 4	21 4	23 0	28 11	18 9	18 15	23 8
Bhurtpore (City)	9 6	9 2	11 0	22 15	22 7	26 4	20 11	19 11	22 8
Ajmere	8 0	8 0	8 0	19 0	19 0	23 0	18 0	20 0	18 0
Deoli Cantonment	9 4	9 4	12 12	25 3	24 0	23 0	25 8	21 3	20 12
Erinpura	7 8	7 8	8 0	20 0	20 0	[illegible] 6	30 0	30 0	23 6
Sirohee	8 0	8 0	8 0	14 0	14 0	17 0	18 0	15 0	21 0
Abu	8 0	7 10	8 0	...	...	...	14 8	14 2	17 4
Anadra	8 4	8 4	9 0	...	...	...	16 8	16 0	19 8
Hilly Tracts of Meywar	12 0	15 0	16 0	...	...	...	...	...	...
Meywar (Oodeypore)	...	...	...	...	...	...	...	...	...
Bánswára (Meywar Agency)	17 8	16 4	18 12	...	...	...	...	...	..
Partábgarh („)	13 2	11 4	12 8	...	...	...	...	...	...
Marwar (Jodhpore)	7 8	7 8	*	19 6	21 4	*	18 2	18 12	*
Bikaneer	5 12	6 4	6 8	...	..	...	18 4	16 4	23 0
Boondee	10 0	10 0	10 8	38 4	38 4	29 0	..	..	...
Kotah	11 0	11 0	13 4	32 0	32 0	23 8	16 0	12 8	15 0
Tonk	8 8	8 10	9 8	[illegible]0 0	30 12	25 14	24 4	24 8	20 14
Jhallawar	8 14	8 9	10 2	31 7	31 0½	20 7½	17 1	17 1	18 6
Shahpoora	14 4	14 4	14 5	24 0	24 4	18 0	19 0	14 0	18 0
Dholpur	11 4	10 11	12 6	23 6	23 7	27 6	20 2	20 5	26 10
Indore	10 14	10 14	10 0	21 14	23 0	25 4	19 3	21 14	20 0
Gwalior	9 2	9 2	10 5	24 10	24 10	23 1	19 7	20 9	21 0
Goona	10 0	8 8	9 8	40 0	40 0	27 0	20 0	20 0	16 8
Baghelkhand (Sutna)	18 12	19 4	22 0	36 5	38 12	35 0	29 8	30 0	28 0

* Not received.

DEPARTMENT OF FINANCE AND COMMERCE,

(*Statistical Branch.*)

INDIA FOR THE 1st HALF OF NOVEMBER 1883—*concluded.*

IN SEERS OF 80 TOLAHS.

Lesser Millets, Ragi, &c. (Kavara, Varagu, Sawee, Cheena, Coralee, Murwa, Kuglee), Panicum Miliaceum, &c.			Gram.			Firewood.			Salt.						Districts.	Province.
									Wholesale.			Retail.				
Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1882.		
S. Ch.	S. Ch.	S. Ch	S. Ch	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch	S. Ch	S. Ch.		
...	...	...	...	...	...	...	...	...	...	...	No	return	receiv	ed	Bangalore Kolar Túmkúr Mysore Hassan Shimoga Kadur Chitaldroog	Mysore.
28 12	29 10	22 4	29 8	29 11	23 4	110 0	110 0	110 0	9 12	10 1	9 6	9 10	9 7	8 11	Coorg	Coorg.
...	...	...	23 0	23 4	21 8	...	...	...	15 0	15 0	14 4	14 12	14 12	14 0	Jeypore	Rajpootana.
...	...	...	24 0	24 0	25 8	...	...	...	...	...	...	16 0	16 0	16 0	Kishengurh	
...	...	...	27 8	27 8	28 12	...	...	...	13 15	13 8	14 6	13 12	13 4	14 0	Kerrowlee	
...	...	...	22 11	23 0	28 3	...	...	...	15 7	15 7	15 13	14 12	14 12	15 4	Ulwur	
...	...	...	23 8	22 11	26 0	...	...	...	12 4	12 4	12 5	12 0	12 0	11 13	Bhurtpore (City)	
...	...	...	25 0	26 0	24 0	80 0	80 0	70 0	17 0	17 0	...	15 0	15 0	15 0	Ajmere	
...	...	...	30 6	29 4	24 0	...	...	...	13 8	13 8	14 0	13 10	13 10	12 12	Deoli Cantonment	
									R a. p.	R a. p. per md.	R a. p					
...	...	...	21 4	21 4	23 12	160 0	160 0	160 0	3 0 6	3 0 6	3 0 4	12 6	12 6	12 4	Erinpura	
...	...	...	16 0	18 0	27 0	160 0	160 0	160 0	3 0 0	3 0 0	3 0 0	12 5	12 5	12 5	Sirohee	
...	...	...	16 0	16 0	20 8	160 0	160 0	160 0	...	3 8 0	3 8 0	...	11 12	11 8	Abu	
...	...	...	18 0	18 0	23 8	...	...	...	3 4 0	3 4 0	3 4 0	12 4	12 4	12 4	Anadra	
...	...	...	23 0	21 0	24 0	†	‡	†	3 10 0	3 10 0	3 9 6	11 2	11 0	11 2¼	Hilly Tracts of Meywar	
									S. Ch	S. Ch	S. Ch					
...	...	...	19 8¼	17 15¼	17 3	200 0	200 0	200 0	12 8	11 11½	10 8¾	12 1¾	11 5¼	10 2¼	Meywar (Oodeypore)	
									R a. p.	R a. p. per md.	R a. p.					
...	...	...	33 12	32 8	37 8	...	...	...	3 8 6	...	...	11 4	9 6	10 10	Bánswára (Meywar Agency)	
...	...	...	19 11	19 9	25 0	...	...	...	2 7 0	...	...	16 4	16 4	15 8	Partabgarh („)	
...	...	...	20 0	20 4	*	...	...	...	...	...	...	15 10	15 0	*	Marwar (Jodhpore)	
									S. Ch.	S. Ch.	S. Ch.					
...	...	...	17 8	17 4	20 4	...	...	...	...	...	...	11 8	11 8	11 8	Bikaneer	
...	...	...	37 0	37 0	30 4	120 0	120 0	160 0	12 8	12 8	12 12	12 4	12 4	2 8	Boondee	
...	...	...	32 0	30 0	26 8	240 0	240 0	240 0	13 8	13 8	12 12	13 0	13 0	12 4	Kotah	
...	...	...	30 0	32 0	23 15	100 0	100 0	160 0	13 8	13 8	13 8	13 4	13 4	13 0	Tonk	
...	...	...	24 8¼	24 1	23 0	...	...	...	10 7½	10 7½	10 14	10 3½	10 3½	10 10	Jhallawar	
...	...	...	23 0	23 4	21 0	160 0	160 0	160 0	14 0	13 14	14 3	13 10	14 0	14 0	Shahpoora	
...	...	...	24 3	24 7	27 4	...	...	...	13 8	13 8	13 3	12 10	12 10	12 6	Dholpur	
...	...	...	18 0	18 0	20 13	100 0	100 0	100 0	12 0	12 0	12 5	11 6	11 6	12 5	Indore	Central India.
...	...	...	21 15	22 12	23 1	109 8	127 12	91 4	...	...	...	12 0	12 0	11 4	Gwalior	
...	...	...	35 0	32 0	25 8	200 0	200 0	200 0	12 8	12 8	12 0	12 0	12 0	11 8	Goona	
...	...	...	35 8	36 2	32 0	160 0	160 0	160 0	12 0	12 4	12 8	11 4	11 5	11 12	Baghelkhand (Sutna)	

† Eight pies per bundle. ‡ Ten pies per bundle.

J. WESTLAND,
Offg. Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

SUPPLEMENT TO THE STATEMENTS OF PRICES CURRENT OF FOOD-GRAINS FOR THE 1st AND 2nd HALVES OF OCTOBER 1883 PUBLISHED IN PAGES 2150, 2151, 2224 AND 2225 OF THE SUPPLEMENT TO THE "GAZETTE OF INDIA", DATED 10th AND 24th NOVEMBER 1883.

QUANTITIES PER RUPEE IN SEERS OF 80 TOLAHS.

Province: Hyderabad Assigned Districts.

District	Wheat: Present fortnight (S. C.)	Wheat: Past fortnight (S. C.)	Wheat: Corresponding fortnight of last year (S. C.)	Barley: Present fortnight (S. C.)	Barley: Past fortnight (S. C.)	Barley: Corresponding fortnight of last year (S. C.)	Rice, Best sort: Present fortnight (S. C.)	Rice, Best sort: Past fortnight (S. C.)	Rice, Best sort: Corresponding fortnight of last year (S. C.)	Rice, Common: Present fortnight (S. C.)	Rice, Common: Past fortnight (S. C.)	Rice, Common: Corresponding fortnight of last year (S. C.)	Great Millet (Cholum, Jowar), *Holcus Sorghum*: Present fortnight (S. C.)	Great Millet: Past fortnight (S. C.)	Great Millet: Corresponding fortnight of last year (S. C.)	Bulrush Millet (Cumboo, Bajra), *Penicillaria Spicata*: Present fortnight (S. C.)	Bulrush Millet: Past fortnight (S. C.)	Bulrush Millet: Corresponding fortnight of last year (S. C.)
1st half of October 1883.																		
Secunderabad	15 15	16 5	17 12	...	...	...	8 4	7 14	7 14	10 14	10 3	9 13	22 3	22 3	25 14	27 0	27 0	...
Bolarum	18 8	18 8	19 7	...	...	...	8 1	8 1	7 6	9 10	9 10	9 6	26 6	26 6	29 9	...	...	...
Chudderghat	13 8	18 8	13 8	...	...	...	7 0	7 0	7 0	9 0	9 0	9 0	24 0	23 0	26 0	32 0	28 0	33 0
2nd half of October 1883.																		
Secunderabad	15 8	15 15	17 12	...	...	...	8 4	8 4	7 14	11 4	10 14	9 13	22 3	22 3	25 14	27 0	27 0	...
Bolarum	18 0	18 3	19 10	...	...	...	8 1	8 1	7 6	10 4	9 10	9 11	27 0	26 6	30 1	...	...	...
Chudderghat	14 0	13 8	14 0	...	...	...	7 8	7 0	7 0	10 0	9 0	9 0	25 8	24 0	28 0	34 0	32 0	34 0

District	Lesser Millets, Ragi, &c. (Kavaru, Veragoo, Sawee, Cheena Cardoo, Murhwa, Nuglee, &c.), *Panicum Miliaceum*, *Elensine Coracana*, &c.: Present fortnight (S. C.)	Lesser Millets: Past fortnight (S. C.)	Lesser Millets: Corresponding fortnight of last year (S. C.)	Gram: Present fortnight (S. C.)	Gram: Past fortnight (S. C.)	Gram: Corresponding fortnight of last year (S. C.)	Firewood: Present fortnight (S. C.)	Firewood: Past fortnight (S. C.)	Firewood: Corresponding fortnight of last year (S. C.)	Salt, Wholesale: Present fortnight (S. C.)	Salt, Wholesale: Past fortnight (S. C.)	Salt, Wholesale: Corresponding fortnight of last year (S. C.)	Salt, Retail: Present fortnight (S. C.)	Salt, Retail: Past fortnight (S. C.)	Salt, Retail: Corresponding fortnight of last year (S. C.)
1st half of October 1883.															
Secunderabad	29 9	28 4	...	13 8	16 5	18 0	125 0	125 0	125 0	10 14	10 14	10 14	10 6	10 6	10 6
Bolarum	...	...	...	19 7	19 7	19 7	116 14	116 14	116 14	...	...	...	10 12	10 12	10 12
Chudderghat	...	...	...	15 8	15 0	18 0	80 0	80 0	80 0	...	...	...	9 8	9 8	9 8
2nd half of October 1883.															
Secunderabad	29 9	29 9	...	14 7	13 8	17 13	125 0	125 0	125 0	10 11	10 14	10 14	10 8	10 8	10 8
Bolarum	...	...	...	15 7	19 7	20 4	116 14	116 14	116 14	...	...	...	10 12	10 12	10 12
Chudderghat	...	...	...	14 0	15 8	17 0	80 0	80 0	80 0	...	...	...	9 8	9 8	9 8

J. WESTLAND,

Offg. Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE,

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

INTERNATIONAL EXHIBITION PROPOSED TO BE HELD AT SYDENHAM.

CIR. No. 89 EX.

Extract from the Proceedings of the Government of India, in the Revenue and Agricultural Department,—dated Calcutta, the 11th December 1883.

MUSEUMS AND EXHIBITIONS.

RESOLUTION.

Read the following despatch—

No. 185 (Statis. and Comce.), dated India Office, London, the 18th October 1883.

From—Her Majesty's Secretary of State for India,

To—The Government of India.

I enclose a copy of a letter from the Crystal Palace Company with reference to an International Exhibition proposed to be held at Sydenham next year.

Dated Crystal Palace, London, the 12th September 1883.

From—G. G. CLEATHER, ESQ., *Manager, Crystal Palace Company,*

To—Her Majesty's Secretary of State for India.

I have the honour to inform you that the Directors of the Crystal Palace propose to hold an International Exhibition of arts, manufactures, and scientific, agricultural, and industrial products at the Crystal Palace next year, commencing about April 3rd and closing the end of October.

The Directors have appointed as Executive Commissioner Mr. G. C. Levy, C.M.G., a gentlemen who has had considerable experience in the management of Exhibitions.

The Directors venture to hope that Your Lordship will notify to the Governor General of India the fact that such an Exhibition is to be held, with the view to his bringing it under the notice of the various Governments.

As it is important that no time should be lost, I shall be obliged by your giving the subject of this letter your earliest consideration.

ORDER.—Ordered, that copy of the foregoing papers be forwarded to the Local Governments and Administrations noted in the margin, with a request that publicity may be given to them in the Local Government Gazettes.

Madras.	Punjab.
Bombay.	Central Provinces.
Bengal.	British Burma.
North-Western Provinces and Oudh.	Assam.

Ordered also, that the papers be published in the Supplement to the *Gazette of India.*

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.

IRRIGATION OPERATIONS OF FASL RABI IN THE NORTH-WESTERN PROVINCES, 1883, UP TO 31st OCTOBER 1883.

Canal Division.	Water distributed during October, 1883 — Depth in canal at regulating gauge in feet — Full supply.	Actual average throughout.	Gross consumption, cubic feet per second — Allotted discharge.	Actual average throughout.	Total area of irrigation during current fasl.	Total area for the corresponding period of last year.
Upper Ganges. Northern	10 00	9·20	950	146	2,413	677
Upper Ganges. Anúpshahr	7·00	5 99	1,100	855	14,123	2.072
Upper Ganges. Meerut	8 10	7 58	925	1,566	12,515	6,433
Upper Ganges. Bulandshahr	7 20	6·55	925	974	32,808	11,765
Upper Ganges. Aligarh	5 50	4 89	1,300	965	30,119	55,094
Lower Ganges. Narora	9 00	4·86	975	259	2,077	1,441
Lower Ganges. Mainpuri	7·00	3·30	600	330	4,358	4,049
Lower Ganges. Cawnpore	8 20	4·35	825	467	7,600	8,340
Lower Ganges. Etáwah	5 80	3 36	975	941	. .	265
Lower Ganges. Bhognipur	7 00	3·70	950	298	1,298	22
Total Upper and Lower Ganges Canals	. .	. .	9,525	6,801	107,311	70,088
Eastern Jumna Canal	4·74	4 62	1,300	1,288	6,957	5,394
Agra Canal	8·50	7·73	1,300	951	18,207	4,112
Rohilkhand	. .	. .	. .	. .	. .	. .
Bijnor	. .	. .	. .	. .	. .	. .
Dún	. .	. .	. .	. .	1,471	1,858
Jhánsi	. .	. .	. .	. .	74	8
Hamírpur	. .	. .	. .	. .	246	196
Total	. .	. .	. .	. .	134,266	81,686

Zila.	Land irrigated (approximate) — Wheat.	Barley.	Gram.	Other food-grains.	Miscellaneous.	Total.	Rainfall — Total from 1st October, 1883, to end of the month	Average of ten previous years for the same period
Sahàranpur	2,043	146	93	18	1,401	3,701	. .	·5
Muzaffarnagar	2.311	374	63	195	2.096	5.039	. .	·6
Meerut	18.583	2,045	62	2,1[illegible]5	458	23,253	. .	·8
Bulandshahr	23,3[illegible]2	2,421	3	3,6[illegible]4	7,163	36,503	. .	·7
Aligarh	[illegible],413	1,784	5	336	12.269	23,807	. .	·5
Muttra	246	233	515	947	3 181	5,122	. .	·9
Agra	1,463	153	370	181	2.393	4,560	. .	·4
Etah	2,590	1,031	3	779	3,132	7,535	. .	·7
Mainpuri	1.091	493	. .	661	3,071	5,316	. .	·5
Fatehgarh	57	1	. .	1,066	56	1,180	. .	·7
Etáwah	436	57	50	134	552	1,229	. .	·8
Cawnpore	1,643	3,011	. .	1,219	608	6,481	. .	. .
Delhi	. .	. .	. .	. .	82	82	. .	·8
Gurgaon	2,800	1,203	841	1,031	2,792	8.667	. .	1 0
Dehra Dún	1,248	5	. .	4	214	1,471		8
Bijnor	. .	. .	. .	. .	. .	. .	. .	·4
Tarái	. .	. .	. .	. .	. .	. .	. .	·8
Pilibhit	. .	. .	. .	. .	. .	. .	. .	·8
Bareilly	. .	. .	. .	. .	. .	. .	. .	1·0
Jhánsi	40	. .	30	4	. .	74	.3	·4
Hamírpur	. .	. .	. .	234	12	246	. .	·5
Total	67,276	12.957	2,035	12,518	39,480	134,266	. .	. .
Total for the same period last year	28,022	27,005	1,249	5,540	19,870	81,686	. .	. .
Increase	39,254	. .	786	6,978	19,610	52,580	. .	. .
Decrease	. .	14,048	. .	. .	. .	. .	. .	. .

Remarks.

			Cubic feet per second.
Supply—			
Entering head of Ganges Canal			5,998
" Lower Ganges Canal			2,123
			8,121
Expended—			
Ganges Canal	4,506		
Lower Ganges Canal	2,295		
		6,801	
Escaped—			
Anupshahr Branch, Ganges Canal	26		
Meerut Division, ditto	116		
Bulandshahr ditto ditto	5		
Narora ditto, Lower Ganges Canal	186		
Mainpuri ditto ditto	77		
Cawnpore ditto ditto	247		
Etawah ditto ditto	129		
Bhognipur ditto ditto	154		
Percolation from the Narora Division	336		
Ditto ditto Mainpuri ditto	49		
		1,320	
			8,121

Executive Engineer, Northern Division, Ganges Canal, reports that there has been only a small demand for "paleo," considering the previous drought. Previously irrigated sugar has taken water steadily

Executive Engineer Meerut Division, Ganges Canal, reports that the high supply in the canal has enabled much paleo to be done

Executive Engineer, Bulandshahr Division Ganges Canal, reports that the demand for water has been excessive, and that seed sown on unirrigated land is germinating badly

Executive Engineer Aligarh Division, Ganges Canal, reports that there was a strong demand throughout the month for rabi paleo and kharif crops that had been irrigated previously.

Executive Engineer, Narora Division, Lower Ganges Canal, reports that the demand for "paleo" was, considering the dryness of the season, very slack, and that the cultivators have evidently given up hope of securing crops off 'dofash' land this rabi. Cotton and juar suffered from the dryness of the season in places, but it was a little too late for economical irrigation of them this month

Executive Engineer, Mainpuri Division, Lower Ganges Canal, reports that the Bewar Branch was opened on the 6th, and that there was a strong demand for kharif irrigation and rabi paleo, late kharif crops being cut and rabi crops being sown towards the end of the month.

Executive Engineer, Cawnpore Division, Lower Ganges Canal, reports that the decrease is in the wheat and barley crops, the early sowings of which have not as yet received their first water

Executive Engineer, Etawah Division, Lower Ganges Canal, reports that water is being taken for kharif crops and for preparing land for rabi sowings.

Executive Engineer, Bhognipur Division, Lower Ganges Canal, reports that there was no rain during the month, that distributaries were re-opened after clearances about the 20th, and that there was a moderate demand for paleo.

Executive Engineer, Eastern Jumna Canal, reports that water has been in great demand The area irrigated is far in excess of what is shown, but it will come into next month's return

Executive Engineer, Agra Canal, reports that 'paleo' for rabi began at the end of September, and there has been universal demand for it throughout October. Cotton, juar, and sugarcane also took water up to the 20th October

Executive Engineer, Rohilkhand Canals, reports that there was a demand throughout the month for late rice and rabi paleo, that the supply in all the rivers and canals is below the average and insufficient to meet the demand, and that about 3,000 acres of rabi paleo were done during the month in addition to the rice.

No remarks from the other divisions.

Note.—In addition to the above the following kharif irrigation was also effected, exclusive of that in the Etawah Division, which has not been reported :—

Canal.	Sugarcane	Indigo.	Rice.	Cotton.	Other food grains.	Fodder crops	Miscellaneous.	Total.
Bulandshahr Division, Ganges Canal	. .	. .	. .	1,336	4,798	442	. .	6,576
Narora Division, Lower Ganges Canal	3	. .	. .	80	62	. .	23	168
Rohilkhand Canals	. .	. .	3,761	. .	. .	. .	. .	3,761
Bijnor Canals	60	. .	68	. .	. .	. .	68	196
Eastern Jumna Canals	467	461	216	1,500	4,803	843	—1,509	6,411
Total	530	461	4,045	2,916	9,663	1,285	—1,418	17,132

ALLAHABAD,
The 23rd November 1883.

W. P. V. HORST,
Offg. Asst. Secy. to Govt., N.-W. P. and Oudh,
P. W. D., Irrigation Branch.

STATEMENT OF TRAFFIC ON THE AGRA CANAL FOR THE MONTH OF OCTOBER 1883.

Nature of Traffic.	AGRA CANAL. Principal items of Traffic. Up. Mds.	Up. No.	Down. Mds.	Down. No.	Total up and down. Mds.	Total up and down. No.
Grains—						
Wheat	925	...	2,718	...	3,643	...
Gram	...	...	...	...	...	...
Rice	...	...	...	...	...	...
Paddy or dhán	...	...	...	...	...	...
Bejhar or mixed grain	...	...	1,407	...	1,407	...
Dál—						
Urd	...	...	...	...	...	...
Múng	...	...	...	...	...	...
Arhar	...	...	...	...	...	...
Masúri	...	...	...	...	...	...
Juár	...	...	400	...	400	...
Bájra	...	...	...	...	...	...
Maize or Indian-corn	...	...	...	...	...	...
Barley	...	...	125	...	125	...
TOTAL	925	...	4,650	...	5,575	...
Cotton	...	...	...	...	...	...
Oil-seeds	...	...	...	...	...	...
Salt	...	...	...	...	...	...
Metals	...	...	...	...	...	...
Building materials	4,975	...	1,900	...	6,875	...
Miscellaneous goods	...	...	3,600	...	3,600	...
Firewood	...	...	...	...	...	...
Bamboos	...	...	...	...	...	...
Timber—						
Poles and unsquared timber	...	...	1,400	...	1,400	...
Karis and squared timber	...	...	...	...	...	...
Logs	...	...	...	...	...	...
Miscellaneous timber	...	...	...	...	...	...
Live-stock	...	...	...	...	...	...
GRAND TOTAL	5,900	...	11,550	...	17,450	...
TOTAL DURING CORRESPONDING PERIOD OF LAST YEAR	1,550	...	2,153	...	3,703	...
INCREASE	4,350	...	9,397	...	13,747	...
DECREASE	...	...	...	...	...	...

REMARKS.

Particulars.	AGRA CANAL. 1883.	1882.
Tonnage, including weight of timber and bamboos	641	136
Ton mileage	89,693	7,168
Value of goods	R 22,375	5,094
Number of passengers	...	...

ALLAHABAD,
The 24th November 1883.

W. P. V. HÖRST,
Offg. Asst. Secy. to Govt., N.-W. P. and Oudh,
P. W. D., Irrigation Branch.

STATEMENT OF TRAFFIC ON UPPER AND LOWER GANGES CANALS FOR THE MONTH OF OCTOBER 1883.

	UPPER GANGES CANAL.						LOWER GANGES CANAL.						UPPER AND LOWER GANGES CANALS.						UPPER AND LOWER GANGES CANALS.						REMARKS.
	PRINCIPAL ITEMS OF LOCAL TRAFFIC.						PRINCIPAL ITEMS OF LOCAL TRAFFIC.						PRINCIPAL ITEMS OF THROUGH TRAFFIC.						PRINCIPAL ITEMS OF LOCAL AND THROUGH TRAFFIC.						
	Up.		Down.		Total up and down.		Up.		Down.		Total up and down.		Up.		Down.		Total up and down.		Up.		Down.		Total up and down.		
GRAINS.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	
Wheat	700		6,463		7,163								281		355		636		981		6,818		7,799		
Gram							4,005				4,005		10,379				10,379		14,384				14,384		
Rice							45				45								45				45		
Paddy or dhán																									
Bejhar or mixed grain			112		112																112		112		
Dál — Urd																									
Dál — Múng	56				56														56				56		
Dál — Arhar	275				275		56				56		2,652				2,652		2,983				2,983		
Dál — Masúri													226				226		226				226		
Juár													35				35		35				35		
Bájra																									
Maize or Indian-corn													342				342		342				342		
Barley			100		100																100		100		
TOTAL	1,031		6,675		7,706		4,106				4,106		13,915		355		14,270		19,052		7,030		26,082		
Cotton									406		406				2,026		2,026				2,432		2,432		
Oil-seeds			31		31				50		50		1,798				1,798		1,798		81		1,879		
Salt	154				154														154				154		
Metals	36		125		161								715		30		745		751		155		906		
Building materials	33,789		8,575		42,364		3,353		9,775		13,128				600		600		37,142		18,950		56,092		
Miscellaneous goods	339		634		973		50		370		420		1,013		5,800		6,813		1,402		6,804		8,206		
Firewood	2,100		1,800		3,900		1,170				1,170								3,270		1,800		5,070		
Bamboos			3,523	70,460	3,523	70,460			1,900	38,000	1,900	38,000									5,423	108,460	5,423	108,460	
Timber: Poles and un-squared timber.	2,780	2,780	622	622	3,402	3,402													2,780	2,780	622	622	3,402	3,402	
Timber: Karis and squared timber.	24	24	440	440	464	464	168	168			168	168	570	570			570	570	762	762	440	440	1,202	1,202	
Timber: Logs			220	11	220	11															220	11	220	11	
Miscellaneous timber	800	1,600			800	1,600	110	220	56	112	166	332	346	692			346	692	1,256	2,512	56	112	1,312	2,624	
Live-stock																									
GRAND TOTAL	41,053	4,404	22,645	71,533	63,698	75,937	8,957	388	12,557	38,112	21,514	38,500	18,357	1,262	8,811		27,168	1,262	68,367	6,054	44,013	109,645	1,12,380	115,699	
TOTAL DURING CORRESPONDING PERIOD OF LAST YEAR.	8,886	50	34,383	125,552	43,269	125,602	1,199	42	8,833		10,032	42	6,705		16,891		23,596		16,790	92	60,107	125,552	76,897	125,644	
INCREASE	32,167	4,354			20,429		7,758	346	3,724	38,112	11,482	38,458	11,652	1,262			3,572	1,262	51,577	5,962			35,483		
DECREASE			11,738	54,019		49,665									8,080						16,094	15,907		9,945	

Particulars.	Upper Ganges Canal (local).		Lower Ganges Canal (local).		Upper and Lower Ganges Canals (through).		Total, Upper and Lower Ganges Canals.	
	1882.	1883.	1882.	1883.	1882.	1883.	1882.	1883.
Tonnage, including weight of timber and bamboos	1,590	2,340	368	790	867	998	2,825	4,128
Ton mileage	81,534	136 500	43,833	38,245	193,412	192,675	318,779	367,370
Value of goods R	40,596	42,171	70,356	17,146	86,647	1,02,987	1,97,599	1,62,304
Number of passengers	149	52	46			15	195	67

ALLAHABAD,
The 8th November 1883.

W. P. V. HÖRST,
Offg. Asst. Secy. to Govt., N.-W. P. & Oudh, P. W. D., Irrigation Branch.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY TRAFFIC.

No. XLIV OF 1883.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Latest return received.	Railways.	Total mean length open.	Receipts for week ending 11th November 1882. Total.	Per mile open	Total mean length open.	Receipts for week ending 10th November 1883. Total.	Per mile open	Total Receipts from 1st April to 11th November 1882. Total.	Per mile open per week.	Total Receipts from 1st April to 10th November 1883. Total.	Per mile open per week	Total Increase in 1883-84.	Total Decrease in 1883-84.
			R	R		R	R	R	R	R	R	R	R
	Guaranteed.												
24th Nov. 1883	Eastern Bengal .	172	1,39,103	809	172	1,09,232	635	36,06,304	652	28,99,938	527	. . .	7,06,366
17th ditto .	Oudh and Rohilkhand	547	99,599	182	547	94,585	173	29,93,083	170	34,50,924	197	4,57,891	. . .
17th ditto .	Sind, Punjab & Delhi .	676	2,57,063	380	735	1,86,170	253	57,77,043	266	69,27,096	293	11,50,053	. . .
17th ditto .	Madras . . .	861	1,17,724	137	861	1,02,250	119	43,34,606	157	40,64,644	148	. . .	2,69,962
24th ditto .	South Indian . .	655	66,103	101	655	68,581	105	23,79,109	113	24,74,107	118	94,998	. . .
24th ditto .	Great Indian Peninsula	1,456	6,36,997	437	1,458	5,85,105	401	1,91,87,332	412	1,92,28,912	414	41,580	. . .
17th ditto .	Bombay, Baroda and Central India . .	461	1,64,588	357	461	1,85,969	403	57,49,594	388	66,04,771	448	8,55,177	. . .
	TOTAL .	4,830	14,81,177	307	4,889	13,31,582	272	4,40,27,021	284	4,56,50,392	292	16,23,371	. . .
	State.												
1st Dec. 1883	East Indian . .	1,507	10,34,467	686	1,509	8,93,406	592	2,66,97,820	551	3,02,66,392	627	35,68,572	. . .
24th Nov. 1883	Calcutta and South-Eastern . . .	33	8,738	265	56	4,580	82	1,26,867	127	1,78,704	103	51,837	. . .
	Nalhati . .	27	1,276	47	27	1,158	42	43,241	49	49,335	57	7,094	. . .
24th ditto .	Northern Bengal .	230	51,721	225	239	5,244	219	12,16,147	164	12,86,646	171	70,499	. . .
24th ditto .	Tirhoot . . .	85	11,881	140	166	16,296	98	3,83,607	140	5,25,831	100	1,42,224	. . .
24th ditto .	Patna-Gya . . .	57	7,197	126	. .	. . .	.	2,82,203	170	2,53,257	153	. . .	28,946
20th Oct. 1883	Cawnpore-Achnera .	138	12,605	91	138	12,368	89	3,21,351	73	3,32,285	75	10,934	. . .
17th Nov. 1883	Dildarnagar-Ghazipur	12	901	75	12	687	57	27,339	71	27,509	72	170	. . .
24th ditto .	Rajputana-Malwa .	1,116	1,99,311	179	1,117	2,44,750	219	60,52,566	169	72,38,813	203	11,86,247	. . .
24th ditto .	Wardha Coal . .	45	12,156	270	45	15,035	334	3,20,482	222	4,14,448	288	93,966	. . .
24th ditto .	Nagpur & Chhattisgarh	98	6,209	64	149	14,082	95	2,99,385	95	7,01,514	147	4,02,129	. . .
24th ditto .	Rangoon and Irrawaddy Valley . .	161	31,429	195	161	30,421	189	8,53,421	165	8,26,334	160	. . .	27,087
17th ditto .	Sindia	75	6,929	92	75	7,726	103	1,89,450	78	1,95,571	81	6,121	. . .
24th ditto .	Punjab Northern .	419	65,713	157	421	59,714	142	17,98,496	138	19,03,378	141	1,04,882	. . .
17th ditto .	Indus Valley and Kandahar . . .	660	1,73,051	262	660	71,463	108	28,12,541	132	43,14,404	204	15,01,863	. .
17th ditto .	Kaunia-Dhurla . .	32	1,740	55	32	2,867	90	49,329	48	65,372	64	16,043	. . .
24th ditto .	Rewari-Ferozepore .	. .	. . .	.	89	5,220	59	. . .	. .	2,40,318	84	2,40,318	. . .
24th ditto .	TOTAL .	3,188	5,90,956	185	3,387	5,38,807	159	1,47,75,425	145	1,85,53,719	169	37,78,294	. . .
	Assisted Company.												
24th Nov. 1883	Bengal Central . .	21	805	38	35	2,332	67	2,784	34	68,088	61	65,304	. .
	Native States												
17th ditto .	Bhavnagar-Gondal .	193	8,585	45	193	11,785	61	5,16,664	83	5,65,294	94	48,630	. . .
24th ditto .	Nizam's . . .	121	13,904	115	121	15,404	127	5,19,267	134	4,88,518	126	. . .	30,749
17th ditto .	Mysore . . .	86	5,959	69	86	5,251	61	1,93,152	70	1,94,526	71	1,374	. . .
24th ditto .	Jodhpore . . .	19	612	32	19	830	44	10,924	28	23,627	39	12,703	. . .
	TOTAL .	419	29,060	69	419	33,270	77	12,40,007	94	12,71,965	95	31,958	. . .
	GRAND TOTAL .	9,965	31,36,465	315	10,239	27,99,697	273	8,67,48,057	272	9,58,10,556	291	90,67,499	. . .
	Gross Estimated Expenses .	. . .	. . .	.	. .	. . .	.	4,48,[illegible]8,612	141	4,86,72,532	148	. . .	. . .
	Net Receipts .	. . .	. . .	.	. .	. . .	.	4,18,44,445	131	4,71,38,024	143	52,93,579	. . .

R. A. SARGEAUNT, *Major, R.E.,*
Offg. Under Secretary.

FORT WILLIAM,
The 14th December 1883.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASONS AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 11th DECEMBER 1883.

GENERAL REMARKS.—There has been slight rain in three districts of the Madras Presidency, where the standing crops are good. In the Bombay Presidency some injury has been caused in one district by past excessive rain and in two others by blight, but on the whole the *rabi* crops promise well.

In the Berars and Hyderabad cotton-picking is in progress, and the *rabi* crops are satisfactory. In Central India and Rajputana prospects continue good, but rain is much wanted in one of the Rajputana States, and grass is scarce.

In the Punjab *rabi* sowings are still going on, and prospects are favourable. Rain is generally needed in the North-Western Provinces and Oudh for the *rabi* crops, but those on irrigated lands are doing well. In the Central Provinces the crops are generally promising, though some injury has occurred from frost.

Rain has fallen throughout the greater part of Bengal and Assam, the heaviest falls being reported from Chittagong and Cachar. It has greatly benefited the *rabi* crops in Bengal which were very backward. More rain is needed in western districts, particularly in the Patna Division where none fell. Harvesting of rice is in progress, and, except in Eastern Bengal, and Orissa, the yield will probably be very poor.

An unusually heavy fall of rain occurred in Akyab, and rain has also fallen in three other districts of British Burma. The rice crop which is now being reaped has suffered from salt water, floods and other causes, but the outturn on the whole is expected to be good.

Fever, small-pox, and cholera exist in several districts, but are not epidemic.

Prices are falling in the Punjab.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Madras (Dec. 12th)—		
Bellary	. . . . .	Standing crops generally good; harvest paddy and *ragi*, yield average, other dry grains, pulse, and oil seed below average; seven deaths from cholera.
Kurnool	. . . . .	Standing crops good; harvest paddy, yield above average.
Ganjam	1·42 (average of 15 stations).	Paddy harvest commenced; fever and small-pox slight in one taluk.
Kistna	·3 (average of 1 station).	Standing crops good; harvest dry paddy and *cholum*, yield below average; fever and small-pox prevalent, cattle-disease in parts.
Chingleput (Madras)	. . . . .	Standing crops good; harvest *kar* paddy and dry grains, yield below average; twenty-two deaths from cholera.
Coimbatore	. . . . .	Standing crops generally good; harvest paddy, *cholum*, *ragi*, and *cumbu*, yield average; 128 deaths from cholera, fever and cattle-disease in parts.
Tanjore	·20 (average of 11 stations).	Standing crops generally good; rain wanted in parts of one taluk; harvest paddy, *cholum*, and *ragi*, yield below average; 223 deaths from cholera.
Madura	. . . . .	Standing crops fair; harvest dry crops, yield about average; cholera decreasing in Madura town, elsewhere slight.
Malabar	. . . . .	Second crop in good condition, except in two taluks; small-pox, fever, and cattle-disease slight.
Travancore	. . . . .	Standing crops good; yield of first crop average; cholera slight. *General Remarks.*—General prospects good.
Bombay—(Dec. 12th)—		
Kurrachee	. . . . .	River at Kotri on 6th 5 feet 4 inches, against 4 feet 6 inches on corresponding date last year; fever generally prevalent; cattle-disease in 5 talukas; loss of 60 buffaloes in Sujawal; 2 fresh cases of small pox in Kurrachee, one imported from Mekran and the other from Bombay; disease prevalent in 5 villages; in districts 8 fresh cases, 2 deaths, 14 remaining sick; *rabi* crops coming on; prices—wheat, red rice, and *bajri* in Kurrachee 24, 28 and 30, in Kotri 36 and 34, in Tatta 24, 28 and 36, and in Jati 20 and 32 lbs. per rupee respectively.
Hyderabad	. . . . .	Weather seasonable; small-pox in mild type in 5, fever in 11, and cattle-disease in 4 talukas; wheat 25½, *bajri* 25½, *jowari* 40, red rice 24, and white rice 20 pounds per rupee.
Ahmedabad	. . . . .	Standing crops healthy; slight fever in Dholka, Viramgaum, and Sanaud; small-pox in Gogo; *bajri* 29¾ and wheat 26½ pounds per rupee.
Baroda	. . . . .	Cholera disappeared from Naosari division; fever in some parts of Naosari, Baroda, and Kadi divisions; cotton and sugarcane in good condition; *rabi* sowing completed; harvesting of *kharif* crops almost finished; prices—*bajri* 33, rice 23 and 24 pounds per rupee.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay,—contd.		
Surat	. . . . .	*Rabi* crops healthy; fever generally prevails in almost all talukas; cholera in Chikli, 15 cases, 9 deaths; *jowari* 40 and *nagli* 48 pounds per rupee.
Nasik	. . . . .	*Kharif* crops nearly reaped; young *rabi* crops healthy; public health good; no cattle-disease; *bajri* 31, wheat 33, and rice 29 pounds per rupee.
Colaba (Bombay) .	. . . . .	Abnormal temperature 6° to 2° cool; vapour in air defective; wind normal.
Poona	. . . . .	*Rabi* crops thriving; prices—*bajri* 41 and *jowari* 52; in Poona *bajri* 35 and *jowari* 48 pounds per rupee.
Ahmednagar . .	. . . . .	*Rabi* sowing finished in parts; *bajri*—maximum 54 pounds in Jamkhed, minimum 39 in Sangamner; *jowari*—maximum 72 in Jamkhed, minimum 48 in Sangamner.
Sholapore . . .	. . . . .	Cholera in Malsiras taluka, 3 cases, 1 fatal; *rabi* crops, especially *jowari*, have suffered from the late excessive rains; *jowari* 59 and *bajri* 55 pounds per rupee.
Dharwar . . .	. . . . .	Reaping of rice crop completed, that of other early crops in progress; cotton suffering from blight in Ron; other crops good; cholera decreasing, one case fatal; fever in 5 and cattle-disease in one taluka; rice 25 to 41 and *jowari* 52 to 88 pounds per rupee.
Kanara	. . . . .	Much fever in Halyal and Mundgod; small-pox in Kumpta, Hanawar, and Siddapur; rice harvest nearly completed above ghat; common rice in Karwar 12, in district average 17 seers per rupee.
Rajkot	. . . . .	General health good; weather cold; *bajri* 29 and *jowari* 35 pounds per rupee. *General Remarks.*—River low in Sind; *rabi* crops in Sholapur injured by late excessive rain; cotton and *jowari* suffering from blight in parts of Dharwar and Kaladgi; *rabi* prospects otherwise good; fever, cholera, cattle-disease, and small-pox in several districts.
Bengal—(Dec. 13th).		
Chittagong . . .	8·45	Heavy rain has partly damaged the standing crop, and the outturn will be indifferent; prices gradually rising; general health good.
Dacca	1·59	Harvesting of *amun* paddy nearly completed; *roachia* paddy being cut; prospects of winter crops good.
24-Pergunnahs . .	3·34	Prospects of crops continue unfavourable; rain has done some injury to the paddy already cut, but not removed from the field, but has done good to *rabi* crops; average yield of the rice harvest estimated at from 8 to 10 annas; price of common rice 16 seers per rupee; public health fair, though cases of cholera and fever reported from almost all parts of the district.
Moorshedabad . .	1·08	Weather seasonable; the rain has come too late to benefit the *amun* rice, the prospects of which are unchanged; it has, however, much improved the condition of the *rabi* crops; prices stationary; fever still prevalent in the north of the district.
Rajshahye . . .	1·09	Crops benefited by rain, but mustard has suffered slightly; price of rice reported easier in Nowgong.
Burdwan . . .	2·2 Cutwa . 0·63 Culna . 1·76 Raneegunge 0·54	Rain has improved prospects of *rabi* crops; fever prevalent in the sudder, elsewhere public health fair.
Rungpore . . .	0·32	Weather seasonable; *amun* is being reaped; *rabi* crops benefited by rain; fever prevalent.
Bhagulpore . . .	0·26	Prospects of *aghani* rice not good; average expected yield in Banka 6 annas, in the sudder sub-division from 4 to 8 annas, except in thana Colgong, where the outturn will be only 2 annas; in Mudehpoorah from 6 to 8 annas; prospects of *rabi* crops not absolutely bad, but more rain is much needed for them; price of rice 14 seers per rupee.
Purneah . . .	0·10	On the 5th; prospects of both late rice and winter crops unfavourable; late rice is being harvested; average yield estimated at from 6 to 8 annas; cultivation of winter crops retarded, owing to want of moisture; common rice selling at 14 seers per rupee; public health improving.
Patna	*Nil*	*Rabi* crops germinating well, but rain is much wanted; reaping of paddy still going on; public health good.
Durbhanga . . .	*Nil*	Rice crop is being harvested with a poor outturn; *rabi* suffering from want of rain; prices slightly falling; fever very prevalent.
Hazareebagh . .	0·44	Weather bright and cold; more rain would benefit the pulses and oilseeds to a great extent; small-pox in the sudder station; public health generally good.
Cuttack . . .	0·96	Weather cold; *sarad* rice on high lands is being cut, and on low lands it is ripening; *rabi* crops doing well; price of rice almost unchanged; public health generally good. *General Remarks.*—More or less rain fell throughout the province during the week, except in Darjeeling and Julpigoree, and in the Patna division and parts of the Bhagalpur division; the rain has been very beneficial to the *rabi* crops; in Backergunge, it is said that

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
		the rain, accompanied by wind, has done considerable damage by making the paddy fall and breeding insects; the paddy harvest is in progress, and will generally yield a very poor crop, except in Eastern Bengal and Orissa where the outturn is expected to be fair; fever is still reported to be prevalent in several districts.
N.-W. Provinces and Oudh—		
Benares .(Dec. 11th)	No rain	Peas and mustard have flowered and gram has budded; prospects fair; no sickness of men or cattle; prices of food-grains have risen as importations into the city from surrounding parts have slackened.
Allahabad .(„ 12th)	No rain	Crops on dry tracts want rain; health good; prices slightly fallen.
Gorakhpore .(„ 9th)	No rain	Irrigation actively carried on; small-pox and fever in north; prices stationary.
Jhansi .(„ 10th)	No rain	Harvesting of *kharif* still in progress; *rabi* crops doing well; winter rains much needed; prices almost stationary; health of people and cattle good.
Agra .(„ 11th)	No rain	*Rabi* being irrigated, but rain much needed; health good; prices steady.
Bareilly .(„ „)	. . . .	Rain much needed; a slight rise in prices of *juar* and rice; health of people and cattle satisfactory.
Meerut .(„ „)	No rain	Rain wanted for unirrigated crops; health good; supplies sufficient and prices steady.
Kumaun .(„ „)	. . . .	Weather quite fair; wheat springing up; general health good, cattle-disease continues; prices unchanged.
Lucknow .(„ „)	. . . .	Weather clear; no rain; *rabi* and poppy crops are being watered; condition of people and cattle good; markets well supplied; prices unchanged.
Partabgarh .(„ „)	. . . .	*Rabi* crops fairly good; barley and wheat being irrigated; prices almost stationary; fever and small-pox reported from a few villages in Kunda tahsil, health otherwise good.
Sitapur .(„ „)	. . . .	Rain much wanted throughout the district; general health good.
Fyzabad .(„ „)	No rain	Irrigation of *rabi* crops going on; prospects fair; public health good; condition of cattle normal.
Rae Bareilly („ 10th)	No rain	*Rabi* crops on irrigated land look well; rain much needed; general health fair; markets well stocked; prices steady.
Cawnpore .(„ 11th)	. . . .	Weather clear and cold; young *rabi* crops on irrigated land flourishing, but rain much wanted; small-pox in 4 parganas, otherwise health of the people good; prices slightly cheaper.
Farukhabad („ „)	. . . .	Weather seasonable; sky clear; slight fever and small-pox here and there; prospects of crops hopeful.
		General Remarks.—No rain has fallen, it is generally needed; the markets are sufficiently supplied, and prices in most districts steady; the public health and condition of cattle are on the whole good, though slight fever and small-pox continue in several districts, and cattle-disease is still reported in Kumaun.
Punjab—(Dec. 12th)—		
Delhi	. . . .	Health good; slight fall in prices.
Hissar	. . . .	Health good; prices steady.
Umballa	. . . .	Health and *rabi* prospects good; prices stationary.
Jullundur	. . . .	Health good; prices falling.
Lahore	. . . .	Health good and crop prospects good; prices steady.
Ferozepur	. . . .	Health good; *rabi* sowings in progress; fall in prices of barley, grain and *jowar*; slight rise in price of wheat.
Sialkot	. . . .	Health and harvest prospects good; prices stationary.
Rawalpindi	. . . .	Health good and *rabi* prospects good; prices falling.
Peshawar	. . . .	Small-pox still prevalent; prices falling.
Mooltan	. . . .	Health good; *rabi* sowings nearly completed; prices steady.
Dera Ismail Khan .	. . . .	Health and harvest prospects good; prices steady.
Amritsar	. . . .	Health good; prices falling.
		General Remarks.—No rain during the week; small-pox is still prevalent in Peshawar; health elsewhere is good; *rabi* sowings nearly completed.
Central Provinces—		
Nagpur . (Dec. 13th)	. . . .	Weather clear and cold; prospects continue favourable; rice, *juari*, and cotton being gathered; fever declining; prices of *juari* falling.
Jubbulpore . („ „)	. . . .	Weather clear and cold; reaping continues, outturn anticipated below average; cotton picking in progress; *rabi* sowings almost completed; prices stationary; health good.
Saugor . („ 11th)	. . . .	Weather very cold; *kharif* harvest nearly finished; *rabi* prospects excellent; slight damage caused by frost; health good; prices stationary.
Seoni . („ 13th)	. . . .	Weather cool; rice threshing in progress; *tur* damaged by frost; fever prevalent; wheat 23½ seers, and rice 18 seers per rupee.
Hoshangabad („ „)	. . . .	Weather clear and cold; prospects good; cotton picking in progress; fever prevalent; wheat 18 seers, *juari* 24 seers, and rice 10 seers per rupee.
Raipur . („ „)	. . . .	Weather clear and chilly; *kharif* crops almost harvested; *rabi* prospects favourable; public health good; prices rising; common rice 27½ seers, and wheat 25¼ seers per rupee.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Central Provs.—*contd.*		
Sambalpur . (Dec. 8th)	·90	Weather clear and cold; inferior rices being threshed, and found to be light in grain; health good; common rice 38¼ seers per rupee.
Khandwa . („ 13th)	. . . .	Weather cold; *rabi* sowings completed; prospects good; fever prevalent; prices stationary.
		General Remarks.—Weather clear and cold; threshing is in progress; *rabi* prospects generally good; fever in some districts.
British Burma— (Dec. 8th)		
Akyab . . .	7·43	Total rainfall 190·58; public health good; 15 deaths of cattle; 112 acres in Naaf damaged by drought and 200 acres in Writtoung east, also 30 acres from inundation of salt water; no reports yet received of damage on account of late rains.
Rangoon . .	*Nil*	Total rainfall 84·23; 3 deaths from small-pox, otherwise public health good; paddy no supplies; prices nominal.
Bassein . . .	0·28	Total rainfall 106·32; public health good; 76 deaths of cattle; land revenue remissions largely applied for in Shegwin and Kangyidaung townships; on the whole a crop equal to last year's cannot be anticipated; price of paddy Rs. 100 to 125 per 100 baskets.
Prome . . .	*Nil*	Total rainfall 53·48; public health and health of cattle good; only 6 deaths of latter reported; crops reported in good condition; harvest commenced on 26th November; price of paddy Rs. 85 per 100 baskets.
Kyonkphyu . . .	. . . .	District report not yet received.
Sandoway . . .	0·42	Total rainfall 222·86; 2 deaths from cholera, otherwise public health good; agricultural prospects same as last week; reaping later sowings commenced.
Hanthawaddy . .	. . . .	Public health and health of cattle good; some damage from inundation of salt water in Tamanaing township; one-seventh of crop destroyed by floods in Hmawbi township; some damage also in Hlaing township; price of paddy from Rs. 95 to 105 per 100 baskets.
Pegu (Dec. 7th) . .	3·75	Total rainfall 128·34; small-pox and measles reported in two circles, otherwise public health good; health of cattle generally good; prospects of crops good; some slight damage by insects reported; late rains have improved paddy in high lands; reaping commenced in some circles; price of paddy Rs. 120 per 100 baskets.
„ („ 8th) .	*Nil*	Total rainfall 128·34; small-pox and measles still prevailing to a limited extent, otherwise public health good; cattle healthy; paddy being reaped; price of paddy Rs. 90 to 100 per 100 baskets.
Tharrawaddy . .	*Nil*	Total rainfall 106·27; public health good; cattle healthy; paddy area 229,798 acres or an increase of 51,176, not 23,624 acres as reported last week, over last year's area; 230 acres reported as destroyed by drought and flood in the Minhla and Gyobingouk townships; condition of reaping crop good; about 7,884 acres reaped in Samgre township; price of paddy Rs. 95 to Rs. 125 per 100 baskets.
Thonegwa . . .	*Nil*	Total rainfall 94·64; public health good; 12 deaths of cattle; slight damage to crops by insects in Shweyloung township, otherwise agricultural prospects good; price of paddy Rs. 90 to 100 per 100 baskets.
Henzada . . .	*Nil*	Total rainfall 86·83; public health and health of cattle good; paddy estimated destroyed by flooding of hill stream, 4,200 acres in Okpo, 2,000 in Kanaung, and 4,037 in Kyangin townships; reaping progressing; crops promise well where not destroyed by floods.
Thayetmyo . . .	*Nil*	Total rainfall 48·65; public health good; reaping begun; price of paddy Rs. 110 per 100 baskets.
Shweygyin . . .	*Nil*	Total rainfall 139·68; public health and health of cattle good, harvesting commenced in high lands; price of paddy Rs. 90 per 100 baskets.
Amherst (Moulmein) .	*Nil*	Total rainfall 166·28; public health and health of cattle good, reaping progressing; in Moulmein town public health and health of cattle good; reaping of *kankyi* paddy commenced on 4th instant, nearly 20 acres of *kankyi* and 200 acres of *shangli* and *yahaing* paddy reaped, outturn about 4,400 baskets; price of paddy Rs. 80 to 90 per 100 baskets.
Toungoo . . .	*Nil*	Total rainfall 79·88; public health good; prospects of crops good.
Tavoy . . .	*Nil*	Total rainfall 195·44, public health and health of cattle good; prospect of crops very good; reaping of early paddy completed, price of paddy Rs. 50 to 65 per 100 baskets.
Mergui . . .	. . . .	No report received
		General Remarks.—Health of man and beast good; no rain during week, except in Akyab where an unusually heavy fall took place for this season of the year; considerable damage has been done in various districts by inundations of salt water, floods, drought and here and there by insects; but these causes of damage are always more or less present, and cannot materially affect the general character of this year's crop compared with the crop of last year; Bassein is the only district which was suffered seriously from the unprecedentedly heavy rain of the middle of November; on the whole the prospects of the crops continue good; reaping has begun in several districts.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Assam—(Dec. 12th)		
Gauhati . . .	0·75	Weather seasonable; mornings and nights foggy; reaping of *sali* crops in progress; sowing of mustard nearly finished; public health fair.
Sylhet . . .	2·57	Unusual heavy rain has done harm to rice crops; prospects not favourable; public health good.
Cachar . . .	7·21	Weather cold; reaping of *sali* crops continues; common rice 15 seers per rupee; general health good.
Dibrugarh . . .	0·21	Weather cold; harvesting *sali dhan*; cholera abating.
Mysore and Coorg—		
Bangalore . (Dec. 12th)	*Nil*	Standing crops in good condition; harvesting of *ragi* continues; prospects of season favourable; public health good; prices stationary.
Mysore . . .	. . . .	No report received.
Mercara . (Dec. 12th)	*Nil*	Paddy harvest commencing, yield likely to be good; coffee crop half picked, yield satisfactory; much difficulty experienced in obtaining carriage for the crop to the coast, cart hire demanded high.
Berar & Hyderabad—		
Amraoti . (Dec. 12th)	. . . .	Weather cool; cotton gathering and *kharif* harvest progressing; *rabi* crops good; wheat 16 and *jowari* 26 seers per rupee.
Akola . . .	. . . .	Cotton picking in hand; *rabi* crops in good condition.
Hyderabad . (Dec. 12th)	*Nil*	Sowing of *rabi* and *abi* crops continues; public health generally good, but cholera prevails in one taluka; prices—wheat 15¾, coarse rice 12½, white *juar* 24½, yellow *juar* 29, and *tur* 23½ seers per current sicca rupee.
Central India States—		
Indore . (Dec. 12th)	*Nil*	Health good; weather seasonable; prices same as last week.
Morar (Gwalior) . .	*Nil*	Health good; weather seasonable; prices stationary.
Sutna . . .	*Nil*	Health good.
Neemuch . . .	. . . .	Public health and agricultural prospects good; prices of grain rising.
Goona . . .	. . . .	Health and prospects good.
Agar . . .	*Nil*	Health and prospects good.
Sehore . . .	*Nil*	Weather clear; prospects and health good.
Nowgong . . .	*Nil*	Weather clear; health good; prices steady.
Rajputana—		
Abu . (Dec. 12th)	. . . .	Cold pretty severe; weather seasonable.
Sirohee . („ 9th)	. . . .	Tanks and wells fair; health and crop prospects good; weather seasonable.
Marwar . („ 7th)	. . . .	Three months' water in Jodhpur city; tanks and wells almost full; health good; *kharif* gathered; *rabi* crops flourishing; cold intense; prices stationary.
Harowtee . („ 8th)	. . . .	Crops fair, but rain urgently needed; weather clear; crops and health good; some small-pox; prices steady; grass supply scanty.
Jhallawar („ 7th)	. . . .	Weather seasonable; *rabi* crops good; some fever.
Ajmere . („ 11th)	*Nil*	Few cases of cattle-disease reported from Merwara.
Jeypore . („ „)	*Nil*	Weather seasonable; prospects fair; prices steady; health good.
Ulwur . („ „)	. . . .	*Rabi* sowings continue; prices steady; health good.

E. C. BUCK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

ABSTRACT OF THE PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA, ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS UNDER THE PROVISIONS OF THE ACT OF PARLIAMENT 24 & 25 VIC., CAP. 67.

The Council met at Government House on Friday, the 7th December, 1883.

PRESENT:

His Excellency the Viceroy and Governor General of India, K.G., G.M.S.I., G.M.I.E., *presiding*.
The Hon'ble J. Gibbs, C.S.I., C.I.E.
The Hon'ble C. P. Ilbert, C.I.E.
The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.
The Hon'ble T. C. Hope, C.S.I., C.I.E.
The Hon'ble Sir A. Colvin, K.C.M.G.
The Hon'ble Rájá Siva Prasád, C.S.I.
The Hon'ble W. W. Hunter, LL.D., C.I.E.
The Hon'ble Durgá Charan Láhá.
The Hon'ble H. J. Reynolds.
The Hon'ble H. S. Thomas.
The Hon'ble G. H. P. Evans.
The Hon'ble Kristodás Pál, Rai Bahádur, C.I.E.
The Hon'ble J. W. Quinton.
The Hon'ble T. M. Gibbon, C.I.E.
The Hon'ble R. Miller.
The Hon'ble Amír Alí.

NEW MEMBERS.

The Hon'ble MR. GIBBON, the Hon'ble MR. MILLER and the Hon'ble MR. AMÍR ALÍ took their seats as Additional Members.

BENGAL REGULATION XIX OF 1810 REPEAL BILL

The Hon'ble MR. ILBERT moved for leave to introduce a Bill to repeal Bengal Regulation XIX of 1810 within the territories administered by the Lieutenant-Governor of the North-Western Provinces. He said:—

"The object of this Bill, which has been prepared on the recommendation of the Local Government, is to repeal Bengal Regulation XIX of 1810 (*for the due appropriation of the rents and produce of lands granted for the support of mosques, Hindú temples, colleges, and other purposes; for the maintenance and repair of bridges, saráis, kattras, and other public buildings; and for the custody and disposal of nazúl property or escheats*) within the territories administered by the Lieutenant-Governor of the North-Western Provinces. So far as the Regulation vests the superintendence of saráis in the Board of Revenue, it is at variance with the existing practice, as saráis are now managed in the North-Western Provinces entirely by the executive authorities under the immediate orders of the Government, and the Local Government reports that the other provisions of the Regulation, which provide for the management of lands granted as charitable and educational endowments and the superintendence of escheats, are not required for the territories under its administration.

"Though the Regulation, in so far as it relates to saráis, is obsolete also in the Lower Provinces, it is still in active operation in those Provinces with regard to a few trusts and small endowments administered by the Board of Revenue, and still governs the procedure there with regard to escheats. Under these circumstances, it has been considered best to confine the Bill to the North-

Western Provinces and to leave it to the Bengal Legislature to legislate for the Lower Provinces if it thinks necessary."

The Motion was put and agreed to.

BURMA COURTS BILL.

The Hon'ble Mr. Ilbert also moved for leave to introduce a Bill to amend the Burma Courts Act, 1875. He said :—

"The object of this Bill is to make certain amendments in the Burma Courts Act, 1875 (XVII of 1875), which experience has shown to be required.

"In the Act as it at present stands, the presiding officers of the Courts of the lowest grades are termed Extra Assistant Commissioners of the 1st, 2nd and 3rd class respectively. In 1882, the Subordinate Executive and Judicial Service in British Burma was reorganized, and the designations of the service were changed. The term Extra Assistant Commissioner was restricted to Extra Assistant Commissioners of the 1st and 2nd classes under the old system; and Extra Assistant Commissioners of the 3rd class were styled Myo-ôks. The result is that the present designations of the Subordinate Judicial Officers do not correspond with the designations given to the Subordinate Civil Courts by the Act. This difficulty has hitherto been ignored. Now, however, the Judicial Commissioner, Mr. Jardine, is of opinion that, as the law stands, the nomenclature used in the Courts Act should be adhered to as regards all officers of the Subordinate Judicial Service appointed to preside in Civil Courts. He advises the Chief Commissioner that questions of jurisdiction may arise and may cause inconvenience and loss to suitors; and he reports that a case of the kind has already occurred. This being the view taken by the Judge of the highest Appellate Court, the Chief Commissioner has addressed the Government of India on the subject. He wishes that all doubt on the point should be removed by substituting the words 'Extra Assistant Commissioner' for the words 'Extra Assistant Commissioner of the 1st and 2nd class,' and the word 'Myo-ôk' for the words 'Extra Assistant Commissioner of the 3rd class,' wherever they occur in the Courts Act. With this view section 3 of the Bill has been drafted. It gives the amendments made by the section retrospective effect from the 1st April, 1882, the date of the reorganization of the Subordinate Service.

"Further difficulties have also arisen from the provisions of sections 8 and 9 of the Act. Under recent orders, the Chief Commissioner has power to create additional Myo-ôkships; but, in consequence of the provisions of section 8 of the Act, additional Myo-ôks appointed by the Chief Commissioner can do no civil work unless the sanction of the Government of India is first obtained to the creation of an additional Civil Court. Again, the duties performed by Extra Assistant Commissioners and those performed by Myo-ôks are practically of the same description. The exigencies of the public service often render necessary the appointment of a Myo-ôk to succeed an Extra Assistant Commissioner or of an Extra Assistant Commissioner to succeed a Myo ôk in the charge of a township; and the result is that an officer who should preside in a Court of grade (*a*) is appointed to preside in a Court which has hitherto been a Court of grade (*b*), or *vice versâ*. Such changes have from time to time been made by the Chief Commissioner. The Judicial Commissioner is of opinion that, having regard to the provisions of sections 8 and 9 of the Act, such an interchange cannot legally be effected except by, or with the previous sanction of, the Governor General in Council. The inconvenience which would arise if it were held to be necessary to submit a reference to the Government of India on every occasion such as those described is apparent. The administration of the province, and particularly the administration of civil justice, would be seriously hampered. Sections 4 and 5 of the Bill therefore re-enact sections 8 and 9 of the Act in such a form that the Local Government is empowered to vary the number of Courts of grades (*a*) and (*b*), and to vary the local limits of the jurisdiction of these Courts without the previous sanction of the Government of India, and section 6 legalizes the variations in the numbers, and

limits of the local jurisdictions, of these Courts, which have heretofore from time to time been made by the Chief Commissioner instead of by the Governor General in Council or by the Chief Commissioner without the previous sanction of the Governor General in Council.

"The Chief Commissioner states that the Deputy Commissioners in certain districts are overburdened by the pressure of civil appellate duties to the detriment of their executive work, and that, in order to increase their efficiency as executive officers, it is necessary to relieve them of some portion of their appellate jurisdiction. With this object, sections 7 and 8 of the Bill have been prepared. The latter section, which is based on the recommendation of the Chief Commissioner, gives him authority to invest an Assistant Commissioner with power to hear certain civil appeals which would ordinarily be heard by the Deputy Commissioner. The former section empowers the Chief Commissioner to transfer to Commissioners of Divisions all or any part of the appellate jurisdiction exercisable under the Act by Deputy Commissioners. It seems desirable to provide this second and additional mode of affording the proposed relief to Deputy Commissioners, as it is possible that the result of transferring civil appellate work from the Deputy Commissioner to the Assistant Commissioner may not always prove satisfactory.

"Lastly, under section 38 of the Act, the Chief Commissioner is only empowered to appoint and remove the presiding officers of the Court of the Extra Assistant Commissioner of the 3rd class (now styled the Myo-ôk). The presiding officers of all the other Courts under the Act must be appointed by the Governor General in Council. These provisions have been found to cause practical inconvenience, and the Government of India see no reason why the Chief Commissioner should not have, in regard to civil jurisdiction, like powers to those which the Criminal Procedure Code gives him in regard to criminal jurisdiction. Accordingly, section 9 of the Bill amends section 38 of the Act and confers power on the Chief Commissioner to appoint and remove the presiding officers of all the Courts mentioned in section 6 of the Act with the exception of the Court of the Judicial Commissioner; the power to appoint the presiding officer of that Court being reserved to the Governor General in Council."

The Motion was put and agreed to.

INDIAN EMIGRATION BILL.

The Hon'ble Mr. Ilbert also presented the Report of the Select Committee on the Bill to amend the law relating to the Emigration of Natives of India.

RANGOON TRAMWAYS BILL.

The Hon'ble Mr. Ilbert also presented the Report of the Select Committee on the Bill to authorize the making, and to regulate the working, of Street Tramways in Rangoon.

BENGAL TENANCY BILL.

The Hon'ble Sir Steuart Bayley moved that the Hon'ble Mr. Amír Alí be added to the Select Committee on the Bill to amend and consolidate certain enactments relating to the law of Landlord and Tenant within the territories under the administration of the Lieutenant-Governor of Bengal.

The Motion was put and agreed to.

CRIMINAL PROCEDURE CODE AMENDMENT BILL.

His Excellency the President said :—

"I would now ask the members of this Council to remain for a short time, while I make a statement upon the important subject of the Bill, which is now before the Council, for the amendment of the Criminal Procedure Code. The

course which I am taking upon this occasion is, no doubt, not provided for by the Rules of Business of this Council, but it is not without precedent, and it cannot be doubted that it is advantageous, upon special occasions, that the Viceroy should reserve to himself the right to make, upon behalf of the Government, a statement in this Council, although no question is technically before it, in reference to a matter of great public interest. And I am the more justified, as it seems to me, in taking this somewhat unusual course, because I have observed that complaints have been made in many quarters of the silence of the Government during the last two months upon the question to which I am about to refer, and that it has been said that they ought, before this, to have given some explanation to the public of the steps which they had been taking in regard to this matter. I, and I am sure all my colleagues, greatly regret that it should have been thought by any one that the Government of India have in any respect acted with a want of consideration for the feelings of the opponents of this measure, or with any want of courtesy to those who have addressed representations to the Government upon the subject. I can truly say that nothing could be further from our intention than any such want of courtesy or of consideration, and I hope I may be pardoned for saying that nothing could be further from my personal character and disposition than to treat those who are opposed to me on any public measure with any want of consideration or courtesy.

"The statement which I am now about to make will show, as it seems to me, conclusively, that this is the case in regard to the complaint of which I have just spoken, because that statement will establish clearly that the Government were not, until within the last few days, in a position to make any public declaration whatever on any part of their proceedings in reference to this matter. And even now what I have to say may be looked upon as somewhat premature, and must, in some respects, be incomplete, because in the absence of two important members of the Executive Council, who have not yet arrived in Calcutta,—His Excellency the Commander-in-Chief and General Wilson, without whose presence various matters connected with the measure itself, and the mode of proceeding in regard to it, ought not to be determined by the Government,—I am not yet, on some points, in a position to say more than that these points have still to be considered by the Executive Council. But, nevertheless, under the circumstances to which I have adverted, I have thought it right not to delay to state to this Council, at its first meeting here in Calcutta, what has been the action of the Government in regard to this Bill since the conclusion of the sittings of the Legislative Council in this city last March. But as there is no question before the Council at this moment, and as, therefore, this is not the occasion for discussion, I feel bound to abstain from anything like controversy or even argument, and to confine myself for the present as much as possible to a bare statement of facts.

"It will be in the recollection of all the members of this Council that the last step which was taken with respect to this Bill, on the 9th of March last, was to order that it should be referred, in the usual manner, to the Local Governments for their consideration and report. That reference was duly made, and in course of time the opinions of the Local Governments began to come in. As they came in, they were, of course, each of them carefully examined by the members of the Government. The last of these reports of Local Governments reached Simla on the 24th of July, and the Government then lost no time in carefully and deliberately considering the course which they thought ought to be pursued with respect to this measure, after the examination of the various opinions which had been offered upon it; and they were in a position to address the Secretary of State upon the subject on the 10th of August last.

"I do not think that any one will say, looking to the great importance of this question, and the necessity of proceeding with all due deliberation in regard to it, that any time was lost by the Government, if, having received the last of the opinions of Local Governments on the 24th July, they were ready to lay their views before the Secretary of State in a despatch which left Simla on the 10th of August following.

"In that despatch, the Government of India, while expressing their opinion that the principles of policy upon which the Bill is founded ought not to be abandoned, proposed certain modifications of the measure, calculated, as they hoped and believed, to remove objections which had been urged against some of its proposals upon grounds which did not raise the question of principle. These modifications were the following:—They proposed that the jurisdiction to be conferred by the Bill upon Native Magistrates over European British subjects should be confined to District Magistrates and Sessions Judges *ex officio*. They proposed to leave unchanged the present powers of the Local Governments with respect to the appointment of Justices of the Peace; and they also proposed to adopt a suggestion of Sir Charles Turner, the Chief Justice of Madras, for amending section 526 of the Code of Criminal Procedure. That section enacts that 'whenever it is made to appear that a fair and impartial enquiry cannot be had in any Criminal Court, or that some question of law of unusual difficulty is likely to arise,' the High Court may transfer a case to another Court or to itself. Sir Charles Turner suggested that the High Court should be authorised to make the transfer in any case in which it should be made to appear that 'it was expedient for the ends of justice,' and that it would be desirable to supply what appeared to be a defect in the section by directing that in any case in which, before the commencement of the hearing, the Government, the complainant, or the accused should notify to the Court an intention to make an application for transfer, the Court should adjourn the hearing for such reasonable time as might be required to enable an application to be made and an order obtained upon it.

"These were the modifications which were suggested in our despatch on the 10th August to the Secretary of State. I, in accordance with what I have said just now, shall not upon the present occasion enter into any arguments of these points. Whenever an opportunity for debate arrives, the Government will be quite ready to state the grounds upon which they suggested those modifications, and the views which they entertain in respect to the effect which they will have upon the provisions of the Bill.

"That, in brief, was the nature of the proposals contained in the despatch. To make this statement complete, I ought to say that our hon'ble friend and colleague General Wilson, in regard to this despatch as to the former one, maintained the position which he had previously taken up of objecting to the measure altogether. The despatch, as I have said, went home on the 10th of August; it was considered by Her Majesty's Government at home and by the Secretary of State in Council; and in a reply, dated the 8th of November last, the Secretary of State in Council expressed his concurrence in the proposals of the Government of India. That reply reached Calcutta last Saturday, the 1st of December, and this, consequently, is the earliest opportunity which has been afforded to me since that despatch came into the hands of the Government for making any statement with regard to this matter.

"There is also another question, connected not with the substance of this measure but with the manner of proceeding with it, to which I wish to refer on this the earliest opportunity. In the month of September last, the Government received a memorial from the Chairman of the Anglo-Indian Defence Association, which contained two requests. The first was that the papers which had been received from the Local Governments in connection with this Bill should be published at once; and the second was that further proceedings with regard to the Bill should be stayed until Parliament had had an opportunity of considering the Bill and expressing its opinion upon it. In the reply which was sent to that memorial the memorialists were informed that their first request had already been complied with, and that the papers relating to the matter had been published in the Gazette, where they appeared, I think, on the 8th of September. They were published at the earliest moment possible; we only waited until we had ascertained that the despatch we had sent home was in the hands of the Secretary of State, and until we were informed that he had no objection to the publication of the papers. The second request of the memorialists, namely, that any further proceedings with regard to the Bill should be put off until Parlia-

ment had had an opportunity of discussing the question and of pronouncing an opinion upon it, related to a matter which was essentially and entirely in the hands of Her Majesty's Government. Any question concerning proceedings in Parliament necessarily can only be determined by the Government at home. Such questions are altogether beyond the scope of the Government of India, and the Cabinet alone can decide what course should be taken upon any matter involving the proceedings of either House of Parliament. The memorial was forwarded by the next mail after it had been received to the Secretary of State, and his opinion on the subject of postponement was asked by the Government of India, who only said that the questions raised by the Bill ought in their judgment to be settled, one way or the other, before the end of the next sittings of the Legislative Council in Calcutta. In the same despatch in which the Secretary of State replied to our general proposals, he replied also to that particular request of the Anglo-Indian memorial, and he informed us that Her Majesty's Government do not see any good reason why a measure, which lies entirely within the competence of this Legislative Council and is already before that body, should be postponed till Parliament meets, and they conclude therefore that the Bill will be taken up in the ordinary course of business, so that it may be disposed of during the usual session of the Legislative Council at Calcutta.

"I stated in the debate on the 9th March last as my personal opinion that, if the opponents of the Bill desired to appeal to the House of Commons, I should be the last person to object to such a course. I entertain the same feeling still, and I have made no concealment of it. It will be observed that the Secretary of State in his reply leaves a certain discretion to the Government of India as to the mode of proceeding with regard to this Bill within well-defined limits. I am not yet in a position, in consequence of the absence of the two members of the Executive Council to whom I have referred just now, to say exactly when the next step with regard to this Bill will be taken. It is a subject which will be considered shortly by that Council. The next step, in the ordinary course of business, will be the reference of the Bill to a Select Committee, who will consider the Bill and any amendments which may be proposed in it, and due notice will of course be given to hon'ble members of this Council before any motion to refer the Bill to a Select Committee is brought before them.

"Such is the statement which I desire to make as to the action of the Government of India in respect to this Bill since March last. It shows clearly, as it seems to me, that, until last Saturday, when the despatch from the Secretary of State reached Calcutta, the Government here was not in a position to make any public declaration on the subject. The question was one which was originally referred to the Secretary of State, and the proposed proceedings of the Government of India received his sanction. It was one which, from the circumstances of the case, could not be dealt with by the Government of India, except in consultation with Her Majesty's Government; and one of the points, that relating to the proposal to postpone the Bill until after the meeting of Parliament, was wholly within the province of Her Majesty's Government at home, and could only be decided by them. Until, therefore, we were in possession of the views of Her Majesty's Government, we were debarred altogether from saying anything in public on the subject. I have, however, seen it said that, when Her Majesty's Government at home determined on the course which they were going to take, and the answer which they proposed to send, that course might have been communicated to the Government of India by telegram, and that, after having received that telegram, the Government of India might have made a statement to the public. Now, it appears to me, first, that it would have been inconsistent with ordinary practice, and with official propriety, to make a public statement of this kind upon a telegram unless Her Majesty's Government had directed that we should do so. But, further than that, I cannot think it would have been at all safe for the Government of India to have made any such statement upon a telegraphic communication. Suppose that that had been done, and suppose that when the despatch came, and had been made known to the public, it had been possible to say that there was any inconsistency between the statement made upon the

telegraphic communication and the precise words of the despatch from the Secretary of State. I leave it to the members of this Council to consider whether that would not have produced a result very far from desirable.

"It seems to me that it was absolutely necessary that I should be in a position to do what I have done to-day, namely, to use the precise language of the Secretary of State in explaining his views. Until the words in which those views were expressed were in my possession, I could not with any discretion have spoken in public upon the subject. Then I must also say that it appears to me that the proper place to make the first public declaration upon any proceedings connected with a measure which is before this Legislative Council is in this Legislative Council itself. I think that members of Council might have complained perhaps, if I, as the President of this Council, had made any such statement elsewhere. I am sure that most legislative bodies would undoubtedly have felt that in such a case some kind of slight had been cast upon them, although I have such confidence in the good feeling of the members of this body that I believe that, if I had been in a position to make such a statement, and had thought it right in the interest of the public to do so, some weeks ago, and at a time when this Council was not sitting, they would have overlooked any apparent discourtesy which might have been involved in such course; and, if an opportunity had been afforded me, I should probably not have hesitated to avail myself of it. But, as I have said before, the information was not in my possession until last Saturday, and this is the first public occasion on which a statement of that kind could have been made.

"I will say no more now. The immediate occasion is not, as I have said, one which admits of the introduction of any controversial matter, but I cannot conclude these few remarks without repeating that those who think that I or my colleagues have felt a cold indifference to the representations of those who are opposed to this Bill, are entirely in error. The silence we have maintained till now has, as I have shown, been a necessary silence. Now that I have spoken, I earnestly trust that no word which has fallen from me will tend to add to the bitterness of the present controversy."

The Council adjourned to Friday, the 14th December, 1883.

D. FITZPATRICK,
Secretary to the Government of India,
Legislative Department.

FORT WILLIAM;
The 14th December, 1883.

Printed & published for the GOVT. OF INDIA *at the Office of* SUPDT. GOVT. PRINTING. *166. Dhurrumtollah Street, Calcutta.*



The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 51.} CALCUTTA, SATURDAY, DECEMBER 22, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

CONTENTS.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Fort William, the 19th December, 1883.

No. 25.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 & 25 Vic., cap. 67, section 10, has been pleased to reappoint the Hon'ble W. W. Hunter, LL.D., C.I.E., of the Bengal Civil Service, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations, with effect from the 24th instant.

D. FITZPATRICK,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Calcutta, the 19th December 1883.

No. 1812.—It is hereby notified for general information that the Deputy Commissioners of Salt Revenue, Madras Presidency, will take rank in the third class of the supplementary graded list of Civil Offices not reserved for Members of the Covenanted Civil Service, published with the Warrant of Precedence for India in Home Department Notification No. 2032, dated the 1st November 1877, that is to say, under Article 77 of the said Warrant.

ESTABLISHMENTS.

The 21st December 1883.

No. 264.—Mr. M. W. Sandys is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 1st October 1883.

JUDICIAL.

The 20th December 1883.

No. 1672.—The following list of persons appointed Notaries Public in the Punjab by Home Department Notifications No. 1279, dated the 1st September 1882, and No. 262, dated the 21st February

18[illegible] amended by Notification No. 539, dated the 16th April 1883, is published for general information.

Name.	Parentage.	Caste	Profession.	Present Place of Residence.
Tansukh Rai	Das Ram	Arora	Pleader	Peshawar.
Mr. E. Charde	William Charde	Nil	Govt Pensioner	Mooltan.
Mr. Cycil Kirkpatrick	William Kirkpatrick	Nil	Pleader	Delhi.
Lala Jankidas	Gordhan Das	Agarwal Banniah	Banker	Delhi.
Lala Bihari Lal	Deoki Nandan	Dhusar	Banker	Rewari.
Lala Rameshar Das	Paras Ram	Mahajan	Banker	Bhiwani.
Babu Hit Lal	Babu Ram Lal Misra	Brahman	Pleader	Umballa.
Rai Baroda Kanth Lahiri	Rai Nil Kanth Lahiri	Brahman	Pleader	Ludhiana.
Mr. E. V. S. Cullen	Edward Cullen	Nil	Pleader and Journalist.	Simla.
Mr. L. J. Arathoon	Arathoon Hyraput Arathoon.	Nil	Pleader	Simla.
Lala Salig Ram	Jumna Das	Khatri	Sahukar	Jullundur.
Lala Daswandi Ram	Moti Ram	Rajput	Pleader	Hoshiarpur.
Lala Gaga Mal	Chambu Mal	Arora	Banker	Amritsar.
Sardar Arjan Singh	Diwan Hakim Rai	Puri Khatri	Nil	Sialkot.
Pandit Ram Narain	Pandit Golab Rae	Kashmiri Brahman	Pleader	Lahore.
Lala Tirath Ram	Sundar Das	Khatri	Shroff	Lahore.
Lala Joti Mal	Rae Nagar Mal	Khatri	Banker and Merchant.	Ferozepore.
Mr. H. Parsick	John Parsick	Nil	Pleader	Rawalpindi

The 21st December 1883.

No. 1676.—Under the provisions of Section 3, Act XXVI of 1881 (The Negotiable Instruments Act, 1881), the Governor General in Council has been pleased to appoint the following persons in the Lower Provinces of the Bengal Presidency to perform the functions of Notaries Public under that Act:—

Syed Hossain Quilly Khan, Sub-Registrar.
Abdur Rohaman, Sub-Registrar.
Babu Kanti Chundra Mitra, Pleader.

PATENTS.

The 20th December 1883.

No. 1869.—Specifications of the undermentioned inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open to public inspection, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department at the Presidency, upon payment of a fee of one Rupee. A certified copy of any specification will be given to any person requiring the same on payment of the expense of copying:—

No. 188 of 1882.—David Decimus Coath, Engineer, Rangoon, British Burma, for improvements in machinery for preparing, cleaning, and whitening rice.

No. 49 of 1883.—Arthur Butler, of Moteeharee, in the District of Chumparun, Engineer, for improvements in the construction of drills for sowing seed.

No. 84 of 1883.—William Buller Fullerton Elphinstone, Baron Elphinstone, of Carberry Tower, Musselburgh, North Britain, and Charles Wilson Vincent, of Holloway, in the County of Middlesex, England, Electrician, for improvements in dynamo-electric machines.

No. 89 of 1883.—Oswald Rose, of Manchester, in the County of Lancaster, in that part of the United Kingdom, called England, Engineer, for improvements in heating by electricity and in apparatus therefor.

No. 99 of 1883.—James Anthony Graham, Chemist, of Coleman Street, in the City of London, in the United Kingdom of Great Britain and Ireland, for improvements in the method of treating certain vegetable fibrous substances for the production of fibres for spinning, paper-making, and other purposes.

No. 132 of 1883.—Lazare Weiller, of Angoulême, France, Chemist, for improvements in the manufacture of silicious copper and silicious bronze, and the preparation of certain compounds suitable to be employed in such manufacture.

No. 139 of 1883.—Henry Hamilton Remfry, of No. 5, Fancy Lane, in Calcutta, Solicitor and Patent Agent, for improvements in the method of, and means and apparatus for, effectually deodorising and purifying human excreta and rendering same valuable for manurial and fertilizing purposes.

No. 147 of 1883.—Victor Müller, of Panipoota Factory, Tezpore, Assam, for the Borelli Sifter.

No 161 of 1883.—Alfred Cornwell, of Burnswick, in the Colony of Victoria, Potter and Michael Egan, of William Street, Melbourne, in the said Colony, Architect, for an improved process of manufacturing artificial stone.

No 166 of 1883.—Louis John Crossley, of Halifax, John Frederic Harrison, of Bradford, and Walter Emmott, of Halifax aforesaid, all in the County of York, England, Manufacturers, for improvements in electric signalling apparatus, applicable also to other purposes.

No. 182 of 1883.—John William Post, of the City, County, and State of New York, in the United States of America, for improvements in sewing machines.

No. 185 of 1883.—Richard William Palmer and Richard Randell, both of Cheetham, Manchester, in the County of Lancaster, England, Coach-builders, and William Hely, of Bath, in the County of Somerset, England, Coach-builder, for improvements in means for raising, supporting, and lowering the hoods or coverings of carriages.

No. 186 of 1883.—Carroll Livingston Riker, of Brooklyn, in the State of New York and United States of America, Mechanical Engineer, for improvements in combined boiler and steam vacuum

pumps, and in the regulation of the boiler feed and of the water level therein.

No. 190 of 1883.—Brice Tydeman, of Manor House, Crossness, in the Parish of Erith, Kent, England, for improvements in apparatus for bulking or mixing tea, and for weighing and re-filling tea into chests or boxes.

No. 489.—His Excellency the Governor General in Council is pleased to authorize the extension for a period of seven years from 18th June 1884 of the term of the exclusive privilege granted to Richard Johnson, of Allahabad, Coach-builder and Government Contractor, on the 18th June 1870, in respect of his invention for the improvement of thermantidotes.

A. MACKENZIE,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Fort William, the 20th December, 1883.

No. 3792 *I*.—Under Section 9 of the Cantonments Act, 1880, as extended to the Cantonment of Baroda, in Foreign Department Notification, No. 38 I.-J., dated the 27th January, 1881, the Governor-General in Council is pleased to vest the administration of the Police in the Cantonment of Baroda in the officer holding for the time being the appointment of Cantonment Magistrate at Baroda.

GENERAL.

The 18th December, 1883.

No. 2801 *G*.—Lieutenant C. W. Ravenshaw is appointed to officiate as a Political Assistant of the 3rd Class, and is posted as 2nd Assistant to the Agent to the Governor-General in Central India, with effect from the 3rd November, 1883.

No. 2803 *G*.—Mr. A. H. T. Martindale, Madras Civil Service, Officiating Political Agent of the 3rd Class, and Assistant Secretary to the Government of India in the Foreign Department, is granted three months' privilege leave, with effect from the 22nd December, 1883, or the subsequent date on which he may avail himself of the same.

The 19th December, 1883.

No. 2809 *G*.—Mirza Hassan Ali Khan, C.I.E., Attaché to the Agent to the Governor-General in Biluchistan, substantive *pro tempore*, is granted two months' privilege leave, with effect from the 1st January, 1884.

POLITICAL.

The 15th December, 1883.

No. 2919 *E*.—The services of Surgeon M. L. Bartholomeusz, lately Agency Surgeon at Zanzibar, are replaced at the disposal of the Government of Bombay.

The 17th December, 1883.

No. 2795 *G*.—With the sanction of Her Majesty's Government, the Governor-General in Council is pleased to recognize the appointment of Mr. L. Biedermann as Consul for Belgium, at Rangoon.

H. M. DURAND,

Offg. Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Fort William, the 17th December 1883.

No. 1920.—Major Robert Vansittart Riddell, R.E., is appointed to be Mint Master, Calcutta, with effect from the 10th January 1884, or such later date as he may assume charge.

The 21st December 1883.

No. 1931.—Mr. J. E. Cooke, Deputy Accountant General, Bengal, was in charge of the Office of Accountant General, Bengal, from the 18th to the 20th October, 1883, and officiated as Accountant General, Bengal, from the 10th November, 1883, after noon, to the 22nd idem after noon.

No. 1995.—In exercise of the power conferred by Sections 20 and 21 of the Indian Post Office Act, 1866 (XIV of 1866), the Governor General in Council authorises, with effect from the 1st February 1884, the transmission by letter post of Inland Reply Postcards, bearing embossed stamps of ½ anna on each of their two portions, and of Foreign Reply Postcards, bearing embossed stamps of 1½ anna on each of their two portions.

2. Inland Reply Postcards are subject to the conditions which govern inland single postcards: Foreign Reply Postcards are subject to the conditions which govern foreign single postcards.

The 18th December 1883.

No. 1937.

RESOLUTION,—By the Government of India, Department of Finance and Commerce.

READ again the following Proceedings recorded in this Department on the subject of the best means of obtaining early information regarding the monthly receipts and disbursements at the Civil Treasuries in India, in anticipation of the audited and final accounts :—

Account Proceedings, July 1881, Nos. 1152—1161.
" " November 1881, Nos. 2007—17.

RESOLUTION.—In July 1880 the Secretary of State appointed a Committee to enquire into the system of military account and estimate in India, to ascertain

the relations between the Military Account Department and the Comptroller General, and to report whether any defects existed in the system, and the best mode of remedying those defects. This Committee, among other conclusions, decided that for purposes of current finance it was necessary to establish a system by which the Government of India should be informed of the receipts and issues of the Civil Treasuries of the country at a much earlier period than that at which the accounts of audited expenditure could under any circumstances be rendered. In accordance with this decision, the Comptroller General was directed to report to the Department of Finance and Commerce on the 9th of each month the receipts into, and issues from, Civil Treasuries in the preceding month under certain heads; and he was also directed to publish the information in the *Gazette of India*, in order to give the public an approximate idea of the extent to which, as the year goes on, the estimates of revenue and expenditure were being realised. It is not known that the published statements have attracted much attention up to the present time, and as this result may be due to the fact that the account as published is not in such form and detail as to be readily intelligible to the public, the Governor General in Council has now decided to postpone the publication of this information from the 9th to the 16th of the month following that to which the figures relate, because on the latter date the distribution of the revenue under each of the eleven principal heads is known, and the expenditure under *Interest on Ordinary Debt and that charged on Productive Public Works, Opium*, and *Exchange* is ascertained and can be supplied. The form has also been simplified with a view to public convenience.

A copy of the revised form is appended, and an explanatory memorandum of the figures is added.

ORDERED, that the foregoing Resolution be communicated to the Comptroller General, with the request that, commencing with the preliminary accounts for November 1883, the revised form may be adopted, and copies regularly supplied to the Government of India in the Department of Finance and Commerce. The statement will henceforth be published in Part I of the *Gazette of India* under the signature of the Secretary to Government, instead of in Part II as heretofore.

Ordered also, that the foregoing Resolution, and the revised form of account, with explanations, be published in the *Gazette of India* for general information; and also that copies be forwarded to the Press Commissioner for communication to the Public Press.

Explanatory Memorandum.

The receipts in India of the Government of India are as a rule paid into the Civil Treasuries and Presidency Banks, and all outgoings of the Government are disbursed from the same Treasuries and Banks. It is only in the case of a few Departments, and with regard to receipts of no great magnitude, that a Department is allowed to appropriate receipts before they have reached the Treasury and to devote them to meeting the obligations of Government.

2. But a simple account of the receipts and disbursements of the various Civil Treasuries does not correspond, with even the slightest approach to accuracy, to the Revenue and Expenditure account of the Government of India. This is due to the fact that the transactions at the Treasuries include Debt, Deposit, Advance and Remittance transactions, as well as Revenue and Expenditure. Thus, among the receipts and disbursements of the Civil Treasuries are necessarily shown such transactions as those on account of the Public Debt, Judicial, Departmental and Savings Bank Deposits, Money Orders, Remittances, &c.

3. Although the receipts and issues at the Civil Treasuries do not represent even approximately the Revenue and Expenditure of the Government of India, it is manifest that they must always stand in a certain relation to the Revenue and Expenditure, and that the transactions at the Civil Treasuries are the outcome of the receipts of Revenue and disbursements of Expenditure coupled with the Debt and Remittance transactions of the Government of India.

Moreover, it is possible as regards certain heads of Revenue and Expenditure to distinguish at the Treasury between transactions dealing with Revenue or Expenditure and receipts and disbursements which merely represent Debt or Remittance transactions

It is possible, for instance, to draw this distinction in the case of Land Revenue, Opium, Salt, &c., and generally as regards branches of what is techni-

cally called the Civil Department, namely, those branches of the Administration which do not appertain to Departments having a separate organisation for purposes of account and audit. Thus the receipts in connection with the Land Revenue are known to be Revenue, and the disbursements in connection with it are known to be Expenditure; but the receipts from, and issues to, the Post Office deal, for example, with money on account of Money Orders and Savings Banks and cannot be taken as Revenue and Expenditure. The same holds good in the case of the Marine Department, the Public Works Department, the Forest Department (other than in Bombay and Madras), and the Military Department.

4. It is therefore possible to prepare at the Treasuries a monthly account which will show—

(1) the Revenue and Expenditure under certain heads;

(2) the receipts from, and issues to, certain Departments which have a separate system of audit and account.

The Preliminary Statement of Receipts and Payments at Treasuries in India to which this memorandum is attached has been prepared on this principle.

The Revenue, as distinguished from the receipts, under certain heads, which are called Civil Heads, is shown separately, and in the same way the expenditure under certain heads, which are called Heads of Civil Expenditure, is also separately shown.

In the case of the Departments referred to in the preceding portion of this memorandum, which have a separate organisation for purposes of account and audit, the receipts and issues at the Treasuries are shown without any attempt being made to discriminate between Revenue and Expenditure on the one hand and Debt and Remittance transactions on the other.

In the case of the Post Office, the Forest, Telegraph, and Marine Departments, and of the Guaranteed and Subsidized Railways, a net figure is given, *i.e.*, the figure entered in the account is the difference between the receipts and the issues. In the case of the Military Department and the Public Works Department, the transactions of which are heavy, both receipts and issues are given.

In a separate section are shown the Civil Debt and Remittance transactions, namely, the Debt and Remittance transactions not included in the transactions of the Departments for which receipts and issues are shown.

The account necessarily works from the opening to the closing balance of the Treasuries and Banks concerned.

5. An explanation will now be given in detail of the figures included in the four sections of the account. These sections are—

I.—Civil Revenue.

II.—Civil Expenditure.

III.—Receipts into and issues from the Civil Treasuries in the case of Departments which audit and make up their own accounts.

IV.—Debt and remittance transactions other than those of the Departments referred to under III.

6. *Civil Revenue.*—The figures under the heads *Land Revenue, Opium, Salt, Stamps, Excise, Provincial Rates, Customs, Assessed Taxes, Registration,* and *Tributes* represent the entire revenue received in India under those heads. The figures against *Forest* represent the realisations in the Madras and Bombay Presidencies only, together with some very small "Local" transactions in the India section of the accounts. The following table shows the several heads which are included under the head "*Other Civil Revenue,*" and the extent to which the actual Revenue under these heads is shown.

Other Civil Revenue, viz.:—

XII.—Post Office	(Local only.)	XXI.—Interest	(The whole.)
XIV.—Mint	(The whole.)	XXII.—Receipts in aid of Superannuations	"
XV.—Law and Justice	"	XXIII.—Stationery and Printing	"
XVI.—Police	"	XXIV.—Miscellaneous	"
XVII.—Marine	(Non-Departmental.)	XXVIII. & XXXIII. Irrigation and Navigation:—Productive and Non-productive	(The portion in charge of Civil Officers.)
XVIII.—Education	(The whole.)	XXXV.—Civil Buildings, Roads and Services.	(The portion in charge of Civil Officers.)
XIX.—Medical	"		
XX.—Scientific and other Minor Departments	"		

In cases in which only a portion of the revenue under any head is shown under "*Civil Revenue,*" the balance appears under the appropriate head in "*Receipts into Civil Treasuries from, and issues from those Treasuries to, Non-Civil Departments.*"

7. *Civil Expenditure.*—Under *Interest on Ordinary Debt and that charged on Productive Public Works,* and under *Opium,* and *Exchange* is shown the whole expenditure brought to account in India under these heads; nearly the whole of the net exchange figure represents exchange on Secretary of State's bills drawn. The annexed table gives details of the combined head, *Other Civil Expenditure,* and shows the portion of expenditure taken directly under each head. As in the case of *Other Civil Revenue,* any portion of the expenditure under the Heads included in *Other Civil Expenditure* which is not shown under *Other Civil Expenditure* appears under "*Receipts into Civil Treasuries from, and issues from those Treasuries to, Non-Civil Departments.*"

Head	Portion
2. Interest on deposits	(The whole.)
3. Refunds and Drawbacks	"
4. Assignments and Compensations	"
5. Land Revenue	"
7. Salt	"
8. Stamps	"
9. Excise	"
10. Provincial Rates	"
11. Customs	"
12. Assessed Taxes	"
13. Forest (Madras and Bombay)	
14. Registration	(The whole.)
15. Post Office *	(Local only.)
17. Mint	(The whole)
18. General Administration	"
19. Law and Justice	"
20. Police	"
21. Marine	(Non-Departmental.)
22. Education	(The whole.)
23. Ecclesiastical	"
24. Medical	(The whole.)
25. Political	"
26. Scientific and other Minor Departments	"
27. Territorial and Political Pensions	"
28. Civil Furlough and Absentee Allowances	"
29. Superannuation Allowances and Pensions	"
30. Stationery and Printing	"
31. Miscellaneous	"
32. Famine Relief	(Outlay by Civil Officers.)
35 Reduction of Debt	(The whole.)
39 & 46. Irrigation and Navigation:—Productive and Non-productive.	(The portion in charge of Civil Officers.)
48. Civil Buildings, Roads and Services.	(The portion in charge of Civil Officers.)

8. *Receipts into Civil Treasuries, &c.*—These figures simply represent Treasury receipts from, and issues to, the several Non-Civil Departments on all the accounts on which they pay in, and draw out, money. In other words, the figures comprise Revenue and Expenditure proper, and Debt and Remittance transactions. It is only when the accounts are made up, by the several Non-Civil Departments having dealings with the Civil Treasuries, *i.e.*, between three and four months after occurrence of the transactions, that it can be stated how much of the receipts and issues represents Revenue and Expenditure. For information on this point, the final account of each month published in the *Gazette of India* must be referred to.

9. *Civil Debt and Remittance transactions.*—The collective head "Other Debt Heads Nett" comprises the following:—

1. Temporary Loans.
2. Special Loans.
3. Treasury Notes.
4. Deposits of Service Funds.
5. Savings Bank Deposits.
6. Balances of Provincial Savings.
7. Appropriation for Reduction of Debt.
8. Excluded Local Funds.
9. Political Funds.
10. Railway Funds.
11. Military Prize Funds.
12. Departmental and Judicial Deposits.
13. Advances Repayable.
14. Permanent Advances.
15. Accounts with Foreign States.
16. Suspense Accounts.
17. Cheques and Bills.
18. Departmental Balances.
19. Miscellaneous.
20. Loans to Municipalities, Native States, &c.
21. Local Remittances and Adjustments.
22. Local Bills.
23. Foreign Bills.
24. Foreign Remittances.
25. Accounts between Civil and Civil.
26. Remittance Account between England and India, excluding Council Bills.

10. Finally, the figures shown in the present account as the Budget of 1883-84 and Accounts of 1882-83 represent the Estimates and Accounts of payments into, and issues from, Civil Treasuries, and are not the Estimates and Accounts attached to the Budget Statement as Estimates and Accounts of Revenue and Expenditure only, including transactions both in India and in England. As already explained, the figures in some cases represent Revenue and Expenditure, while in other cases they represent Revenue and Expenditure combined with Debt and Remittance transactions.

Monthly Preliminary Statement of Receipts and Payments at Civil Treasuries in India published in accordance with Resolution in this Department, No. 1937, dated the 18th December 1883.

November 1883. **Lakhs of Rupees.**

	In November		To end of November		Whole year.	
	1883-84.	1882-83.	1883-84.	1882-83.	Budget, 1883-84.	"Revised," 1882-83.
Civil Revenue.						
Land Revenue (including Land Revenue due to Irrigation)	1,24	1,21	10,22	10,20	22,34	22.23
Opium	84	80	6.27	6.82	9,20	9,56
Salt	61	52	4.01	3,96	6.17	6,13
Stamps	26	20	2,29	2,19	3,43	3,41
Excise	30	28	2,49	2,34	3,62	3,62
Provincial Rates	23	21	1,47	1,39	2,69	2,67
Customs	8	6	69	74	1,26	1,27
Assessed Taxes	2	2	48	46	52	52
Forest (Madras and Bombay only)	2	1	15	13	28	28
Registration	2	2	19	19	28	28
Tributes from Native States	3	2	28	25	70	71
Other Civil Revenue	15	18	1,72	1,80	2,94	3,07
TOTAL CIVIL REVENUE DIRECTLY BROUGHT TO ACCOUNT: GROSS	3,80	3,53	30,26	29,97	53,43	53,75
Civil Expenditure.						
Interest on Ordinary Debt and that on Productive Public Works	39	42	2,62	2,70	3,72	3,68
Opium	2	1	1,60	2,07	2,16	2,34
Exchange on transactions with London	18	10	2,23	89	3,68	3,26
Other Civil Expenditure	1,45	1,53	12,38	12,55	20,44	21,34
TOTAL CIVIL EXPENDITURE DIRECTLY BROUGHT TO ACCOUNT: GROSS	2,04	2,06	18,83	18,21	30,00	30,62
Receipts into Civil Treasuries from, and issues from those Treasuries to, the following Non-Civil Departments. (The figures comprise Revenue, Expenditure, and Debt and Remittance transactions.)						
Post Office (Net: + Receipts more, —Receipts less than issues)	+4	+4	+32	+17	+25	+33
Forest, Telegraph, Marine (Net as above)	—1	—16	—9	—73	—8	—78
Guaranteed and Subsidised Railways (Net as above)	+38	+46	+3,01	+2,69	+3,64	+4,08
Do. Repayment of surplus profits, &c.	—47	—39	—57	—50	—49	—49
Military receipts	+4	+20	-45	+67	+87	+1,05
Military issues	—1,02	—1,08	—7,69	—8,56	—11,86	—12,50
Public Works Department—						
State Railways Receipts	+19	+30	+1.47	+2,49	—2,38	—1,21
" " Issues	—28	—41	—2,61	—3,27		
East Indian Railway Receipts	+39	+41	+3,02	+2,91	+2,78	+2,65
" " Issues	—13	—24	—1,02	—1,34		
Ordinary Branches Receipts	+9	+45	+1,06	+2.88	—5,52	—5,33
" " Issues	—19	—74	—4,48	—5,99		
TOTAL NON-CIVIL DEPARTMENTS	—1,27	—1,16	—7,13	—8,58	—12,79	—12,20
Civil Debt and Remittance Transactions.						
Permanent Debt (Net: + Receipts more.—Receipts less than payments)	...	+2,39	+2,50	+1,90	+2,57	+2,04
Mint Certificates and Bullion Advances (Net as above)	...	—24	+32	—13	...	...
Council Bills paid (including Telegraphic) at Rs. 10 per £	—1,19	—31	—11,26	—5,87	—16,30	—15,47
Other Debt heads (Net as above)	+5	+29	+11	+78	+95	+1,82
TOTAL DEBT AND REMITTANCE TRANSACTIONS	—1,14	+2,13	—8,33	—3,32	—12,78	—11,61
NET TOTAL RECEIPTS AND ISSUES	—65	+2,44	—4,03	—14	—2,14	—68
Opening Cash Balance in Treasuries and Presidency Banks	11,44	11,94	14,82	14,52	13,84	14,52
Closing Cash Balance in Treasuries and Presidency Banks	10,79	14,38	10,79	14,38	11,70	13,84

J. WESTLAND,
Officiating Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 21st December, 1883.

APPOINTMENTS.

No. 657.—GOVERNOR GENERAL'S BODY GUARD—

His Excellency the Governor General is pleased to make the following appointment:—

Captain C. W. Muir, Bengal S.C., Officiating Commandant, to be Commandant, *vice* Major G. C. Jackson, whose tenure of appointment has expired. Dated 13th December, 1883.

No. 658.—ORDNANCE DEPARTMENT—

Lieutenant C. P. Triscott, R.A., Second Subaltern, No. 2 Mountain Battery, Punjab Frontier Force, to be Commissary of Ordnance, 3rd class.

No. 659.—MEDICAL DEPARTMENT—

Brigade Surgeon P. W. Sutherland, Officiating Deputy Surgeon-General, to be a Deputy Surgeon-General, *vice* Deputy Surgeon-General S. C. Townsend, C.B., whose tour of service has expired. Dated 18th December, 1883.

Brigade Surgeon A. Eteson, M.D., to be a Deputy Surgeon-General, *vice* Deputy Surgeon-General W. B. Beatson, M D., whose tour of service has expired. Dated 20th December, 1883.

No. 660.—HYDERABAD CONTINGENT—

4th Cavalry.

Surgeon G. J. Kellie, Medical Officer, 1st Infantry, to be Medical Officer *vice* Brigade Surgeon G. A. Burn, M.D, deceased, but to continue to officiate as Medical Officer, 3rd Cavalry, until the return from furlough to Europe of Surgeon-Major C. E. McVittie.

1st Infantry.

Surgeon C. Mallins, M.B., Medical Officer, 4th Infantry, to be Medical Officer, *vice* Surgeon G. J. Kellie, appointed to the 4th Cavalry, but to continue to officiate as Medical Officer, 4th Cavalry, until relieved by Surgeon Kellie.

4th Infantry.

Surgeon H. Greany, M.D., officiating Medical Officer, to be Medical Officer, *vice* Surgeon C. Mallins.

No. 661.—NATIVE ARMY—

13th Bengal Lancers.

Jemadar Soorjun Singh, appointed on probation in G.G.O. No. 602 of 1881, is confirmed in that rank, with effect from the 12th November, 1881.

FURLOUGH AND LEAVE.

No. 662.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant-Colonel R. Morris, Cavalry, Squadron Commander, 1st Bengal Cavalry, (p.a.) for 1 year and 273 days, under rule IX of the regulations of 1868.

Honorary Captain and Deputy Commissary D. Buckley, Ordnance Department, (m c.) for 1 year, under the regulations of 1868. (This cancels the furlough granted to Captain Buckley in G.G.O. No. 650 of 1883.)

Second Class Apothecary S. Saxon, (m.c.) for 1 year, under the regulations of 1868. (This cancels the furlough granted to Apothecary Saxon in G.G.O. No. 650 of 1883.)

No. 663.—Lieutenant-Colonel (Brevet Colonel) S. Black, Bengal S.C., is permitted to reside out of India.

No. 664.—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India:—

Major (Brevet Lieutenant-Colonel) W. A. J. Wallace, R.E., (m.c.) for 183 days.

Major W. T. Stuart, Bengal S.C., (m.c.) for 62 days.

LONDON GAZETTE.

No. 665.—The following extract is published for general information:—

"London Gazette," dated the 16th November, 1883, page 5438.

War Office, Pall Mall, 16th November, 1883.

MEMORANDA.

The undermentioned Lieutenant-Colonels of the Indian Staff Corps to be Colonels:—

Charles James Jennings, Madras. Dated 10th September, 1883.

Charles Adolphus deKantzow, Bengal. Dated 14th September, 1883.

PROMOTIONS.

No. 666.—The following promotions are made, subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major Arthur L'Estrange Hamilton Holmes,—15th December, 1883.

Major Horace Ralph Spearman,—18th December, 1883.

Major James Duncan Macpherson,—19th December, 1883.

Major William Heathcote Unwin,—20th December, 1883.

To be Captain.

Lieutenant William John Butterworth Bird,—15th December, 1883.

BREVET.

To be Colonel.

Lieutenant-Colonel Henry Loftus Alexander Tottenham, Bengal S.C.,—20th December, 1883.

No. 667.—ORDNANCE DEPARTMENT—

Store Sergeants Hector McLeod and John F. Dwyer to be Sub-Conductors, on probation, with effect from the 1st and 7th November, 1883, respectively, *vice* Sub-Conductors G. J. Stokes and H. W. Warrington, seconded.

No. 668.—NATIVE ARMY—

Bengal Sappers and Miners.

Jemadar Ram Golam to be Subadar, *vice* Byroo, invalided; Jemadar Soondur Singh to be Subadar,

vice Boota Singh, invalided; Havildar Drigpal Singh to be Jemadar, *vice* Ram Golam, promoted; Havildar Jewun Beg to be Jemadar, *vice* Soondur Singh, promoted,—8th October, 1883.

10th Native Infantry.

Jemadar Munbodh to be Subadar, *vice* Ramadheen, deceased; Color Havildar Pursun to be Jemadar, *vice* Munbodh, promoted,—8th October, 1883.

42nd Native Infantry.

Havildar Drig Sing Thappa to be Jemadar, *vice* Gungadin Rai, invalided,—16th August, 1883.

RETIREMENTS.

No. 669.—Brigade Surgeon William Watson, M.D., is permitted to retire from the service, subject to Her Majesty's approval.

REWARDS.

No. 670.—GOOD SERVICE PENSIONS—

It is notified that on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer a good service pension on the undermentioned officer, with effect from the date specified:—

From the 29th August, 1883, in the room of Colonel (Brigadier-General) R. S. Hill, C.B., Bengal Infantry, succeeded to the Colonel's allowance—

COLONEL (LOCAL MAJOR-GENERAL) SIR CHARLES METCALFE MACGREGOR, K.C.B., C.S.I., C.I.E., Bengal Staff Corps.

Dates of Commissions.

Ensign	20th October, 1856.
Lieutenant	17th November, 1857.
Captain	20th October, 1863.
Brevet Major	21st October, 1868.
Major	20th October, 1876.
Brevet Lieutenant-Colonel	10th November, 1869.
Lieutenant-Colonel	26th October, 1882.
Brevet Colonel	18th June, 1877.
Local Major-General	19th November, 1880.

Appointments.

Regimental duty, 57th Native Infantry	5th January, 1857, to 24th September, 1857.
Regimental duty, 1st European Bengal Fusiliers	25th September, 1857, to 16th September, 1858.
Regimental duty, Hodson's Horse	17th September, 1858, to 8th February, 1860.
Regimental duty, Fane's Horse	9th February, 1860, to 16th November, 1860.
Regimental duty, 1st Sikh Irregular Cavalry	17th November, 1860, to 30th January, 1861.
Recruit Depôt, Barrackpore	31st January, 1861, to 26th April, 1861.
2nd-in-Command, 2nd Regiment Hodson's Horse	27th April, 1861, to 19th January, 1864.
2nd Squadron Officer, 10th Bengal Lancers	20th January, 1864, 1st June 1864.
2nd Squadron Officer, 13th Bengal Lancers	2nd June, 1864, to 27th September, 1864.
Brigade Major, Bhootan Field Force	28th September, 1864, to 15th May, 1865.
Officiating Deputy-Assistant Quartermaster-General, Eastern Frontier District	16th May, 1865, to 23rd January, 1867.
Deputy-Assistant Quartermaster-General, Abyssinian Field Force	December, 1867, to July, 1868.
Assistant Quartermaster-General	6th July, 1868, to 5th March, 1875.
Director of Transport during Famine Relief Operations, Behar	October to December, 1874.
1st Assistant Quartermaster-General	6th March, 1875, to 23rd July, 1880.
Officiating Deputy Quartermaster-General	25th February, 1878, to 21st April, 1879.
Deputy Adjutant and Deputy Quartermaster-General, 1st Division, Peshawar Valley Field Force	22nd April, 1879, to 25th June, 1879.
Officiating Deputy Quartermaster-General	26th June, 1879, to 14th September, 1879.
Deputy Adjutant and Quartermaster-General, 1st Division, Kabul Field Force	15th September, 1879, to 1st May, 1880.
Chief of the Staff, Northern Afghanistan Field Force	2nd May, 1880, to 5th August, 1880.
Brigadier-General Commanding 3rd Infantry Brigade, Kabul-Kandahar Field Force	6th August, 1880, to 3rd October, 1880.
Brigadier-General Commanding Marri Field Force	4th October, to 16th November, 1880.
Deputy Quartermaster-General	24th July, 1880, to 18th November, 1880.
Quartermaster-General in India	19th November, 1880, to date.

War Services.

Indian Mutiny, 1857-58-59.—Actions of Narnaul, Gangiri, Pattiali, and Mainpuri; siege and capture of Lucknow; operations in Oudh; actions of Bara, Nawabganj, Dariabad, and Bhamorighat (wounded); passage of the Gogra; actions of Vaziragaon, Machligaon, Kamdakot, Maharajpore (wounded), Serwaghat (wounded), and Pachgaon. Despatches, *London Gazette*, 31st January, 1859. Medal with clasp.

China War, 1860.—Action of Sinho (twice wounded); surrender of Pokin. Despatches, *London Gazette*, 4th November, 1860. Medal with clasp. Brevet of Major.

Bhootan Campaign, 1864-66.—Actions of Dalimkot (wounded), Chamorchi, Bala (wounded), and Nagola. Mentioned in Despatches. Medal with clasp. Brevet of Lieutenant-Colonel.

Abyssinian Expedition, 1867-68.—Action of Arogi; capture of Magdala Despatches, *London Gazette*, 30th June 1868. Medal.

Afghan War, 1878-79-80.—Operations in the Bazar and Jelalabad Valleys; action of Charasiah; capture of Kabul; operations round Kabul; recovery of guns near Kila Kazi. In command of 3rd Infantry Brigade on the march from Kabul to the relief of Kandahar, and in the battle of 1st September. In command of the Marri Field Force in the operations against the Marris. Despatches, *London Gazette*, 7th November, 1879, 1st January, 4th May, and 3rd December, 1880. Medal with three clasps and Bronze Star; C B., K.C.B.

MILITARY WORKS DEPARTMENT.

No. 671.—Mr. J. Southon, Sub-Engineer, 1st grade, is promoted to the rank of Honorary Assistant Engineer, with effect from the 22nd May, 1883.

MARINE DEPARTMENT.

APPOINTMENTS.

No. 52.—In Marine G.G.O. No. 42 of 1853, the date of seniority of Mr. H. A. Livermore as a 3rd grade Officer should be 27th September, *1881*, and not 27th September, *1883*, as therein stated.

O. R. NEWMARCH, *Lieut.-Colonel*,
Officiating Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Fort William, the 18th December 1883.

No. 298.—Lieutenant C. R. Hoskyn, R.E., Deputy Examiner of Accounts, is transferred from the Office of the Examiner, Guaranteed Railway Accounts, Calcutta, to that of the Examiner, Guaranteed Railway Accounts, Bombay.

The 20th December 1883.

No. 299.—Mr. R. M. Marsh, Assistant Engineer, 1st Grade, ceased to belong to the Public Works Department with effect from the 20th October 1883.

No. 300.—Captain H. O. Selby, R.E., is confirmed in the appointment of Deputy Consulting Engineer for Railways, Bombay, with the rank of Executive Engineer, 4th grade, *vice* Captain H. Pilkington, R.E.

No. 301.—Mr. W. H. Price, Traffic Department, Indus Valley and Kandahar State Railway, is promoted from the Candidate Class to Class IV of the State Railway Revenue Establishment, Traffic Department, with effect from the 1st January 1884.

No. 302.—Major G. F. O. Boughey, R.E., Manager, Class I, Grade 3, Superior Revenue Establishment of State Railways, is promoted temporarily to Class I, Grade 2, with effect from 1st October 1883.

W. S. TREVOR, *Colonel, R.E.*,
Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 22, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 27th October 1883.

From the 24th of November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 17th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurrumtollah Street Calcutta.

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts is R5 per annum, payable in advance. When sent by post, R2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

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Postage	5	8	0
Subscription for Supplement only	6	0	0
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E. J. DEAN,

Publisher, Gazette of India.

BANK OF BENGAL.

Calcutta, the 18th December 1883.

Notice is hereby given that the Transfer Books of the Bank will be closed from Wednesday, the 2nd, to Wednesday, the 16th proximo, both days inclusive.

By Order of the Directors,

R. HARDIE,

Secretary & Treasurer.

SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 15th December 1883.

No. 404.—Mr. E. C. Ryall, Assistant Superintendent, 1st Grade, Survey of India, is granted leave on private affairs for one month, with effect from 10th December 1883, under Section 129, Chapter X, of the Civil Leave Code.

No. 405.—Mr. W. H. Penrose, Assistant Surveyor, 1st Grade, Survey of India, is granted leave on medical certificate from 22nd October to 28th November 1883, both dates inclusive, under Section 127, Chapter X, of the Civil Leave Code.

No. 406.—Mr. P. White, Assistant Surveyor, 2nd Grade, Survey of India, is granted three months' leave on medical certificate, under Section 127, Chapter X, of the Civil Leave Code, with effect from the forenoon of the 5th November 1883.

The 18th December 1883.

No. 407.—Major S. H Cowan, S.C., Deputy Superintendent, 4th Grade, Survey of India, having returned from furlough on the forenoon of the 11th instant, the following reversion will take place, with effect from the same date:—

Lieutenant the Hon'ble M. G. Talbot, R.E., Officiating Deputy Superintendent, 4th Grade, to revert to his substantive appointment of Assistant Superintendent, 1st Grade.

The 21st December 1883.

No. 408.—In continuation of Notification No. 397 and in supersession of Notifications Nos. 397-400, dated the 29th November 1883, the following promotions are made with effect from the 29th October 1883, in consequence of Mr. G. B. Scott, Surveyor, 1st Grade, having been placed on the *seconded* list with effect from the same date:—

Mr. H. E. T. Keelan, Surveyor, 2nd Grade, to be Surveyor, 1st Grade.

Mr. H. R. Littlewood, Surveyor, 3rd Grade, to be Surveyor, 2nd Grade.

Mr. H. T. Hanley, Surveyor, 4th Grade, to be Surveyor, 3rd Grade.

No. 409.—The following promotions are made with effect from the 1st November 1883, the date on which Mr. C. W. Campbell, Surveyor, 1st Grade, retired, and Mr. E. P. S. Hill, Assistant Surveyor, 2nd Grade, was placed on the *seconded* list:—

Mr. P. A. G. Cowley, Surveyor, 2nd Grade, to be Surveyor, 1st Grade.

Mr. W. A. Wilson, Surveyor, 3rd Grade, to be Surveyor, 2nd Grade.

Mr. L. J. Pocock, Surveyor, 4th Grade, to be Surveyor, 3rd Grade.

Mr. E. J. Connor, Officiating Surveyor, 4th Grade, is confirmed in that grade.

Mr. J. Bond, Assistant Surveyor, 1st Grade, to officiate as Surveyor, 4th Grade.

Mr. D. Campbell, Assistant Surveyor, 3rd Grade, to be Assistant Surveyor, 2nd Grade.

No. 410.—The following temporary promotion is made with effect from the 7th November 1883, *vice* Mr. A. G. Wyatt, Surveyor, 3rd Grade, who proceeded on furlough on the same date:—

Mr. C. D. Potter, Assistant Surveyor, 1st Grade, to officiate as Surveyor, 4th Grade.

No. 411.—The following promotion is made with effect from the 13th November 1883, *vice* Mr. F. E. Warde, Assistant Surveyor, 2nd Grade, dismissed with effect from the same date:—

Mr. L. F. Berkeley, Assistant Surveyor, 3rd Grade, to be Assistant Surveyor, 2nd Grade.

No. 412.—The following promotion is made with effect from the 24th November 1883, the date on which Mr. A. Bryson, Assistant Surveyor, 2nd Grade, resigned:—

Mr. G. P. Tate, Assistant Surveyor, 3rd Grade, to be Assistant Surveyor, 2nd Grade.

G. C. DEPRÉE, *Colonel,*
Offg. Surveyor General of India.

ECCLESIASTICAL.

The 18th December 1883.

The Venerable Brownlow Thomas Atlay, Archdeacon of Calcutta, resumed charge of the Chaplaincy of the General Hospital from the Reverend W. Ulyat, on the forenoon of the 27th November, on return from privilege leave.

A. P. MILLER,
Registrar of the Diocese.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.

NOTIFICATION.—ESTABLISHMENT.

Indore, the 15th December 1883.

No. 20.—Mr. A. Stoddard, Executive Engineer, 1st Grade, having been recalled to duty, under orders from Government on the 22nd ultimo, while on six months' furlough in India, granted in British Burmah Administration Notification No. 53, dated 2nd July last, for employment in Central India, which he joined on the 30th idem, the unexpired portion of his leave, *viz.*, from 22nd November to 31st December 1883, is hereby cancelled at his own request.

By Order,

C. S. THOMASON, *Col., R.E.,*
Secy. to Agent, Govr. Genl., for Central India, P. W. D.

RESIDENT IN MYSORE.

NOTIFICATIONS.

Camp Channaroyapatam, the 11th December 1883.

No. 21.—The offices under the Resident in Mysore and Chief Commissioner of Coorg will be closed for the Christmas Holidays from Monday, the 24th December 1883, to Tuesday, the 1st January 1884, both days inclusive.

Provision will be made by Heads of Departments for the despatch of urgent business during the vacation.

The 3rd December, 1883.

No. 22.—With the approval of the Resident, the following list of Court holidays for the year 1884 has been prepared by the Acting Chief Judge, and is hereby published for information.

These days shall accordingly be observed as close holidays by the Civil Court, in the Civil and Military Station of Bangalore.

List of Holidays.

Date	Holiday
January 1st to 3rd, both days inclusive	Christmas Holidays.
January 12th	Pongul.
February 25th	Sivarathri.
Ditto 27th	Ash Wednesday.
March 10th	Holi Feast.
Ditto 25th	His Highness the Maharaja's Installation day.
Ditto 28th	Gentu new year's day.
April 4th	Sreeramanavami.
Ditto 10th to 15th, both days inclusive	Easter Holidays.
April 16th to May 27th, both days inclusive	Annual Recess of 6 weeks.
August 6th	Sravani.
Ditto 23rd	Gowri.
September 4th	Anantha Chaturdasi.
Ditto 19th	Mahalaya Amavadasi.
Ditto 20th	Commencement of Dasara.
Ditto 29th	Vijaya Dasami.
October 17th	Depavali.
December 24th to 31st, both days inclusive	Christmas Holidays.

NOTE.—All Sundays in the year.

The second day of the Pongul Festival, His Highness the Maharaja's birth-day, Ganesa, Mahanavami, Bahpadyami, and Prince of Wales' birth-day, are omitted as they fall on Sundays.

Ascension day and Empress' birth-day are also omitted, as they occur during the Annual Recess.

By Order,

H. HAMJEE RAO,
Registrar.

By Order,

H. WYLIE, *Major,*
Assistant to the Resident.

CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

Camp Sucklespur, the 4th December 1883.

No. 5.—It is hereby declared, under Section 6 of Act X of 1870, that the undermentioned land is required for a public purpose by the Mercara Municipality, *viz.*, for the construction of a cemetery for the Protestant and Roman Catholic communities at Mercara.

The land needed measures two acres and is part of Survey No. 43 of the Karanangeri village of the Mercara Taluk, Coorg, which whole number measures 7·49 acres.

This Survey number stands in the revenue accounts in the name of Sheikh Mohadeen.

The part required is situated to the south of Mr. East's rice-fields.

A plan of the land has been made and can be inspected at the Office of the President, Mercara Municipality.

PROCLAMATIONS.

Camp Belur, the 6th December 1883.

No. 6.—The lands specified in the undermentioned Schedule having been sold by public auction under Regulation III of 1880, being an Act for the recovery of arrears of revenue in the Province of Coorg, it is hereby directed, under Section 39 of the said Regulation, that all the rights and property of the former landholder in the said lands are lawfully transferred to the purchaser named in the said Schedule :—

SCHEDULE.

Name of former holder.	Name of Estate.	Situation of the land and description of buildings, if any.				Extent.		Name of purchaser.	Date of purchase.
		Taluk.	Nad.	Village.	Buildings, if any.	Wet or dry.	Butties.		
Mallanda Devaiya.	Doddagadde-varga.	Kiggatnad .	Hatgatnad .	Devanuru .	None .	Wet .	468¾	Ajjigutty Jyeappa.	25th May 1883.
Tamira Somakka.	Talek athu Muttatevadawarga.	Yedenalknad	Siddapurnad	Walnuru tyagatturu.	Ditto .	Do. .	185	Baliamanda Appaiya.	Ditto.

No. 7.—The lands specified in the undermentioned Schedule having been sold by public auction under Regulation III of 1880, being an Act for the recovery of arrears of revenue in the Province of Coorg, it is hereby declared under Section 39 of the said Regulation, that all rights and property of the former landholder in the said land are lawfully transferred to the purchaser named in the said Schedule :—

SCHEDULE.

Name of former holder.	Name of Estate.	Situation of the land and description of buildings, if any.				Extent.		Name of purchaser.	Date of purchase.
		Taluk.	Nad.	Village.	Buildings, if any.	Wet or dry	Tundu or Plots.		
Ammaddekutti, a Sagumapella.	No. 9, Gandumbali Japti Aaladamarada-sarige.	Nanjarajpatna Taluk.	Nanjarajpatna Hobli.	Bychanahalli.	None .	Dry .	3	Vakkaligara Betta.	15th June 1883.

W. HILL, *Lieut.-Colonel,*
Commissioner of Coorg.

By Order,

H. WYLIE, *Major,*
Secretary to the Chief Commr. of Coorg.

MILITARY WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 17th November 1883.

No. 36.—Lieutenant J. E. Dickie, R.E., Assistant Engineer, 1st Grade, officiated as Executive Engineer of the Agra Division, Military Works, from the 13th to 17th October 1883, inclusive.

G. DEPALEZIEUX-FALCONNET, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Calcutta, the 17th December 1883.

No. 72.—With reference to Public Works Department Notification No. 291, dated the 13th December 1883, Mr. W. Wiseman, Executive Engineer, 3rd Grade, is posted to the Office of the Director General of Railways.

F. S. STANTON, *Col., R.E.,*
Director General of Railways.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th December 1883.

PARTICULARS.	3½ per cent. Transfer Loan of 1853-54.	4 per cent. Loans: Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	Reduced 4 per cent. Loan of 1879.	Reduced 4 per cent. Loan of 1881.	Total.	4½ per cent. Loans: Of 1870.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.	Total.	Transfer Loan of 1879, seven shillings per cent. Portion.	5 per cent. Debenture Loan of 1867-68.	5 per cent. Loan of 1866-67.	GRAND TOTAL.
Balance of 30th November 1883	54,100	13,32,373	29,44,300	2,43,02,600	1,02,59,500	2,71,22,237	2,66,90,900	. . .	9,26,51,910	47,39,100	1,04,34,500	10,13,78,300	11,65,51,900	1,23,500	2,000	60,200	20,94,48,610
Add—																	
Amount enfaced at Madras between 1st and 15th December 1883	. .	. . .	. . .	79,000	27,000	10,000	8,000	. . .	1,24,000	. . .	. . .	7,000	7,000	. . .	. .	. . .	1,31,000
Amount enfaced at Bombay between 1st and 15th December 1883	. .	. . .	. . .	3,100	. . . .	19,000	2,500	. . .	24,600	. . .	10,000	1,90,000	2,00,000	. . .	. .	. . .	2,24,600
Amount enfaced at Calcutta between 1st and 15th December 1883	. .	. . .	. . .	60,200	. . . .	2,74,600	1,19,300	. . .	4,54,100	. . .	500	4,00,100	4,00,600	. . .	. .	. . .	8,54,700
	54,100	13,32,373	29,44,300	2,44,44,900	1,02,86,500	2,74,25,837	2,68,20,700	. . .	9,32,54,610	47,39,100	1,04,45,000	10,19,75,400	11,71,59,500	1,23,500	2,000	60,200	21,06,53,910
Deduct—																	
Amount written off in the London Registers	. .	. . .	25,100	1,16,100	13,800	4,12,100	67,900	. . .	6,35,000	79,900	. . .	58,600	1,38,500	. . .	. .	. . .	7,73,500
Balance on 15th December 1883	54,100	13,32,373	29,19,200	2,43,28,800	1,02,72,700	2,70,13,737	2,67,52,800	. . .	9,26,19,610	46,59,200	1,04,45,000	10,19,16,800	11,70,21,000	1,23,500	2,000	60,200	20,98,80,410

NOTE.—From 9th June 1867 to 15th Oct. 1883, enfaced from India 4,831 lakhs; re-transferred from London, 4,112 lakhs.
" 16th Oct. 1883 to 31st " " " " 26 " " " 1 "
" 1st Nov. " to 15th Nov. " " " 4 " " " 6 "
" 16th " " to 30th " " " " 4 " " " 7 "
" 1st Dec. " to 15th Dec. " " " 11 " " " 7 "

4,876 lakhs. 4,133 lakhs.
4,133 "

Balance against India 743 lakhs.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 15th December 1883.

R. HARDIE,
Secretary and Treasurer.

Statement of the Affairs of the Bank of Bengal for the week ending 18th December 1883.

LIABILITIES.	R			R	a.	p.
Capital paid-up				2,00,00,000	0	0
Reserve Fund				35,09,656	4	4
	R	a.	p.			
Public Deposits at Head Office	1,00,26.068	10	3	2,04,13,673	12	10
Public Deposits at Branches	1,03,87.605	2	7			
Other Deposits at Head Office and Branches				2.41.98.807	4	9
Bank Post Bills, &c.				2,06.526	12	10
Sundries				16.74.928	7	8
RUPEES				7.00.03.592	10	5

ASSETS.	R			R	a.	p.
Government Securities				49.21.243	5	0
Other authorized Investments				57.42,800	0	0
Loans on Government and other authorized Securities				1,34.24,183	7	5
Accounts of Credit on Government and other authorized Securities				66,86.507	11	0
Bills discounted and purchased				1,93.45.787	14	8
Balances with other Banks				3,40.288	6	5
Bullion				80,244	13	0
Dead Stock				12,00.663	11	11
Stamps				7.524	10	0
Sundries				5.49.720	0	0
				5,22,98,963	15	5
	R	a.	p.			
Cash and Currency Notes at Head Office	82.14.082	7	9	1.77,04,628	11	0
Cash and Currency Notes at Branches	94.90,546	3	3			
RUPEES				7,00,03,592	10	5

By order of the Directors.

BANK OF BENGAL,
Calcutta, 20th December 1883.

J. GORDON,
Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

Rate for Demand Loans 7 per cent.
Percentage 38·1.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED OF		BALANCE OF BULLION		
		General Treasury.	Currency Department	Under Assay.	Assayed.	Held on account of the Currency Department.
	R	R	R	R	R	R
1883. Dec. 10	Holiday.	2,19,249	. . .	1,17,646	71,44,215	22,63,531
" 11	. . .	. . .	1,22,741	2,149	75,48,627	23,88,905
" 12	. . .	. . .	. . .	2,149	78,28,444	23,88,905
" 13	. . .	. . .	2,141	108	81,09,641	23,91,091
" 14	. . .	. . .	. . .	108	83,01,669	23,91,091
" 15	. . .	. . .	. . .			

J. F. TENNANT, *Major-Genl., R.E.,*
Mint Master.

CALCUTTA MINT,
The 17th December 1883.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
		R	
20	D 20—18771	100	The Presidency Post Master, Bombay.

ALLAHABAD,
The 19th December 1883.

W. COWLEY,
Asst. Acctt. General,
In charge of Paper Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		R	
260	P 76—74636	100	Mr. E. Samuel.
261	P 76—60131	100	Messrs. F. Acerboni and Co.
	" —50844	100	
	" —60132	100	
	" —55970	100	
	" —55969	100	
262	P 39—10717	50	Sufdar Khan.
265	P 42—86754	100	Mr. G. M. Tomiolo.
	P 76—31681	100	
	P 76—28912	100	
	" —13386	100	
	P 39—86445	50	
	" —24798	50	
	P 9 98170	50	
	P 39—49445	50	
	" —30945	50	
266	P 76—25576	100	Babu Nobinchunder Sen Gupta.
267	P 48—17716	1,000	Babu Beoud Behari Hazra.

CALCUTTA,
The 21st December 1883.

J. TAYLOR,
Asstt. Comptr. Genl., in charge, Paper Currency.

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
		R	
32	B 74—08937	500	M. Narasimooloo Chetty, 139, Devaraya Mudal Street, 2nd Division, Madras.

FORT SAINT GEORGE,
The 10th December 1883.

H. S. GROVES,
Assistant Accountant General,
in charge of Paper Currency Dept.,
for Commissioner.

PUNJAB NORTHERN STATE RAILWAY, Manager's Office.

NOTIFICATION.

Rawalpindi, the 12th December 1883.

No. 4.—Mr. H. S. Harington, Executive Engineer, 4th Grade, temporary rank, has been granted thirteen days' subsidiary leave and one year's furlough to England, with effect from the afternoon of the 9th November 1883

Manager's Notification No. 3, dated 19th November 1883, is hereby cancelled.

E. L. MARRYAT, *Major, R.E.,*
Manager.

RAJPUTANA-MALWA RAILWAY. (Includes the R. S. Ry., the H. S. Ry. and the S. N. S. Ry.) Manager's Office.

NOTIFICATION.

Ajmere, the 13th December 1883.

No. 3.—Mr. T. W. Bartlett, Executive Engineer, 3rd Grade, has been granted by Her Majesty's Secretary of State for India one month's furlough in extension of the furlough granted in Manager's Notification No. 1 of 19th April 1883.

H. DANGERFIELD,
Offg. Manager.

Report of a Deserter from the 2nd Battalion, East Surrey Regiment of Infantry, dated at Dinapore, this 17th day of December 1883.

Number, Rank, and Name,—No. E S—42, Private Patrick Maloney.
Age,—21 years.
Size,—5 feet 5¾ inches.
Colour of—
Complexion, medium, Hair, brown, Eyes, blue.
Date of Desertion,—15th December 1883
Place of Desertion,—Dinapore.
Date of Enlistment,—23rd November 1881.
At what Place Enlisted,—Buttevant
Parish and County in which Born,—Killmane, Limerick.
Marks,—*Nil.*
Trade,—Laborer.
Coat or Jacket —Serge.
Waistcoat,—*Nil.*
Breeches or Trowsers,—Black serge
REMARKS,—
Under 3 years' service.

C. A. G. CUMINE, *Captain,*
Comdg. 2nd East Surrey Regt.

Report of a Deserter from the 1st Battalion, Royal Welsh Fusiliers, dated at Dum-Dum, this 14th day of December 1883.

Number, Rank, and Name,—No 2654, Private William Walker.
Age,—25 years 8 months.
Size,—5 feet 6 inches.
Colour of—
Complexion, fresh; Hair, brown; Eyes, blue.
Date of Desertion,—12th December 1883.
Place of Desertion,—Dum-Dum
Date of Enlistment,—31st March 1880.
Place of Enlistment,—London.
Parish and County in which Born,—Whitechapel, London, Middlesex.
Marks,—Cross, heart, and anchor, left forearm.
Trade,—Engineer.
Coat or Jacket,— } Regimentals.
Waistcoat,— }
Breeches or Trowsers,— }
REMARKS,—
Under 4 years' service.

C. ELGEE, *Colonel,*
Comdg. 1st Battn., Royal Welsh Fusiliers.

Report of a Deserter from the J Battery, 2nd Brigade, Royal Artillery, dated at Camp Seorajpore, this 18th day of December 1883.

Number, Rank, and Name,—No. 12401, Gunner William Marfleet.
Age,—25 years 10 months.
Size,—5 feet 7 inches.
Colour of—
Complexion, fresh; Hair, black, Eyes, brown.
Date of Desertion,—6th December 1883
Place of Desertion,—Allahabad, East India
Date of Enlistment,—20th November 1877.
At what Place Enlisted,—Barnsley.
Parish and County in which Born,—Liverpool.
Marks,—None.
Trade,—Striker.
Coat or Jacket,— } Regimentals.
Waistcoat,— }
Breeches or Trowsers,— }
REMARKS,—
Under 7 years' service.

G. R. GAMBIER, *Major,*
Commdg. J Batty., 2nd Brig, R A.

POST OFFICE.

NOTIFICATIONS

Unclaimed Letters held in the Calcutta General Post Office on 20th December 1883

Alder, C A.
Best & Co.
Cook & Co (Kutnee lime merchants)
Dalmann & Co
Fagan, Major J G
Fleet J F
Haigh, J W
Hullett, A E
Ingram, Lieut E T. W
Irving Wm
McCarthy, S T
McLaughlin J
Millar, Miss A.
Nutter, John.
Pirrie, J Sinclair
Smith, F M Lawson.
Shepard, Joseph
Stone, J J.
Tate, W J
Ward, J
Wueline, T A B.

Letters marked "Care of Post Office"

A B, No 100
A M
Alpin, E B.
Allanby, Thomas
Allen, J H
Antram, Mrs C H.
Ashton, Thomas
Barber, R J
Barley, I, Mrs.
Barlow, Harold
Bayne, J W.
Bergman, Moritz.
Berry, J
Bowden, J
Brace L J R.
Bradley, Walter.
Brown, John
Burns, W H
Burton, Miss L.
Colvin, Cecil
C S
Davidson, Harry
Dean, William Edward
DeCruz Mr
DeSilva S A
DeSouza, J F
Douglas, G P Home
Durrant, G F N
Dyett, W H R
Edden, Sergeant J.
Engel, Israll
Erler, Albert
"European"
Fabian, George
Fane, Mr.
Falker, Jebb
Fergus, C B
Fontimayne, D
Forrest, Francis
Fowler, James William
Fraser, Mrs F
Gregson, Rev J Gelson
G O
Hackett, C A
Hallett, W O
Hankuwiz C
Hargreaves P.
Harland W
Haselmayer, L
Hebbart, J B
Herald, John L
Huddlerton J G. L.
Hughes, Pringle.
Hunt, Henry
Innes, Major
Ireland, Dr J S.
Johnston, R T
Keeap, L
Kerr E
Kimmins, W J.
King Edward
Lane, William.
Lee, Frederick
Lee, Miss Rosa
Leonard, Nicolas.
"Lilly
M J L S
Macclesfield, A H.
McLean, John
Medem B A.
Mills, G
Muir, John C
O Farrell, Surgeon-Major.
O Hanlon, J.
Oakly, Miss.
Parker, G F
Paterson, Mrs Mary.
Phillips, F D.
Potter, John
Quick, Frank.
Rachel
Read, R.
Reece, Mrs W.
Rutterfurd, R C.
Ryan, J H
Ryckman F H.
Schaeffler F B
Schmidt, Otto
Sellier, Madame.
Shipham, Rev A
Simpson, H
Stanislaus, Walter.
Stevenson Mrs
Stuart, Mrs G.
Swainson, Mrs George
Teape Richard
Toutmagne, Durand de
Tshag, H
Tuck, Serjeant J
Wade, Mrs.
Walkerkamp, William.
Williamson, W. F.

Registered Letters

Greenblott, S
Geyer, Alfred
Harwood, H L
Knudsen, T. E O.
Kuller, Marie
Martin, C P E
Moralit, Allessandro.
Mund, Luku.
Schwartz, Mrs Jacob
Stevenson, Col I R.
Wakefield, G. E

Calcutta, the 22nd December 1883.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date	Per Steamer
	1883	
Madras, Ceylon, and Intermediate Ports	28th Dec.	Str *Bancoora*
Madras and Ceylon	29th „	P & O. Str. *Australia.*
Colombo, Penang, Singapore, Hongkong, Shanghai, Yokohama, and Australian Colonies	25th „	From Bombay
Foreign Mails *via* Bombay	25th „	From Bombay *
Do Book Post and Pattern Packets .	24th „	From Bombay.
Rangoon, Moulmein, and Straits . .	27th „	Str *Purulia.*†
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	27th „	Str. *Calcutta.*
	1884.	
Madras, Ceylon, Batavia, Singapore, and China	4th Jan.	French Str. *Tibre.*

* Also for South Africa *via* England can be forwarded
† Mails for Port Blair can be forwarded by this opportunity.
N.B.—The letter-box will close at 7 P.M. precisely; after which hour, foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin *R4-8*; per eight ounce tin, *R8-8*; per pound tin, *R16-8*. The general public can be supplied by the Superintendent, Botanical Gardens, *for cash only*, at the under-noted rates:—per four ounce tin *R5-8*; per eight ounce tin *R10-8* per pound tin, *R20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنت سنکونا فبري فيوج

يهه دوا كوئينائين كا خوب قائم مقام هى اور كلكته كے بوٹانكل گاردن يعنے كمپني باغ كے سپرنٹندنٹ صاحب سے هرايک ملازم سركاري واسطے سركاري كام اور خيرات كے اور سيواے اونكے جو كوئي ايک مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس كے ٹين كا چار روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا آٹهه روپيه آٹهه آنه; يک پونڈ كے ٹين كا سوله روپيه آٹهه آنه'

اور عوام الناس بوٹانكل گارڈن يعنے كمپني با كے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس ٹين كا پانچ روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا دس روپيه آٹهه آنه ; ايک پونڈ كے ٹين كا بيس روپيه

يهه دوا كلكته كے بڑے بڑے ولايتي اور ديسي دوا خانونميں بكتي هى ماسيواے قيمت مذكورهٔ بالا كے محصول ڈاک چار ور آٹهه اونس كے ٹين كا آٹهه آنه ; اور ايک پونڈ كے ٹين كا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them:—

	R	a.	p.
Report on the Meteorology of India in 1875, 4to, 89 pages text, 297 pages tables. 3 charts	8	0	0
Report on the Meteorology of India in 1876, 4to, 97 pages text, 340 pages tables, 3 charts	8	0	0
Report on the Meteorology of India in 1877, 4to, 173 pages text, 375 pages tables, 3 charts	8	0	0
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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 22, 1883.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Note No. 021728, of the 4 per cent. of 1879, for ₨700, originally standing in the name of the Oriental Bank Corporation, and last endorsed by the Deputy Commissioner, Kolar, to the Dewan of Mysore, by whom it was never endorsed to any other person, but bears an unsigned form of receipt for renewal. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favor of the proprietor.

D. SREENIVASSIENGAR,

Under-Secretary.

The 3rd December 1883.

Destroyed by White-ants.

The Government Promissory Note No. B139141, of the 4 per cent. Transfer Loan of 1st May 1865, for ₨1,000, standing in the names of Luckmidas Amerchand and Hurrukhbaie, widow, and Notes Nos. 039004, 039005, and 039094, of the 4½ per cent. Transfer Loan of 1879, for ₨100 each, standing in the names of Luckmidas Amerchand and Hurcooverbaie, the proprietors, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, and application is about to be made to Government for the issue of duplicate notes in favor of the proprietors.

LUCKMIDAS AMERCHAND,

57, Mody Street, Fort, Bombay.

BOMBAY,

The 3rd December 1883.

Stolen

The following 4 per cent. Government Promissory Notes standing in the name of——, and last endorsed to Mohima Chundra Mozoomdar of Narendrapur, the proprietor :—

New No.	Old No.	Date.	Amount. ₨
063502	002008	16-1-72	1,000
014514	12717	31-3-36	1,000
104234	26061	ditto	1,000
104201	26963	1-5-65	500
011439	502049	15-7-70	500
011450	002053	ditto	2,500
009706	002051	ditto	3,500
78500	020148	1-2-43	2,000
011458	002050	15-7-70	500
			12,500

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PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 18th December 1883, and is hereby promulgated for general information:—

ACT No. XXI OF 1883.

THE INDIAN EMIGRATION ACT, 1883.

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Indian Emigration Act, 1883.

(Chapter II.—Ports from which, and Countries to which, Emigration is lawful.)

An Act to amend the law relating to the Emigration of Natives of India.

WHEREAS it is expedient to amend the law relating to the emigration of Natives of India; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title and extent.

1. (1) This Act may be called the Indian Emigration Act, 1883.

(2) It extends to the whole of British India.

Exemption of Government vessels.

2. Nothing in this Act or in any rule made under this Act shall apply to any vessel belonging to, or in the service of, Her Majesty or of the Government of India.

Commencement.

3. Except as to the power to make rules, this Act shall come into force on such day as the Governor General in Council, by notification in the *Gazette of India*, appoints.

Repeal of enactments.

4. On and from the day on which this Act comes into force, the Indian Emigration Act, 1871, and Act No. XIV of 1872 (*to exempt the Straits Settlements from the Indian Emigration Act, 1871*) shall be repealed.

Saving for proceedings under repealed enactments.

5. All notifications issued, contracts entered into, rules and appointments made, and licenses granted under any enactment hereby repealed, and in force on the day on which this Act comes into force, shall (so far as they are consistent with this Act) be deemed to have been respectively issued, entered into, made and granted under this Act.

Definitions.

6. In this Act, unless there is something repugnant in the subject or context,—

(1) "Emigrate" and "emigration" denote the departure by sea out of British India of a Native of India under an agreement to labour for hire in some country beyond the limits of India other than the island of Ceylon or the Straits Settlements:

Provided that a domestic servant when accompanying his employer shall not be deemed to emigrate within the meaning of the above definition:

(2) "Emigrant" means any Native of India who emigrates, or has emigrated, within the meaning of the above definition, or who has been registered under this Act as an emigrant, and includes any dependent of an emigrant:

(3) "Dependent" means any of the following persons accompanying any emigrant, namely:—

(a) any woman who has not entered into an agreement to emigrate under this Act;

(b) any child in whose name and on whose behalf any such agreement has not been entered into; and

(c) any aged or incapacitated relative or friend:

(4) "Magistrate" means, in the Presidency-towns, a Presidency Magistrate, and elsewhere a District Magistrate or a Sub-divisional Magistrate, and includes also any person appointed by the Local Government, by name or by virtue of his office, to perform in any local area the functions of a Magistrate under this Act:

(5) "Registering Officer" means any person appointed by the Local Government, by name or by virtue of his office, to perform in any local area the functions of a Registering Officer under this Act:

(6) "Recruiter" includes a head recruiter or other person who collects or receives emigrants recruited by other persons:

(7) "Vessel" includes anything made for the conveyance by water of human beings or property:

(8) "Emigrant-vessel" means a vessel the master of which is licensed under this Act to carry emigrants therein: and

(9) "Master" means any person (except a pilot or harbour-master) having for the time being control or charge of a vessel.

CHAPTER II.

PORTS FROM WHICH, AND COUNTRIES TO WHICH, EMIGRATION IS LAWFUL.

Ports from which emigration is lawful.

7. (1) Emigration shall not be lawful except from the ports of Calcutta, Madras and Bombay, and from such other ports as the Governor General in Council, from time to time, by notification in the *Gazette of India*, declares to be ports from which emigration is lawful.

(2) The Governor General in Council may at any time, by a like notification, revoke any notification issued under this section.

(3) The Local Government may, from time to time, by notification in the official Gazette, fix for the purposes of this Act the limits of any port from which emigration is lawful.

Countries to which emigration is lawful.

8. (1) Emigration shall not be lawful except to the countries specified in the first schedule hereto annexed, and to such other countries

Indian Emigration Act, 1883.
(Chapter IV.—Protectors of Emigrants and Medical Inspectors.)

as the Governor General in Council, from time to time, by notification in the *Gazette of India*, declares to be countries to which emigration is lawful.

(2) Every notification under this section must contain a declaration that the Governor General in Council has been duly certified that the Government of the country to which the notification refers has made such laws and other provisions as the Governor General in Council thinks sufficient for the protection of emigrants to that country during their residence therein.

Power for Governor General in Council to prohibit emigration to any country.

9. (1) Whenever the Governor General in Council has reason to believe that any of the grounds, hereinafter mentioned, for prohibiting emigration to any country to which emigration is lawful, exists, he may, by notification in the *Gazette of India*, declare that emigration to that country shall cease to be lawful from a day specified in the notification; and from that day emigration to that country shall accordingly cease to be lawful.

(2) The grounds referred to in sub-section (1) of this section are—

(a) that the plague or any other epidemic disease dangerous to human life has broken out in the country;

(b) that the mortality among emigrants in the country is excessive;

(c) that proper measures have not been taken for the protection of emigrants immediately on their arrival in the country or during their residence therein;

(d) that the agreements made with emigrants, as such, before their departure from India are not duly enforced by the Government of the country; and

(e) that the Governor General in Council, having, either directly or through the Secretary of State for India in Council, addressed the Government of the country with a view to obtain information regarding the condition or treatment of emigrants therein, has not within a reasonable time received the information asked for.

Power for Local Government to suspend emigration pending reference to Governor General in Council.

10. (1) Whenever the Local Government has reason to believe that, in any country to which emigration is lawful, the plague or other epidemic disease dangerous to human life has broken out, and that emigrants, if allowed to emigrate to that country, would be exposed to serious risk of life on arrival there, it may, by notification in the official Gazette, declare that emigration to that country from any port in the territories administered by it shall cease to be lawful pending a reference to the Governor General in Council.

(2) The Local Government shall at once report the publication of a notification under this section, with the reasons for it, to the Governor General in Council, who shall thereupon publish a notification in the *Gazette of India* confirming or cancelling the notification published by the Local Government.

Revocation of prohibition.

11. Whenever the Governor General in Council is satisfied that the ground on which a notification has been published by him under either of the two last foregoing sections with respect to any country has ceased to exist, he may, by notification in the *Gazette of India*, declare that emigration to that country shall again be lawful from a day to be specified in the notification.

Power for Local Government to prohibit emigration to specified country from the whole or any specified part of its territories.

12. (1) The Local Government may, with the previous sanction of the Governor General in Council, by notification in the official Gazette, prohibit, from a day specified in the notification, all Natives of India or any specified class of Natives, from emigrating from the whole or any specified part of the territories under its administration to any specified country.

(2) The Local Government may, with the like sanction, in like manner, vary or cancel any notification published under this section.

Saving for acts done before publication of notification.

13. The publication of a notification under any of the four last foregoing sections shall not affect any act done, offence committed or proceedings commenced before the publication.

CHAPTER III.

EMIGRATION AGENTS.

Appointment of Emigration Agents.

14. (1) The Government of every country to which emigration is lawful may, from time to time, appoint a person to be Emigration Agent in any port from which emigration is lawful, and may suspend or remove any person so appointed.

(2) An appointment under this section shall not take effect until the Local Government, by notification in the official Gazette, has declared its approval of the appointment.

Remuneration of Agents.

15. The remuneration to be given to an Emigration Agent shall not depend on, or be regulated by, the number of emigrants sent by him, but shall be in the nature of a fixed salary:

Provided that the Governor General in Council may, from time to time, authorize the payment to specified Emigration Agents of special fees for occasional work.

CHAPTER IV.

PROTECTORS OF EMIGRANTS AND MEDICAL INSPECTORS.

Appointment of Protectors of Emigrants.

16. (1) The Local Government may, from time to time, appoint a proper person to be the Protector of

Indian Emigration Act, 1883.
(Chapter V.—Recruiters.)

Emigrants for any port within the territories administered by it from which emigration is lawful.

(2) The Governor General in Council may, from time to time, define the local area to which the authority of any Protector of Emigrants so appointed shall extend.

(3) Every Protector of Emigrants may be suspended or removed by the Local Government which appointed him.

(4) Every Protector of Emigrants shall be a public servant within the meaning of the Indian Penal Code. XLV of 1860.

General duties of Protector.

17. Every Protector of Emigrants, in addition to the special duties assigned to him by this Act or the rules made under this Act, shall—

(a) protect and aid with his advice all emigrants;

(b) cause, so far as he can, all the provisions of this Act, and of the rules made under this Act, to be complied with;

(c) inspect, on arrival, all vessels bringing return-emigrants to the port for which he is Protector;

(d) enquire into the treatment received by the return-emigrants both during the period of their service in the country to which they emigrated, and also during the return voyage, and report thereon to the Local Government; and

(e) aid and advise the return-emigrants so far as he reasonably can.

Appointment of Medical Inspector.

18. (1) The Local Government may, from time to time, appoint a Medical Inspector of Emigrants at each port from which emigration is lawful, and may suspend or remove him.

(2) Every Medical Inspector of Emigrants shall be a public servant within the meaning of the Indian Penal Code. XLV of 1860.

Protector and Medical Inspector to have facilities for inspection.

19. Every Emigration Agent, and all persons in charge of, or employed in, any depôt established under this Act, or in charge of, or employed in, any emigrant-vessel, shall give the Protector of Emigrants and the Medical Inspector of Emigrants every facility for making such inspections, examinations and surveys as are required by this Act, or by the rules made under this Act, or as those officers may deem necessary or proper, and shall afford them all such information as they may reasonably require.

CHAPTER V.

RECRUITERS.

Protector of Emigrants to recruiters.

20. (1) The Protector of Emigrants at each of the ports from which emigration is lawful shall, on the application of the Emigration Agent for any country to which emigration is lawful, grant licenses to so many fit persons as to the Protector seems necessary to be recruiters of emigrants within the local area to which the authority of the Protector extends.

(2) A person shall not, unless he holds a license granted under this chapter,—

(a) enter into, or attempt to enter into, any agreement with any person purporting to bind him to emigrate, or

(b) in consideration of any hire or reward, induce, or attempt to induce, any person to leave any place for the purpose of emigrating, or

(c) act or be employed in any other respect as a recruiter of emigrants.

(3) Every recruiter shall produce his license when called upon to do so by any Magistrate or officer in charge of a police-station.

Form of license.

21. Every license granted under this chapter shall specify the particular country for which, and the local area within which, the holder is licensed to recruit, and may be in the form set forth in the second schedule hereto annexed.

Duration of license.

22. (1) A license granted under this chapter shall not be in force for a longer period than one year from the day on which it comes into force.

(2) The Protector of Emigrants may, on the ground of misconduct, cancel any license granted by him under this chapter before the expiration of the period for which it is in force.

Countersignature of license.

23. (1) A recruiter shall not, in any place beyond the limits of a port from which emigration is lawful, enter, or attempt to enter, into any agreement with any person purporting to bind him to emigrate, or induce or assist, or attempt to induce or assist, any person to leave any place for the purpose of emigrating, or act or be employed in any other respect as a recruiter of emigrants, unless his license bears the countersignature of the District Magistrate.

(2) If a District Magistrate has satisfied himself, after such enquiry as he thinks necessary, that the licensee is, by character or from any other cause, unfitted to be a recruiter under this Act, he may refuse to countersign a recruiter's license.

(3) If a District Magistrate has satisfied himself, after such enquiry as aforesaid, that sufficient and proper accommodation has not been provided in a suitable place, or is not available, for such intending emigrants or emigrants as may be collected by the recruiter pending their registration or removal to the depôt at the port of embarkation, he may refuse to countersign a recruiter's license or to decide whether he will countersign his license until after the expiration of such time as may in his opinion be reasonable.

(4) Before a Magistrate refuses to countersign, or defers his countersignature of, a recruiter's license, he shall record in writing his reasons for so doing.

Indian Emigration Act, 1883.
(Chapter VI.—Registration of Emigrants and Execution of Agreements to emigrate.)

24. If any Magistrate, having countersigned a recruiter's license, afterwards finds reason to think that the licensee is, by character or from any other cause, unfitted to be a recruiter under this Act, or that the accommodation provided for intending emigrants or emigrants collected by him has become unsuitable or has ceased to be available, he may require the licensee to produce his license, and may cancel the countersignature on it, or may impound the license and send it for cancellation to the Protector of Emigrants who granted it.

Power for Magistrate to cancel countersignature in certain cases.

25. When a Magistrate countersigns, or refuses to countersign, a recruiter's license, or cancels the countersignature on it, he shall at once report the countersignature, or the refusal or cancellation, and the grounds of the refusal or cancellation, to the Protector of Emigrants who granted the license.

Notice to Protector of Emigrants of countersignature, refusal to countersign or cancellation of countersignature.

26. (*1*) The Emigration Agent on whose application any recruiter is licensed shall supply the recruiter with a written or printed statement, signed by the Agent, and countersigned by the Protector of Emigrants, of the terms of agreement which the recruiter is authorized to offer on behalf of the Agent to intending emigrants.

Recruiter to be supplied with statement of terms of agreement he is authorised to offer.

(*2*) The statement shall be both in English and in the Vernacular language or languages of the local area within which the recruiter is licensed to recruit.

(*3*) The recruiter shall give a true copy of the statement to every person whom he invites to emigrate, and shall produce the statement for the information of any Magistrate or officer in charge of a police-station, when called upon to do so by the Magistrate or officer.

27. (*1*) Every recruiter shall provide sufficient and proper accommodation in a suitable place for such intending emigrants or emigrants as may be collected by him pending their registration or removal to the port of embarkation.

Accommodation to be provided by recruiters.

(*2*) The place where the accommodation is provided shall have a board fixed in some conspicuous position specifying the purpose for which the place is used.

(*3*) Every District Magistrate, and any subordinate Magistrate or officer of Police authorised in this behalf by a rule made under this Act, shall have, for the supervision and regulation of the places where accommodation is provided under this section, the same powers as are by this Act conferred on a Protector of Emigrants in respect of depôts at the port of embarkation.

(*4*) All recruiters or other persons in charge of these places shall afford every Magistrate and any officer of Police authorised as aforesaid in this behalf every facility for visiting and inspecting them.

CHAPTER VI.

REGISTRATION OF EMIGRANTS AND EXECUTION OF AGREEMENTS TO EMIGRATE.

28. The Local Government may, from time to time, appoint any person, by name or by virtue of his office, to perform in a specified local area, but subject to the control of the District Magistrate or such other officer as the Local Government appoints, by name or by virtue of his office, in this behalf, the functions of a Registering Officer under this Act.

Power for Local Government to appoint Registering Officers.

29. Every agreement to emigrate entered into by any person must—

Execution of agreements.

(*a*) if executed within the limits of any port from which emigration is lawful, be executed in the presence of the Protector;

(*b*) if executed elsewhere, be executed in the presence of a Registering Officer.

30. Every recruiter who desires to engage any person to emigrate shall appear before a Registering Officer or the Protector of Emigrants (as the case may be) with that person, and with any persons intending to accompany that person as his dependents.

Appearance of intending emigrants before Registering Officer.

31. (*1*) The Registering Officer or Protector shall thereupon examine the person, apart from the recruiter, with reference to his intended agreement; and, if it appears that he is competent and willing to enter into the agreement and understands its nature, that he has not been induced to enter into it by any coercion, undue influence, fraud, misrepresentation or mistake, that its terms are in conformity with law, and are such as, according to the statement furnished to the recruiter under section twenty-six, he was authorized to offer, shall, subject to the provisions of section thirty-three, register in a book to be kept for the purpose, in such form as the Governor-General in Council, from time to time, by rules made under this Act, prescribes, the name, sex, name of the father, caste, occupation and age of the intending emigrant, and the name of the village or place of which he is a resident, and such other particulars (if any) concerning him and his dependents (if any) as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

Examination and registration of emigrant.

32. (*1*) Notwithstanding anything contained in the last foregoing section, the Registering Officer or Protector may refuse to register any married woman under that section if he finds that her husband does not consent to her emigrating.

Power to refuse registration in case of married women.

Indian Emigration Act, 1883.
(Chapter VII.—Emigration Depôts.)

(2) The Registering Officer or Protector may also, in the case of any woman whom he believes to be married, refuse to decide whether he will register her until after the expiration of such time, not exceeding ten days, as he thinks fit.

Examination of dependent.

33. (1) When any person appears before a Registering Officer or Protector under section thirty as a dependent of an intending emigrant, the Registering Officer or Protector shall, if the person is able to give intelligent answers to questions, examine him, apart from the recruiter, as to his dependence on the intending emigrant whom he is about to accompany and as to his willingness to emigrate.

(2) Where the Registering Officer or Protector sees reason to doubt the existence of the dependence or willingness, he may, if he thinks fit, refuse to register the intending emigrant unless the name of the dependent is omitted from the register.

Record of reasons for refusal to register.

34. Whenever the Registering Officer or Protector refuses to register any intending emigrant, he shall record his reasons for the refusal.

Execution and attestation of agreement.

35. (1) When the particulars concerning any intending emigrant and his dependents (if any) have been registered, the Registering Officer or Protector shall cause an agreement to be prepared in triplicate, and shall call on the recruiter and the intending emigrant to execute the agreement in triplicate in his presence, and, if they execute it, shall attest the execution with his signature.

(2) An agreement to emigrate shall not be of any effect until the particulars concerning the intending emigrant and his dependents (if any) have been registered, and the agreement has been executed and attested under this Act.

(3) When the particulars concerning any intending emigrant and his dependents (if any) have been registered, and an agreement has been executed and attested under this Act, the intending emigrant shall be deemed to be registered under this Act as an emigrant.

Contents of agreement.

36. Every agreement to emigrate shall contain a copy of the particulars registered concerning the intending emigrant and his dependents (if any) under section thirty-one, and on the reverse such particulars concerning the nature, duration and term of service and the remuneration of the emigrant, and such other matters (if any) as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

Disposal of copies of agreement.

37. When the agreement has been executed and attested, one copy thereof shall be delivered to the recruiter for transmission to the Emigration Agent, another shall be delivered to the emigrant, and the third shall be retained by the Protector or sent by the Registering Officer to him.

Fee for preparation of agreement.

38. For the preparation of every agreement under this chapter the recruiter or Emigration Agent shall pay such fee as the Governor General in Council, from time to time, by notification in the *Gazette of India*, prescribes :

Provided that the Governor General in Council may at any time, by like notification, declare that the fee payable under this section shall be consolidated, either generally or in any specified local area, with the fee payable under section seventy-three.

Power to make agreement if over 16.

39. Notwithstanding anything to the contrary in the Indian Contract Act, 1872, it shall be lawful for any person of the age of sixteen years or upwards to enter in manner in this Act provided into an agreement to emigrate to any place to which emigration is lawful.

IX of 1872

Power to make agreement on behalf of child or ward.

40. Any person entering into an agreement to emigrate, and being the parent or guardian of a child under the age of sixteen years and above the age of ten years, may, in the name of and on behalf of the child, enter into an agreement in manner in this Act provided binding the child to emigrate with him.

CHAPTER VII.

EMIGRATION DEPÔTS.

Depôts to be established at ports of embarkation.

41. Every Emigration Agent shall establish at the port for which he is appointed a suitable depôt for the reception and lodging of emigrants before embarkation for the country for which he is Emigration Agent, and shall provide all necessary food and clothing for all emigrants during their stay at the depôt.

Licensing of depôts.

42. (1) A depôt established under the last foregoing section shall not be used for the reception and lodging of emigrants until it has been inspected and approved by the Protector of Emigrants and the Medical Inspector of Emigrants, and a license for its use has been granted by the Protector.

(2) A license under this section shall not be granted for a longer period than one year from the day on which it comes into force.

(3) The Protector of Emigrants may at any time cancel a license under this section—

(a) if he considers that the depôt for which it was granted is unhealthy, or has in any respect become unsuitable for the purpose for which it was established, or

Indian Emigration Act, 1883.
(Chapter VIII.—Conveyance of Emigrants to Depôts and Procedure on Arrival).

(*b*) if the Emigration Agent fails, after reasonable notice, to comply with any of the requirements of this Act or of the rules made under this Act.

Inspection by Protector and Medical Inspector.

43. The Protector of Emigrants and the Medical Inspector shall, from time to time, and at least once in every week during which any emigrants may be kept in any depôt at the port for which they are Protector and Medical Inspector, respectively, inspect the emigrants in that depôt, and examine the state of the depôt, and the manner in which the emigrants therein are lodged, fed, clothed and otherwise provided for and attended to.

Report by Medical Inspector.

44. The Medical Inspector shall report to the Protector of Emigrants any circumstance that may come to his knowledge showing that any depôt is not suitable for its purpose, or that the emigrants lodged therein are treated with any oppression or neglect.

Treatment of emigrant suffering from disease.

45. (*1*) The Medical Inspector may, if he thinks fit, direct that any emigrant suffering from any disease likely to be dangerous to his neighbours shall be isolated or excluded from the depôt.

(*2*) The Medical Inspector may, if he thinks fit, order the removal of any emigrant so suffering to a proper hospital for treatment at the expense of the Emigration Agent; and the expense (if any) incurred by the Protector of Emigrants in respect of the removal of the emigrant and his treatment in the hospital shall be recoverable from the Emigration Agent by the Protector of Emigrants, with interest thereon at the rate of six per centum per annum from the date on which the expense was incurred.

CHAPTER VIII.

CONVEYANCE OF EMIGRANTS TO DEPÔTS AND PROCEDURE ON ARRIVAL.

Emigrant not to be removed before registration.

46. A recruiter shall not remove or attempt to remove any intending emigrant to a depôt, or induce or attempt to induce him to go to a depôt, or to leave the local limits of the jurisdiction of the Magistrate by whom the recruiter's license has been countersigned, or aid him in going to a depôt, or in leaving any such local limits, until the intending emigrant has been registered under this Act as an emigrant.

Conveyance of emigrant to depôt.

47. (*1*) Every emigrant must, after he has been registered under this Act, be conveyed with all convenient despatch, by or under the orders of the recruiter or Emigration Agent, to the depôt established at the port of embarkation by the Emigration Agent on whose application the recruiter has been licensed.

(*2*) When an emigrant has been registered at a place beyond the limits of the port of embarkation, he must, while proceeding to the depôt, be accompanied throughout the journey either by the recruiter himself, or by a competent person appointed by him with the approval of a Magistrate.

(*3*) The Magistrate shall give to the person so appointed a certificate signed by him stating that he has been appointed for the journey to the depôt.

(*4*) The recruiter or the person so appointed shall, throughout the journey, provide the emigrant with proper and sufficient food and lodging.

Report of arrival at depôt.

48. The arrival at a depôt of each emigrant must immediately be reported by the person in charge of the depôt to the Emigration Agent, and by the Agent to the Protector of Emigrants.

Examination by Medical Inspector.

49. (*1*) The copy of the agreement received by the recruiter from the Registering Officer or Protector must, as soon as conveniently may be after the arrival of the emigrant at the depôt, be shown by the Emigration Agent to the Medical Inspector of Emigrants.

(*2*) The Medical Inspector shall examine each emigrant entered in the agreement to ascertain whether he is fit, having regard to his age and state of health, to undertake the journey to the country to which he has agreed to emigrate.

(*3*) The Medical Inspector, if satisfied of his fitness, shall give a certificate to that effect to the Emigration Agent. If not so satisfied, he shall give a certificate to that effect to the Protector of Emigrants.

Power for Protector to order payment of expenses of return of emigrant in certain cases.

50. (*1*) In any of the following cases, namely:—

(*a*) if the Medical Inspector of Emigrants finds that an emigrant is, or has become, unfit to undertake the journey to the country to which he has agreed to emigrate, and if the Protector of Emigrants considers that the emigrant has not dishonestly represented himself as fit to undertake the journey, or

(*b*) if the Protector finds that any such irregularity has occurred in the recruitment or treatment by the recruiter of any emigrant as makes it just to rescind the agreement to emigrate, or

(*c*) if the Emigration Agent refuses to fulfil the agreement entered into with the emigrant,

the Protector may order the Emigration Agent to pay to the emigrant such sum as the Protector deems reasonable as compensation, and when the emigrant has been registered at a place beyond the

Indian Emigration Act, 1883.
(Chapter IX.—Emigrant-vessels.)

limits of the port of embarkation, such reasonable sum as is necessary to enable him to return to the place at which he was registered, and may take any steps which he thinks necessary for the conveyance of the emigrant to that place.

(2) Any emigrant who has been registered at any place beyond the limits of the port of embarkation, and who from his state of health is, in the opinion of the Medical Inspector of Emigrants, unfit to undertake at once the return-journey to the place at which he was registered, shall be entitled to be fed, lodged, clothed and attended to at the depôt at the expense of the Emigration Agent until he is reported by the Medical Inspector fit to undertake the return-journey.

Payment of expenses of dependents and relatives.

51. (1) When any order is made under the last foregoing section with reference to any emigrant who was registered at any place beyond the limits of the port of embarkation, any emigrant who has been registered as his dependent,

or any emigrant who, not being a dependent, is the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of the emigrant, shall be entitled—

(a) to be conveyed at the expense of the Emigration Agent with the emigrant to the place at which he was registered; and

(b) if the emigrant is unable to travel, to be lodged, fed and clothed in the depôt at the expense of the Emigration Agent until the emigrant is able to travel.

(2) The Protector of Emigrants may include any expenses incurred under this section in an order made under the last foregoing section with respect to the emigrant.

Compensation to emigrant for ill-treatment on journey.

52. If it appears that during the journey to the depôt any emigrant has suffered any ill-treatment, or that, in the case of any emigrant who has been registered at a place beyond the limits of the port of embarkation, the provisions of section forty-seven have not been complied with, the Protector of Emigrants may order the Emigration Agent to pay—

(a) to the emigrant a reasonable sum by way of compensation, and

(b) if any expenses have been incurred by or under the orders of the Protector on behalf of the emigrant by reason of the neglect to comply with the provisions of section forty-seven, to the Protector the expenses so incurred.

Power for Protector to pay and recover expenses incurred on behalf of emigrant.

53. (1) On failure of the Emigration Agent for twenty-four hours to comply with an order of the Protector for the payment of any sum to an emigrant under any of the last three foregoing sections, the Protector may pay the same to the emigrant.

(2) Every sum paid by the Protector to an emigrant under sub-section (1), and, on failure of the Emigration Agent for twenty-four hours to comply with an order for payment thereof under the last foregoing section, every sum which the Protector may have ordered the Emigration Agent to pay to him under that section, shall be recoverable from the Emigration Agent with interest thereon at the rate of six per centum per annum from the date of payment.

(3) Further proof shall not be required by any Court in any such case than that the Protector gave the Emigration Agent an order to pay the sum, and that the Emigration Agent for twenty-four hours failed to comply with the order.

CHAPTER IX.

EMIGRANT-VESSELS.

Master of emigrant-vessel to be licensed.

54. It shall not be lawful to receive any emigrant on board any vessel unless a license to carry emigrants in the vessel has been obtained from the Local Government.

Application for license.

55. (1) When the master or owner of any vessel desires to obtain a license to carry emigrants in his vessel, he shall apply in writing through the Protector of Emigrants to the Local Government for the license.

(2) The application must state the number of emigrants which, according to the rules as to space contained in this chapter, the applicant deems the vessel capable of carrying, and the tonnage and such other particulars respecting the vessel as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

Survey and licensing of vessel.

56. (1) The Protector of Emigrants shall cause the vessel to be surveyed by a competent person at the cost of the master or owner, with a view to ascertain her seaworthiness, and the extent and nature of her accommodation for emigrants, and to ascertain that she is properly ventilated, and is supplied with all the tackle, apparel and furniture requisite for her intended voyage.

(2) If the Local Government is of opinion that the vessel is in all respects suitable for the carrying of emigrants under this Act, and is properly manned and officered, it shall give to the master of the vessel a license to carry emigrants therein specifying the number of emigrants which may be received on board.

Accommodation required on board emigrant-vessel.

57. (1) A license shall not be granted under the last foregoing section unless—

(a) there is provided for the emigrants, either between-decks or, subject to the approval

Indian Emigration Act, 1883.
(Chapter X.—Embarkation and Departure.)

of the Protector of Emigrants and the Medical Inspector, in cabins on the upper deck, a space devoted to the exclusive use of the emigrants having in every part a height of not less than six feet;

(*b*) a separate place is fitted up for a hospital; and

(*c*) such arrangements are made for the separation of women (married or single) and children from the other emigrants as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

(*2*) The cabins on the upper deck provided under clause (*a*) of this section must be firmly secured and entirely covered in.

Rules as to space on board emigrant-vessel.

58. Every emigrant-vessel must contain within the space referred to in clause (*a*) of the last foregoing section at least twelve superficial feet and seventy-two cubic feet of space for each emigrant:

Provided that two emigrants under the age of ten years shall for the purposes of this section count as one only.

Provisions, clothing, fuel and water.

59. There must be on board every emigrant-vessel, at the time of departure of the vessel from the port at which they embark, provisions, clothing, fuel and water for the emigrants (over and above the supply for the master, officers and crew, and of the cabin and other passengers, if any), in such quantity and of such description and quality as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

Surgeons, attendants, medicines and stores.

60. Every emigrant-vessel must, at the time of departure of the vessel from the port at which the emigrants embark, have on board, and must carry with her, a properly qualified surgeon, and also such compounders, interpreters and attendants subordinate to the surgeon, and such medicines and other stores, in such quantity and of such quality as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

Duty of Protector and Medical Inspector with respect to enforcement of foregoing sections.

61. The Protector of Emigrants and the Medical Inspector of Emigrants shall see personally that all the provisions of the last two foregoing sections are complied with.

Bond to be executed by master of emigrant-vessel.

62. (*1*) Every master licensed under this Act shall, on the requisition of the Protector of Emigrants, and before any emigrant embarks on board his vessel, execute to the Protector, in duplicate, a bond, in such form as the Local Government, from time to time, prescribes, binding himself and the owner of the vessel in a penal sum of ten thousand rupees, to perform the duties imposed by this Act or any rule made under this Act on a master and owner respectively.

(*2*) The Protector of Emigrants shall forward one copy of the bond to such officer as may be appointed in this behalf by the Government of the country to which the emigrants are to be conveyed, or, in the case of a foreign colony, to the British Consular Agent, and the other copy to the Local Government.

CHAPTER X.

EMBARKATION AND DEPARTURE.

Time of embarkation after arrival.

63. An emigrant shall not embark, except with the permission of the Protector of Emigrants, until seven days have elapsed from the date of his arrival at the depôt.

Time at which emigrant-vessels may leave India.

64. (*1*) An emigrant-vessel shall not sail from any port in British India—

(*a*) to any country west of the Cape of Good Hope, except at such seasons as the Governor General in Council, from time to time, by rules made under this Act, prescribes as seasons during which it shall be lawful for emigrant-vessels generally, or of a class to which the vessel belongs, to sail to that country;

(*b*) to any country during any season which the Governor General in Council, from time to time, by notification in the *Gazette of India*, declares to be a season during which the sailing of emigrant-vessels to that country is prohibited.

Procedure if emigrant refuses to embark.

65. If any emigrant without sufficient cause refuses or neglects to embark when called on by the Emigration Agent to do so, it shall not be lawful to compel the emigrant to embark; but nothing in this section shall affect the civil or criminal liabilities which an emigrant incurs by reason or in respect of any such refusal or neglect.

List of, and passes for, emigrants.

66. (*1*) When any emigrants are about to embark on board any vessel, the Emigration Agent shall supply the master of the vessel with four copies of a list, specifying, as accurately as may be, the names, ages and occupations of the emigrants, and the names of their respective fathers.

(*2*) The master shall not receive any emigrant on board unless he is provided with a pass, signed by the Emigration Agent, and countersigned by the Protector, stating the name and age of the emigrant, the name of his father, and the country to which he has agreed to emigrate, and certifying that he is in a fit state of health to undertake the voyage to that country.

Indian Emigration Act, 1883.
(Chapter X.—Embarkation and Departure.)

(*3*) Every emigrant shall on embarkation deliver the pass to the master.

(*4*) The master shall compare the emigrants who embark and the passes delivered by them with the list supplied by the Emigration Agent; and, if the list appears to be correct and to correspond with the passes delivered and with the emigrants embarked, the master shall sign the four copies of the list.

(*5*) The master shall not permit any emigrant to remain on board who has not delivered up his pass to the master, or is not mentioned in the list.

Disposal of the two copies of list to be given by master to Protector.

67. (*1*) When the copies of the list have been signed, the master shall give two of the copies to the Protector of Emigrants, who shall sign them if he believes them to be correct.

(*2*) The Protector shall send one of the copies so signed by him by the vessel which carries the emigrants to such officer as may be appointed in this behalf by the Government of the country to which the emigrants have agreed to emigrate, or, in the case of a foreign colony, to the British Consular Agent, and shall file the other copy in his own office.

Disposal of the two copies of list to be given by master to Emigration Agent.

68. (*1*) The master shall give to the Emigration Agent the two remaining copies of the list.

(*2*) The Emigration Agent shall thereupon sign the copies, and shall return one of them to the master.

(*3*) The master shall, on the arrival of the vessel at the country to which the emigrants have agreed to emigrate, and before their disembarkation, deliver the copy so returned to him to such officer as may be appointed in this behalf by the Government of the country, or, in the case of a foreign colony, to the British Consular Agent.

Examination of emigrants by Medical Inspector.

69. (*1*) The Medical Inspector shall be present at the embarkation of all emigrants, and shall examine each emigrant to ascertain if he is in a fit state of health to undertake the voyage to the country to which he has agreed to emigrate; and, if he finds that he is not fit to undertake the voyage, he shall inform the Protector accordingly.

(*2*) The Protector may thereupon refuse to permit the emigrant to embark; and any emigrant, registered as a dependent of an emigrant whom the Protector has refused to permit to embark, or any emigrant who, not being a dependent, is the father, mother, wife, husband, son, daughter, brother, sister, guardian, or ward of the emigrant, may, notwithstanding anything in this Act, refuse to embark.

(*3*) The provisions of sections fifty, fifty-one and fifty-three shall apply to emigrants who under this section are not permitted to embark, and to any emigrants who under this section refuse to embark, and to the recovery of expenses incurred under this Act in respect of them.

Emigration Agent to deliver agreements to emigrate to master.

70. The Emigration Agent shall, after all the emigrants have embarked, deliver to the master all the agreements made by the Emigration Agent or under his authority with the emigrants, and delivered or sent to him under this Act; and the master shall, on arrival at the country to which the emigrants are to be conveyed, deliver these agreements to such officer as may be appointed in this behalf by the Government of the country, or, in the case of a foreign colony, to the British Consular Agent.

Certificates from Protector of Emigrants and Emigration Agent.

71. Before any emigrant-vessel clears out of any port, the master of the vessel shall obtain from the Protector of Emigrants at the port, and from the Emigration Agent for the country to which the emigrants are to be conveyed, certificates, signed by the Protector and Emigration Agent, respectively, to the effect that the Protector and Agent have, in respect of all the emigrants embarking at that port in the vessel, done all that is required by the foregoing provisions of this Act, or by the rules made under this Act, to be done on the part of the Protector and Agent, respectively, and that all the directions for the security, well-being and protection of emigrants which are contained in this Act, or in the rules made under this Act, have in the case of that vessel been complied with.

Copies of Act and rules to be kept on board.

72. The master of every emigrant-vessel shall keep on board the vessel during the whole voyage two copies of this Act and of all rules made under this Act, and two copies of a translation of this Act, and of those rules, in such language or languages as the Local Government directs, and shall, on request made at any reasonable time, produce one of those copies to any emigrant for his perusal.

Fee for each embarked emigrant.

73. For each emigrant who embarks on board an emigrant-vessel the Emigration Agent shall pay to the Protector of Emigrants a fee of such amount as the Governor General in Council, from time to time, by notification in the *Gazette of India*, prescribes:

Provided as follows:—

(*a*) the fee payable under this section shall not be more than is, in the opinion of the Governor General in Council, sufficient to raise the total income from fees under this Act to an amount which will cover the cost of any establishment or supervision which the Governor General in Council thinks necessary to provide for the control of emigration:

(*b*) if it appears to the Governor General in Council expedient to provide, in the case of any country, any special establishment or

Indian Emigration Act, 1883:
(Chapter XI.—Rules.)

expenditure for the protection of Indian emigrants to that country, the Governor General in Council may increase the fee payable in the case of emigrants to that country to an amount sufficient, in his opinion, to cover the cost of the special establishment or expenditure.

Duty of master to see to observance of Act and rules on board his vessel.

74. It shall be the duty of every master licensed under this Act to see that all the provisions of this Act and the rules made under this Act are observed on board his vessel during the voyage from British India to the country to which the emigrants are to be conveyed.

Return of pass to emigrant.

75. The master shall return his pass to each emigrant before he disembarks in the country to which he has agreed to emigrate.

Special Provisions as to Vessels sailing from Calcutta.

Emigrant-vessel sailing from Calcutta to depart within 24 hours of embarkation.

76. The master of every vessel carrying emigrants from the port of Calcutta shall proceed on his voyage and depart with his vessel from Garden Reach within twenty-four hours after the embarkation of such of the emigrants as have first embarked.

Emigrant-vessel sailing from Calcutta to be towed to sea.

77. Every sailing-vessel leaving the port of Calcutta with emigrants shall proceed from Garden Reach to sea under tow of a steamer declared to be competent by such officer as the Local Government appoints in this behalf.

Power of surgeon of emigrant-vessel leaving Calcutta to require sick emigrants to be sent to hospital.

78. (*1*) When an emigrant-vessel leaves the port of Calcutta, if during her passage down the river, and while between Garden Reach and Diamond Harbour, the disease of measles, scarlet-fever or small-pox appears on board, the master shall, if so required by the surgeon in charge of the emigrants, send to the hospital at Diamond Harbour all emigrants suffering from the disease, with any emigrants registered as their dependents, and any emigrant who, not being a dependent, is the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of any such emigrant and who wishes to accompany him or her, and shall at once inform the Protector of Emigrants at Calcutta of the number and names of the emigrants so sent to hospital.

(*2*) The provisions of sections fifty, fifty-one and fifty-three shall, so far as may be, apply to emigrants landed under this section, and to the recovery of expenses incurred in respect of them.

Power of surgeon of emigrant-vessel leaving Calcutta to require all emigrants to be landed when cholera appears.

79. (*1*) In the event of cholera in an epidemic form appearing among the emigrants on board any such vessel carrying emigrants from the port of Calcutta, the surgeon in charge of the emigrants may require the master to land all the emigrants on board the vessel at Diamond Harbour.

(*2*) The master shall at once comply with the request of the surgeon, and shall immediately give notice of his having done so to the Protector of Emigrants at Calcutta, who shall take such action thereon as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

CHAPTER XI.

RULES.

Power for Governor General in Council to make rules.

80. (*1*) The Governor General in Council may, from time to time, make rules consistent with this Act—

(*a*) to provide for the supervision and regulation of places of accommodation provided under this Act, and to define the classes of Magistrates and the officers of Police to be authorized to visit and inspect those places;

(*b*) to prescribe the form of the register required under this Act, and the particulars to be entered therein, and to regulate the control to be exercised over Registering Officers by the District Magistrate or officer (if any) appointed in this behalf under this Act;

(*c*) to prescribe the forms of the agreements to be made under this Act, and the particulars to be contained therein and the language or languages in which agreements must be expressed;

(*d*) to prescribe the conditions on which licenses for the establishment of depôts under this Act may be given, to provide for the supervision and regulation of depôts, and for the medical care of the emigrants during their residence there, and the measures to be taken on the outbreak of any epidemic or infectious disease there;

(*e*) to prescribe the forms to be supplied by Emigration Agents and recruiters for the purposes of this Act;

(*f*) to prescribe the particulars which the owner or master of a vessel applying for a license to carry emigrants in his vessel must state;

(*g*) to regulate the proportion of women to be ordinarily carried in any emigrant-vessel with male emigrants, and to prescribe the arrangements to be made for the separation of women (married or single) and children from the other emigrants on board an emigrant-vessel;

(*h*) to prescribe the description, quantity and quality of provisions, fuel and water to be taken by emigrant-vessels, the daily allowance of food and water to be issued, and the nature and amount of clothing to be supplied to each emigrant during the voyage;

(*i*) to fix the number of the compounders, interpreters and attendants subordinate to the surgeon to be carried for the care of the sick or weakly on board each emigrant-vessel;

Indian Emigration Act, 1883.
(Chapter XII.—Offences.)

(*j*) to prescribe the nature, quantity and quality of medicines and other stores to be carried on board emigrant-vessels;

(*k*) to provide for the ventilation and cleanliness of every emigrant-vessel during a voyage, and for its being furnished with a sufficient number of life-buoys, boats, water-buckets and other appliances to be used in case of shipwreck or fire;

(*l*) to prescribe the seasons at which alone emigrant-vessels or specified classes of emigrant-vessels may sail from any port in British India to any country west of the Cape of Good Hope to which emigration is for the time being lawful;

(*m*) to provide for the disposal of emigrants who may be landed under section seventy-nine;

(*n*) to provide for the medical care of the emigrants on the voyage, and to provide for the measures to be taken on the outbreak of any epidemic or infectious disease on a voyage;

(*o*) to provide for a journal being kept by the surgeon of every emigrant-vessel, recording the health of the emigrants, and his treatment of the sick, with full explanation of the causes of every death; and to define the duties and powers of the surgeon in respect of the emigrants committed to his care;

(*p*) to define and regulate the powers and duties of the several officers appointed by the Government under this Act; and

(*q*) generally to provide for the security, well-being and protection of emigrants:

Provided that the Local Government may, in special cases, notwithstanding anything contained in rules made under clause (*g*) of this section, permit an emigrant-vessel to sail though it does not carry the proportion of women required to be carried in ordinary cases.

(*2*) The power to make rules conferred by this section may be exercised at any time after the passing of this Act, but any rule made under this section shall not take effect until the Act comes into force.

Publication of drafts and rules.

81. (*1*) The Governor General in Council shall, before making rules under the last foregoing section, publish a draft of the proposed rules in such manner as may, in his opinion, be sufficient for the information of persons likely to be affected thereby.

(*2*) There shall be published with the draft a notice specifying a date at or after which the draft will be taken into consideration.

(*3*) The Governor General in Council shall receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

(*4*) Every rule made under the last foregoing section shall be published in the *Gazette of India*, and the publication in the *Gazette of India* of a rule purporting to be made under that section shall be conclusive evidence that it has been duly made.

CHAPTER XII.

OFFENCES.

Unlawful recruiting.

82. (*1*) Whoever, except in conformity with the provisions of this Act or of the rules made under this Act,—

(*a*) makes, or attempts to make, any agreement with any Native of India purporting to bind him to emigrate, or

(*b*) in consideration of any hire or reward, induces, or attempts to induce, any Native of India to leave any place for the purpose of emigrating, or otherwise acts or is employed as a recruiter of emigrants, or

(*c*) in consideration of any hire or reward, receives into or detains in any place, or, being a recruiter, in any place other than a place in which accommodation has been provided in accordance with this Act or the rules made under this Act, any person with a view to his being registered as an emigrant, or after his registration as an emigrant and before his departure for the depôt at the port of embarkation,

shall be punished with fine which may extend to five hundred rupees.

(*2*) If any person, other than a recruiter licensed under this Act, commits an offence under this section, any Police-officer may arrest him without warrant.

Recruiters removing unregistered emigrants to depôt.

83. Whoever, being a recruiter licensed under this Act,—

(*a*) removes, or attempts to remove, any intending emigrant to a depôt before he has been registered under this Act as an emigrant, or induces, or attempts to induce, him to leave the local limits of the jurisdiction of the Magistrate by whom the recruiter's license has been countersigned before he has been so registered, or aids, or attempts to aid, him in leaving any such local limits or going to any depôt before he has been so registered, or

(*b*) fails to give a true copy of the statement with which he is provided under section twenty-six to any person whom he invites to emigrate, or

(*c*) fails to provide any emigrant whom he has engaged, and who has been registered at a place beyond the limits of the port of embarkation, with suitable lodging and food, or otherwise ill-treats any emigrant on his journey to the depôt,

shall be punished with fine which may extend to five hundred rupees.

Fraudulently inducing Native to emigrate.

84. (*1*) Whoever, by means of intoxication, coercion or fraud, causes or induces, or attempts to cause or induce, any Native of India

Indian Emigration Act, 1883.
(Chapter XII.—Offences.)

to emigrate, or to enter into any agreement to emigrate, or to leave any place with a view to emigrating, shall be punished with imprisonment for a term which may extend to one year, or with fine, or with both.

False representation of Government authority.

85. Whoever, without lawful authority, issues any written order to the Police to assist himself or any other person to procure emigrants, or falsely represents that any emigrants are required by the Government or are to be engaged on behalf of the Government, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Receiving emigrants on board vessel in contravention of Act.

86. If any master of a vessel—

(*a*) knowingly receives on board his vessel any emigrant who has not complied with the provisions of this Act, or the rules made under this Act, so far as they are binding on him, or

(*b*) not being licensed under this Act, knowingly receives any emigrant on board his vessel, or

(*c*) being licensed under this Act, knowingly receives on board his vessel any emigrant in excess of the number specified in his license,

he shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees for each emigrant so received, or with both; and the vessel, her tackle, apparel and furniture, may be declared by the Court before which the master is tried to be forfeited to Her Majesty.

Fraudulent acts on part of master.

87. If any master licensed under this Act fraudulently does, or suffers to be done, any act or thing whereby the license becomes inapplicable to the altered state of the vessel or other matter to which the license relates, he shall be punished with fine which may extend to five thousand rupees;

and he may also be sued on any bond which he may have executed under section sixty-two.

Clearance without compliance with Act.

88. If any master of an emigrant-vessel clears, or attempts to clear, his vessel outwards when any of the provisions of section fifty-seven, fifty-nine or sixty have not been complied with in respect of his vessel, he shall be punished with fine which may extend to four thousand rupees.

Failure of master to comply with provisions as to lists and passes.

89. If any master receives on board his vessel any emigrants and fails to comply with the requirements of sections sixty-six, sixty-seven and sixty-eight in respect of those emigrants, he shall be punished with fine which may extend to two hundred rupees for each emigrant so received on board.

Master taking on board, after clearance, emigrants not entered in list.

90. If any master, having cleared his vessel, takes on board any emigrant not entered in the list mentioned in section sixty-six or not furnished with a pass required by that section, he shall be punished with fine which may extend to two hundred rupees for each emigrant so taken.

Master landing emigrant at other than specified country.

91. If any master lands any emigrant in any country other than the country for which he has been shipped by the Emigration Agent, he shall be punished for every emigrant so landed with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both, unless the landing has been caused by stress of weather or unavoidable accident, or has taken place under the provisions of section seventy-eight or seventy-nine.

Failure to comply with provisions as to leaving Calcutta.

92. If any master of a sailing-vessel leaving the port of Calcutta with emigrants on board—

(*a*) does not leave Garden Reach with his vessel within the time prescribed in section seventy-six, or

(*b*) without reasonable excuse, causes or allows his vessel to go below Garden Reach without being in tow of such a steamer as is referred to in section seventy-seven,

he shall be punished with fine which may extend to one thousand rupees.

Emigrant deserting or refusing to proceed to depôt.

93. (*1*) If any emigrant deserts before arrival at depôt, or refuses without reasonable cause to proceed to the depôt, he shall be punished with fine which may extend to twenty rupees, or to the cost incurred in entering into an agreement with, registering and conveying him to the depôt, whichever is greater, and, in default of payment of the fine, with imprisonment which may extend to one month.

(*2*) Any fine levied under this section may, in the discretion of the convicting Magistrate, be paid to the Emigration Agent or recruiter by whom the cost was incurred.

Emigrant deserting from depôt or failing to embark.

94. (*1*) If any emigrant—

(*a*) deserts from the depôt, or

(*b*) without reasonable cause, refuses or neglects to embark when called upon to do so by the Emigration Agent,

he shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to fifty rupees, or to double the amount of the cost incurred in entering into an agreement with, registering and conveying him to the depôt, and maintaining him therein, or with both.

(*2*) Any fine levied under this section may, in the discretion of the convicting Magistrate, be

Indian Emigration Act, 1883.
(Chapter XIII.—Supplemental.)

paid to the Emigration Agent or recruiter by whom the cost was incurred.

Causing, or permitting, embarkation of emigrant in contravention of section 63.

95. If any person causes, or if any master knowingly permits, any emigrant to embark contrary to the provisions of section sixty-three, he shall be punished with fine which may extend to two hundred rupees for each emigrant so embarked.

Institution of prosecutions.

96. (*1*) Prosecutions under sections eighty-six to ninety-five (both inclusive) shall not be instituted except as follows, namely :—

(*a*) Prosecutions under sections eighty-six to ninety-two, both inclusive, by the Emigration Agent, or by the Protector of Emigrants or by an officer appointed for the purpose by the Local Government.

(*b*) Prosecutions under section ninety-three, by or with the sanction of a Magistrate or Registering Officer or of the Protector of Emigrants at the port of embarkation.

(*c*) Prosecutions under section ninety-four, by the Emigration Agent with the sanction of the Protector.

(*d*) Prosecutions under section ninety-five, by the Protector of Emigrants or by an officer appointed for the purpose by the Local Government.

Defence to charges of desertion.

97. The following shall be good defences to charges under section ninety-three and ninety-four, respectively, namely :—

(*a*) to a charge under section ninety-three, that the accused person or other emigrants accompanying him has or have been ill treated, deceived or defrauded by the recruiter or any person under his control ;

(*b*) to a charge under section ninety-four, that the emigrant has suffered any ill-treatment or neglect in the depôt or on the journey thither.

Power for Customs-officers to search and detain for purposes of Act.

98. All the powers for the time being conferred by law on officers of sea-customs with regard to the searching and detention of vessels, or otherwise for the prevention of smuggling on board thereof, may be exercised by those officers for the prevention of offences against this Act.

CHAPTER XIII.

SUPPLEMENTAL.

Power for Local Government to appoint Magistrates for purposes of Act.

99. The Local Government may, from time to time, appoint any person, by name or by virtue of his office, to perform within a specified local area the functions of a Magistrate under this Act.

Suits against Emigration Agent for breach of duty.

100. (*1*) Whenever an Emigration Agent is chargeable with a breach of any duty to an emigrant arising from any agreement with the emigrant or imposed by this Act or the rules made under this Act, the Protector of Emigrants may, if he thinks fit, institute a suit on behalf of the emigrant against the Emigration Agent for the recovery of compensation for the breach.

(*2*) In awarding compensation under this section, all sums ordered to be paid under section fifty or section fifty-two shall be taken into consideration.

Power for Governor General in Council to determine probable lengths of voyages for purposes of Act.

101. (*1*) The Governor General in Council may, from time to time, by notification in the *Gazette of India*, determine what shall be held to be, for the purposes of this Act, the probable length of the voyages by sailing-vessels and vessels using steam-power, respectively, from any port from which, to any country to which, emigration is for the time being lawful.

(*2*) Until otherwise determined under this section, the probable length of the voyage by sailing-vessels from the ports mentioned in the third schedule hereto annexed to the countries mentioned in that schedule shall be deemed to be the lengths stated in that schedule.

Emigration to Straits Settlements and adjoining Native States.

102. (*1*) The Governor General in Council may, by notification in the *Gazette of India*, extend the Straits Settlements Emigration Act, 1877, to the whole or any part of British India.

(*2*) The Governor General in Council may also, from time to time, by a like notification, declare that all or any of the protected Native States adjoining the Straits Settlements shall, for the purposes of any law relating to emigration to those settlements, form part of those settlements.

(*3*) On and from the date of any notification published under sub-section (2), a Native of India who departs by sea out of British India under an agreement to labour for hire in the Native State or States to which the notification refers shall not be deemed to emigrate within the meaning of this Act.

Application of Act to emigration from British ports to French and Dutch colonies.

103. The provisions of this Act shall apply to emigration from British Indian ports—

(*a*) to the French colonies, under the terms of the Convention executed at Paris on the first day of July, 1861, and ratified at the same place on the 30th day of July, 1861, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the Emperor of the French ; and

(*b*) to the Netherlands colony of Dutch Guiana, under the terms of the Convention

executed at the Hague on the 8th day of September, 1870, and ratified at the same place on the 17th day of February, 1872, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the King of the Netherlands:

Provided that, in any case in which there is any conflict between the provisions of this Act and those contained in either of those Conventions, the latter shall prevail.

Application of Act to proceedings in British India connected with emigration from French ports in India to French colonies.

104. The provisions of this Act shall, so far as they relate to proceedings which are to be conducted in British India, apply, in the case of Natives of India who depart by sea from a French port in India under an agreement to labour for hire in a French colony under the Convention between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the Emperor of the French referred to in the last foregoing section, as if such Natives were emigrants within the meaning of this Act:

Provided that, in any case in which there is any conflict between the provisions of this Act and those contained in that Convention, the latter shall prevail.

Prohibition of departure by land of a Native of India under an agreement to labour for hire in some country beyond the sea.

105. (*1*) The departure by land out of British India of a Native of India under a contract to labour for hire in some country beyond the sea other than the Island of Ceylon or the Straits Settlements is prohibited:

Provided that nothing in this section applies to the departure by land—

(*a*) of a domestic servant when accompanying his employer;

(*b*) of a Native of India, for the purpose of departing by sea from a French port in India under an agreement to labour for hire in a French colony in accordance with the Convention referred to in section one hundred and two.

(*2*) Whoever induces, or attempts to induce, any Native of India to depart by land out of British India in contravention of this section shall be deemed to have committed an offence under section eighty-two.

SCHEDULE I.

(*See Section 8.*)

COUNTRIES TO WHICH EMIGRATION IS LAWFUL.

I.—The British Colonies of Mauritius, Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, Natal, St. Kitts, Nevis and Fiji.

II.—The French Colonies of Martinique, Guadeloupe and its dependencies, and Guiana.

III.—The Netherlands Colony of Dutch Guiana.

IV.—The Danish Colony of St. Croix.

SCHEDULE II.

(*See Section 21.*)

FORM OF RECRUITER'S LICENSE.

OFFICE of the Protector of Emigrants at the Port of .

A. B., described in the descriptive roll annexed, is hereby licensed under the Indian Emigration Act, 1883, to be a recruiter of emigrants for [*here state the country for which the recruiter is licensed to recruit*] in [*here specify the local area within which the recruiter is licensed to recruit*].

This license will be in force until the of , unless previously cancelled.

(*Signed*) *C. D.*,
Protector of Emigrants.

Dated the day of

Descriptive Roll.

Name.	Father's name.	Age.		Caste.	Colour.	Height.		Distinguishing marks.	Name of village, local sub-division (tahsil, taluq, &c.) and district to which he belongs.
		Years.	Months.			Feet.	Inches.		

SCHEDULE III.

(*See Section 101.*)

PROBABLE LENGTHS OF VOYAGE UNDER THIS ACT.

FROM CALCUTTA—

To Mauritius . . .	From the month of April to the month of October, both inclusive, ten weeks; and from the month of November to the month of March, both inclusive, eight weeks.

Indian Emigration Act, 1883.

(Schedule III.—Probable Lengths of Voyage under this Act.)

Destination	Length of voyage
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Dutch Guiana.	Twenty weeks.
To Natal ...	Twelve weeks.
To Fiji ...	Eighteen weeks.

FROM MADRAS—

Destination	Length of voyage
To Mauritius ...	From the month of April to the month of October, both inclusive, seven weeks; and from the month of November to the month of March, both inclusive, six weeks.
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Dutch Guiana.	Nineteen weeks.
To Natal ...	Ten weeks.
To Fiji ...	Seventeen weeks.

FROM BOMBAY—

Destination	Length of voyage
To Mauritius ...	From the month of April to the month of September, both inclusive, five weeks; and from the month of October to the month of March, both inclusive, six weeks.
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Dutch Guiana.	Nineteen weeks.
To Natal ...	Ten weeks.
To Fiji ...	Seventeen weeks.

D. FITZPATRICK,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 18th December, 1883, and is hereby promulgated for general information :—

ACT No. XXII OF 1883.

THE RANGOON TRAMWAYS ACT, 1883.

CONTENTS.

An Act to authorize the making, and to regulate the working, of Street Tramways in Rangoon.

WHEREAS the Municipal Committee of the town of Rangoon, by an agreement dated the 22nd day of June, 1882, a copy whereof is set forth in the schedule annexed to this Act, granted, for the considerations therein expressed, to John William Darwood, his heirs, executors, administrators and assigns, hereinafter called the Grantee, the right to construct, maintain and use a tramway or tramways in Rangoon upon the terms, subject to the conditions and in the manner mentioned in the said agreement, but the said agreement was made subject to the confirmation thereof by the Chief Commissioner of British Burma and to the recognition thereof by an Act of the Governor General in Council;

and whereas the said agreement was, on the 13th day of November, 1882, confirmed by the Chief Commissioner of British Burma; and it is now expedient to recognise it and give effect to it, subject to the provisions and limitations hereinafter contained; It is hereby enacted as follows:—

A.—Preliminary.

Short title. Commencement.

1. This Act may be called the Rangoon Tramways Act, 1883; and it shall come into force at once.

Definitions.

2. In this Act, unless there is something repugnant in the subject or context,—

"Committee" means the Committee for the town of Rangoon appointed under the British Burma Municipal Act, 1874: VII of 1874.

"tramway" means a tramway, or any part of a tramway, or any siding, turnout, connection, line or track belonging to a tramway:

"street" means the way of any street, road, thoroughfare, passage or place along or across which any tramway authorized by this Act is or is intended to be laid, and includes the surface-soil and sub-soil of any such street, and the foot-way and drains of any such street, and any bridge, culvert or causeway forming part of any such street.

B.—Powers of Grantee generally.

Powers to make, maintain and use tramways.

3. Subject to the provisions of this Act, and to the terms and conditions of the said agreement so far as the same are not inconsistent with this Act, the Grantee may make, maintain and use any of the tramways for the construction, maintenance and use of which provision is made in the said agreement:

Provided that any such tramway shall not be opened for public traffic until it has been inspected and certified by the engineer to the Committee to be fit for such traffic.

C.—Construction and Maintenance of Tramways and of Streets on which they are laid.

Power to Grantee to break up streets and lay rails, &c.

4. Subject to the terms and conditions of the said agreement, the Grantee may, from time to time, for the purpose of constructing, maintaining or renewing any tramway under this Act, open or break up any street, and therein or thereon lay sleepers and rails, and repair, alter or remove the same; and may, for the purposes aforesaid, do in and on any such street all other acts which may, from time to time, be necessary for constructing, maintaining or renewing the tramway:

Provided that he shall not, without the consent of the Committee, open or break up at any one time a greater length than one hundred yards of any street which does not exceed a quarter of a mile in length; and, in the case of any street exceeding a quarter of a mile in length, he shall leave an interval of at least a quarter of a mile between any two places at which he may open or break up the street, and shall not open or break up at any such place a greater length than one hundred yards.

Grantee to keep tramways and adjoining part of street in repair.

5. The Grantee shall, at his own expense, at all times maintain and keep in good condition and repair, in such manner as the Committee from time to time direct, all tramways constructed by him under this Act, and so much of any street as lies between the rails of any such tramway; and, in the case of double lines or turn-outs or sidings, the portion of the road between the tramways, and in every case so much of the road as extends eighteen inches beyond the rails of and on each side of any such tramway.

Obligations of Grantee when he has broken up street.

6. When the Grantee has, for the purposes of section 4 or section 5, opened or broken up any portion of a street, he shall be under the following further obligations, namely:—

(*a*) he shall, with all convenient speed, and in all cases within six weeks at the most, unless the Committee otherwise consent in writing, complete the work for which the street has been opened or broken up, fill in the ground and make good the surface, and, to the satisfaction of the Committee, restore the street to as good a condition as that in which it was before it was opened or broken up, and clear away all surplus materials or rubbish occasioned thereby;

(*b*) he shall, in the meantime, cause the place where the street is opened or broken up to be fenced and watched, and to be properly lighted at night, and

(*c*) he shall make good all damage done to drains, sewers, water-pipes and gas-pipes, and to the wires or other materials or things used for any system of lighting, and whether belonging to the Committee, to the Government or to private persons, and shall make compensation for any other damage done in the execution of the powers granted to him.

Reservation of power of Committee and Government over streets.

7. (*1*) Nothing in this Act shall prevent the Committee or any Government officers from opening, breaking up, widening, altering, diverting or improving any street traversed by a tramway for the purposes for which they might otherwise under the law for the time being in force lawfully open, break up, widen, alter, divert or improve such street:

Provided that—

(*a*) they shall cause as little detriment or inconvenience to the Grantee as circumstances admit, and

(*b*) before they commence any work whereby the traffic on the tramway will be interrupted, they shall (except in cases of urgency, in which cases no notice shall be necessary) give to the Grantee not less than eighteen hours previous notice of their intention to commence the work, specifying the time at which they will commence it.

(*2*) The Committee or officers aforesaid or the Secretary of State for India in Council shall not be liable to pay to the Grantee any compensation for injury done to the tramway by the execution of any work referred to in sub-section (*1*), or for loss of traffic occasioned by the reasonable use of any power lawfully exercised in connection with the same.

D.—Rights over Tramways and Streets on which they are laid.

Grantee's exclusive right over tramways.

8. The Grantee shall, subject to the provisions of this Act and to the terms and conditions of the said agreement, have the exclusive use of his tramways for carriages with flange wheels or other wheels suitable only to run on a grooved rail:

Provided that nothing in this Act shall affect—

(*a*) the right of the public to pass along or across any part of any road along or across which any tramway is laid, whether on or off the tramway, with carriages not having flange wheels or wheels suitable to run on a grooved rail, or

(*b*) the right of the Commissioners for the port of Rangoon, or of any other body or person entitled at the time of the commencement of this Act to work and main-

tain a tramway, to pass across any tramway constructed under this Act with carriages having flange wheels or wheels suitable to run on a grooved rail.

Grantee to have right of user only.

9. Notwithstanding anything in this Act or in the said agreement, the Grantee shall not acquire any right other than that of user over any street along or across which he lays any tramway.

Power of Committee and Government officers to regulate traffic on streets.

10. Nothing in this Act shall affect the powers of the Committee or of any Government officers to regulate the passage of any traffic along or across any street along or across which any tramway is laid down, and the Committee or officers aforesaid may exercise their authority as well on as off the tramway, and with respect as well to the traffic of the Grantee as to the traffic of other persons.

E.—Traffic on Tramways.

Rates of fares and charges.

11. The Grantee may, from time to time, by a notice published in such languages and in such manner as the Chief Commissioner may prescribe, fix the rates of fares and charges for carrying passengers and goods in his carriages:

Provided that the rates of passenger fares shall not exceed one anna per mile for each passenger in the lower class and two annas per mile for each passenger in the higher or first class.

Mode of payment of fares and charges.

12. The fares and charges by this Act authorized shall be paid to such persons, at such places upon or near to the tramways, and in such manner and under such regulations as the Grantee may, by a notice published as aforesaid, from time to time prescribe.

Carriage of dangerous or offensive goods.

13. (*1*) No person shall be entitled to carry or to require to be carried on any tramway constructed under this Act any goods of a dangerous or offensive nature.

(*2*) Every person taking such goods with him on any such tramway shall, before entering the carriage, give notice of their nature to the servant of the Grantee in charge of the carriage.

(*3*) Every person sending such goods by any such tramway shall distinctly mark their nature on the outside of the package containing them, or otherwise give notice thereof in writing to the book-keeper or other servant of the Grantee with whom they are left at the time of such sending.

(*4*) The Grantee may refuse to take any parcel which he may suspect to contain goods of a dangerous or offensive nature, or require it to be opened to ascertain the fact.

F.—Offences and Penalties.

Penalty for failure of Grantee to comply with certain provisions of Act and agreement.

14. If the Grantee—

(*a*) constructs or maintains any tramway, or runs any car or carriage thereon, otherwise than in accordance with the said agreement;

(*b*) opens any tramway for traffic before it has been inspected and certified in manner required by section 3;

(*c*) opens or breaks up any street otherwise than as permitted by this Act, or having opened or broken up a street fails to discharge any of the obligations imposed on him by section 6, clauses (*a*) and (*b*); or

(*d*) fails to keep the rails of any tramway and the portions of the street adjoining the same in repair as required by section 5—

he shall (without prejudice to the enforcement of specific performance of the requirements of this Act or of the said agreement or to any other remedy against him), on complaint of the Committee or of any person injuriously affected thereby, be punished with fine which may extend to two hundred rupees, and in the case of a continuing offence to a further fine which may extend to fifty rupees for each day after the first day during which the offence continues to be committed.

Penalty for obstructing Grantee in the exercise of his powers.

15. Any person who without lawful excuse (the proof whereof shall lie on him) wilfully obstructs any person acting under the authority of the Grantee in the lawful exercise of his powers in constructing, repairing or renewing a tramway, or injures or destroys any mark made for the purpose of setting out the line of the tramway, shall be punished with fine which may extend to fifty rupees.

Penalty for interfering with tramway.

16. Any person who without lawful excuse (the proof whereof shall lie on him) wilfully does any of the following things, namely:—

(*a*) interferes with, removes or alters any part of a tramway constructed under this Act, or of the works connected therewith;

(*b*) does anything in such a manner as to obstruct any carriage using any such tramway; or

(*c*) abets within the meaning of the Indian Penal Code the doing of anything mentioned in clause (*a*) or clause (*b*),—

shall be punished with fine which may extend to one hundred rupees.

Penalty for taking or sending dangerous or offensive goods without giving notice.

17. Any person taking or sending by any tramway any goods of a dangerous or offensive nature without giving the notice required by section 13 shall be punished with fine which may extend to fifty rupees.

Penalty for avoiding payment of proper fare.

18. If any person travelling or having travelled in any carriage of the Grantee avoids or attempts to avoid payment of his fare, or if any person having paid his fare for a certain distance wilfully proceeds in any such carriage beyond that distance and does not pay the additional fare for the additional distance or attempts to avoid payment thereof, or if any person wilfully refuses or neglects on arriving at the point to which he has paid his fare to quit the carriage, he shall be punished with fine which may extend to ten rupees.

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19. Any servant of the Grantee, and any person called in by him for his assistance, may arrest and take to the nearest police-station any person who is discovered either in or after committing or attempting to commit an offence punishable under section 18 and whose name and residence are refused by him and are unknown to such servant or person, and the police-officer in charge of the police-station, on receiving a complaint that such an offence has been committed, shall adopt such legal measures as may be necessary to cause the accused person to be taken before a Magistrate with the least possible delay.

Power of servant of Grantee to arrest persons avoiding payment of fare.

G.—Powers to make Rules.

20. (*1*) The Committee in special meeting may, with the sanction of the Chief Commissioner, from time to time, make such rules consistent with this Act as to the rate of speed, number of passengers and mode of use of the tramways; and as to the licensing and control of drivers, conductors and other persons having charge of the carriages of the Grantee, as the convenience and safety of the public may, in the opinion of the Committee, require.

Powers to make rules.

(*2*) The Grantee may, with the like sanction, from time to time, make rules consistent with this Act for preventing the commission of any nuisance in or upon any carriage, or in or against any premises belonging to him, and

for regulating the travelling in any carriage belonging to him.

(*3*) The authority making any rule under this section may prescribe as a punishment for the breach of it a fine which may extend to twenty rupees.

(*4*) All rules made under this section shall be published in the *British Burma Gazette.*

H.—Miscellaneous

21. For the purpose of clause 15 of the agreement set forth in the schedule annexed to this Act, the want of sufficient funds shall not be deemed to be a circumstance beyond the control of the Grantee.

Construction of clause 15 of agreement.

22. The plant, rolling-stock and other vehicles, yards, workshops, engine-sheds and depôts of the Grantee shall, for a period of five years from the passing of this Act, be exempt from all municipal taxation except such lighting and water-rates as may, from time to time, be payable in respect of the yards, workshops, engine-sheds and depôts.

Exemption from certain municipal taxation.

23. Nothing in this Act shall exempt the Grantee or any tramway constructed by him under this Act from the provisions of any general enactment relating to tramways now in force or which may hereafter be passed.

Provisions as to general Acts.

And whereas the agreement set forth in the schedule annexed to this Act was executed by the parties thereto under a belief that all the streets specified in the first article thereof as streets along which the construction of tramways was authorized were situate within the Municipality of Rangoon, and it now appears that some portion of those streets is not so situate; It is hereby enacted as follows:—

24. All streets specified in the first article of the said agreement as streets along which the construction of tramways is authorized shall, for the purposes of the agreement and of this Act, be deemed to be, and to have been, on and from the date of the agreement, situate within the limits of the Municipality of Rangoon.

Certain streets to be deemed within the Municipality.

SCHEDULE.

ARTICLES OF AGREEMENT made this 22nd day of June, 1882, BETWEEN THE MUNICIPAL COMMITTEE OF THE CITY OF RANGOON appointed under the British Burma Municipal Act, 1874, hereinafter called the said Committee, of the one part, and JOHN WILLIAM DARWOOD, of Rangoon, hereinafter called the said Grantee, of the other part. WHEREAS the said Committee have, subject to the confirmation thereof by the Chief Commissioner of British Burma and to the recognition of this agreement by an Act of the Governor General of India in Council, agreed to grant to the said Grantee the right to construct, maintain and use a tramway or tramways in Rangoon upon the terms and conditions hereinafter contained, NOW THESE PRESENTS WITNESS that, in consideration of the covenants and agreements hereinafter contained, and on the part of the said Committee to be performed, the said Grantee for himself, his heirs, executors, administrators and assigns doth covenant with the said Committee, so far as the covenants and conditions hereinafter contained are to be performed by the said Grantee and his heirs, executors, administrators and assigns, and the said Committee, for and in consideration of the convenants and agreements hereinafter contained and on the part of the said Grantee, his heirs, executors, administrators and assigns to be performed, do hereby covenant with the said Grantee, his heirs, executors, administrators and assigns so far as the covenants and agreements hereinafter contained are to be performed by the said Committee in manner following, that is to say:—

VII of 1874.

1. The said Committee grant to the said Grantee and his heirs, executors, administrators and assigns, all which persons are hereinafter included in the words "the said Grantee," the right to construct, maintain and use a tramway or tramways, with single or double tracks or lines, and with all necessary sidings, turnouts, connections and lines, or tracks of whatever nature which may be required to connect the said tramway or tramways with the depôts of the said Grantee (but in the case of sidings and turnouts, only in such places as the said Committee may sanction), on the following

routes and between such other places and by such other routes as may be hereafter approved of by the said Committee:—

The tramways referred to and now authorized for construction, subject to such confirmation as aforesaid, are:—

(i) A tramway with a double track or line along China Street and Pagoda Road from the Strand Road at its junction with China Street to the Shway Dagone Pagoda.

(ii) A tramway with a double track or line along the Strand Road from East Street to West Street.

(iii) A tramway with a double track or line along Dalhousie Street from East Street to the junction of Dalhousie Street with the Strand Road.

(iv) A tramway with a double track or line along Soolay Pagoda Road from the Strand Road to Montgomery Street and along Montgomery Street to the Phayre Street Railway Station and along Montgomery Road to the iron bridge near the bázár at Poozoondoung.

(v) A tramway with a double track or line from the Strand Road down Barr Street to Shafraz Road round the Public Buildings back into the Strand Road.

2. When approved of and desired by the said Committee, tramways with such tracks or lines as may be approved of by the said Committee from East Street to Monkey Point and along the Upper and Lower Poozoondoung Roads to Monkey Point, and along Merchant Street, Fraser Street and Canal Street, and along Lower Kemmendine Road from the Strand Road, Kemmendine, to the junction of West Street with the Strand Road.

3. The said tramway or tramways to be constructed and maintained in such form and manner and upon such gradient and with such gauge as the said Committee may approve, and the cars and carriages intended to run on the said rails shall be such as are approved of by the said Committee.

4. The cars and carriages of the Grantee on the tracks or lines of the said tramway shall, unless with the consent of the said Committee, be worked with steam power of the most approved engine of the time only, and the said Committee shall have power at all times to make such regulations as to the rate of speed and mode and use of the said tracks or lines as the convenience and safety of the public using the streets may require.

5. The said Grantee shall have power from time to time to fix the rate of fares for carrying persons and goods in the cars or carriages to be run on the said tramway or tramways: provided that the rates of fares shall for any distance not exceed the rate of one anna per mile for the lower class and two annas per mile for the higher or first class for each passenger.

6. The said Grantee may, for the purpose of constructing and maintaining such tramways under such superintendence as is hereinafter specified open and break up the soil and metalled way of the several streets, roads and bridges in the city and thereon lay sleepers and rails, and from time to time repair, alter or remove the same, and may, for the purposes aforesaid, remove and use all earth and materials in such streets, roads and bridges, and the said Grantee may, in and on such streets, roads and bridges, do all other acts which he shall from time to time deem necessary for constructing and maintaining street tramways in the said city, doing as little damage as may be in the execution of the powers hereby granted, and shall make good all damage done to drains, sewers, water and gas-pipes, or to the wires or other materials or things used for any other system of lighting, and whether belonging to the said municipality or to private individuals, and shall make compensation for any other damage done in the execution of such powers.

7. Before the said Grantee proceeds to open or break up any street, road or bridge other than those referred to in sub-clauses from (i) to (v) in clause 1, he shall obtain the approval in writing of the said Committee to the tracks or lines of the said tramway being laid down on the said streets, roads or bridges, and the said Grantee, before opening or breaking up any street, road or bridge, shall give to the said Committee or their Executive Engineer, or other municipal officer duly appointed for that purpose, notice in writing of his intention to open or break up the same not less than three clear days before beginning such work, except in such cases of emergency arising from defects in any of the rails or other work, and then so soon as is possible after the beginning of the work or the necessity for the same shall have arisen.

8. No street, road or bridge shall, except in cases of emergency as aforesaid, be opened or broken up, except under the superintendence of the said Committee or of their Executive Engineer, or of some other municipal officer duly appointed for that purpose, and according to such plans as shall be approved of by him or them: provided always that, if the said Committee or their Engineer or other such officer as aforesaid fail to attend at the time fixed for the opening of any such street, road or bridge after having had such notice of the said Grantee's intention as aforesaid, or shall not propose any plan for breaking up or opening the same, or shall refuse or neglect to superintend the operation, the said Grantee may perform the work specified in such notice without such superintendence as aforesaid.

9. When the said Grantee opens or breaks up the roadway or pavement of any street, road or bridge, he shall with all convenient speed complete the work for which the same shall be broken up, and fill in the ground and make good the roadway or pavement so opened or broken up as aforesaid, and carry away the rubbish occasioned thereby and deposit the same for the use of the said Committee at such place as the Executive Engineer of the said municipality shall direct, and shall at all

times, whilst any such roadway or pavement shall be so opened or broken up, cause the same to be guarded, and shall cause a light sufficient for the warning of passengers to be set up and maintained against or near such roadway or pavement where the same shall be open or broken up every night during which the same shall continue open or broken up.

10. If the said Grantee opens or breaks up any street, road or bridge without giving such notice as hereinbefore mentioned, or in a manner different from that which shall have been approved of or determined as aforesaid, except in the cases in which the said Grantee is hereby authorized to perform such work without any superintendence or notice, or if the said Grantee shall make any unnecessary delay in completing any such work or in filling in the ground or reinstating and making good, so far as is consistent with the existence of the said tramway, the roadway or pavement so opened or broken up, or in carrying away the rubbish occasioned thereby, or if he neglect to cause the place where such roadway or pavement has been broken up to be guarded and lighted, he shall forfeit to the said Committee a sum not exceeding fifty (50) rupees for every such offence, and he shall forfeit an additional sum not exceeding fifty (50) rupees for each day during which any such delay or neglect as aforesaid shall continue after he shall have received notice thereof.

11. The said Grantee shall maintain and keep in repair such portion of the streets, roads and bridges in the city of Rangoon as shall be occupied by his tracks or lines, including therein, not only the space between his tracks or lines, but a space eighteen inches on either side thereof, and in consideration of the maintenance of such streets, roads and bridges as aforesaid, and of the yearly rent hereinafter mentioned to be paid by the Grantee, the plant, rolling-stock and other vehicles, yards, workshops, engine-sheds and depôts of the said Grantee shall be exempt from municipal taxation for a period of five years, except lighting and water-rates for such yards, workshops, engine-sheds and depôts.

12. The said Grantee shall be liable for any loss, damage or injuries that any person or persons may sustain by reason of any defect or want of repairs in any of the plant, rolling-stock or other properties of the said Grantee, or by reason of any carelessness, neglect or misconduct of his agents or servants in the management, construction or use of the said tramways or any portion thereof, or in the exercise of the power given by clauses 6, 7, 8, and 11; the same shall be made good by the said Grantee, and in the event of any suit being instituted against the said Committee in respect of any of the matters hereinbefore mentioned the said Grantee shall, within fourteen days from the receipt of a notice thereof from the said Committee, settle the same; but if the said Grantee choose to defend such suit he shall be at liberty to do so upon his undertaking to indemnify the said Committee against all losses, damages and expenses in respect thereof: provided always that, if the said Grantee fail to settle such suit or to indemnify the said Committee as is hereinbefore provided, it shall be lawful for the said Committee to settle the same without any consent or concurrence on the part of the said Grantee, and the sums which they shall have to pay in making such settlement, together with interest thereon at the rate of 8 per cent. per annum from the date of payment, and with all expenses which they may be put to, shall be recoverable as a debt from the said Grantee.

13. Nothing in this agreement shall be construed to prevent the said Committee from taking up any of the public streets or roads traversed by the said tramway for the purposes for which the said Committee may lawfully take up the same, and the said Grantee shall have no right to claim cost from the said Committee for obstructing the tramway or causing delay in the traffic so long as the delay shall not be unreasonable for the work to be performed.

14. If the said Committee shall hereafter alter the level of any street, road or bridge along or across which any tramway by this agreement authorized is laid or authorized to be laid, the Grantee shall alter or (as the case may be) lay his rails to suit the altered level of such street, road or bridge: provided always that any such alteration as aforesaid shall be so made as to interfere as little as possible with the safe and convenient working of the said tramways, and in any case so as not to stop or prevent the free use or working thereof.

15. If at any time after the opening of any tramway for traffic the said Grantee shall discontinue the working of such tramway or any part thereof for the space of six calendar months (such discontinuance not being occasioned by circumstances beyond the control of the said Grantee), it shall be lawful for the said Committee, without any previous notice to the said Grantee, to remove the tramway or part of the tramway so discontinued, and the said Grantee shall pay to the said Committee the cost of such removal and of the making good of the street, road or bridge, and the certificate of the said Committee or of their Engineer as to such cost shall be conclusive.

16. The provisions of this agreement shall remain and be in force for a term not less than twenty-one (21) years from the date thereof. The said Committee shall have the right of purchasing the said tramways, with the plant, stores, rolling-stock, sheds, depôts and yards, and everything connected therewith, after the expiration of the said twenty-one (21) years upon declaring its intention so to do within six months after the expiration of the said twenty-one (21) years; the amount to be paid in the event of such purchase shall be the actual *bonâ fide* value at the termination of this agreement, exclusive of any compensation for goodwill, premium on compulsory sale or other consideration whatever of the tramways and of the work and materials connected therewith, and of the lands and buildings and all the other property of the Grantee, such value to be decided by mutual agreement or by arbitration as hereinafter provided.

17. The provisions hereinbefore contained shall, so far as applicable, apply to all tramways to be constructed by the said Grantee by any route or routes to be hereafter sanctioned by the said Committee, and to the works connected with or incidental to such tramways, it being agreed that in the event of the municipality failing to declare its intention as above provided to purchase the property of the said Grantee the terms of this contract shall continue in force during the period of six months from the date of the determination of

these presents and for a further period of six months, and if the said Committee shall not within that time exercise the option of purchase hereby given, the said Committee and the said Grantee shall enter into a fresh agreement.

18. The said Grantee will, if required by the said Committee, before opening up the roadway of any street, road or bridge, deposit with the Bank of Bengal in the name of the said Committee the sum of rupees five thousand (5,000) or, in their option, promissory notes of the Government of India of the nominal value of rupees five thousand (5,000), and the same will remain so deposited until the completion by the said Grantee of the above mentioned lines of tramway herein sanctioned for construction. All interest accruing on the said sum, or the said notes, shall be credited to the said Grantee, and, subject as next hereinafter mentioned, be paid to him as the same accrues due. The said Committee shall be entitled to deduct all fines recoverable by the said Committee and all monies to which they may be entitled under any clause or clauses of these presents out of the sum so deposited, or the interest accruing on the said sum or notes, or out of the proceeds of sale of a portion of the said notes on completion of the tramways herein sanctioned for immediate construction.

19. In consideration of the concession herein granted, the said Grantee undertakes on behalf of himself, his heirs, executors, administrators and assigns that he will pay to the said Committee a yearly rent of rupees three thousand (3,000) per mile of double track or line and rupees two thousand (2,000) per mile of single track or line, payable half-yearly; the date on which such rent on each line of tramway shall begin to accrue shall be the date on which such line of tramways is open for public traffic.

20. It is agreed that the tramway or tramways from the Strand Road along Barr Street and Shafraz Road round the Public Buildings and back to the Strand Road should not be included, and that no sidings, turnouts or tracks necessary to connect the traffic lines with the carriage-sheds engine-sheds, factories, depôts, yards or other property or properties of the said Grantee shall be included in the mileage on which rent is to be paid, the tramway or tramways more particularly described in this paragraph, and such sidings, turnouts and necessary connecting tracks or lines, being free of rent.

21. The sleepers, rails, materials and implements and other erections placed and erected by the said Grantee on the streets, bridges or roads under the powers hereby granted shall be and remain the property of the said Grantee, and the said Grantee shall have the exclusive use of his tramway or tramways for carriages with flanged wheels or other wheels suitable only to run on the prescribed rail.

22. The prescribed rail is that known as the box-rail introduced by Mr. Robinson Souttar, to be made of Bessemer steel of the weight of sixty pounds to the yard, or such other rail of such weight as may be approved by the said Committee.

23. The said Grantee shall have the exclusive right of laying and using tramways within the limit of the Rangoon Municipality on the term herein stated; but in the event of the said Grantee refusing to lay down any line when the said Committee may consider it necessary, the said Committee shall be at liberty to grant the right of laying and using such line to any other party.

24. Unless the said Grantee shall have commenced the work of laying down the said tramways within twelve months from the date of the execution of these articles of agreement, the said Committee shall be at liberty to cease and determine this contract and to enter into arrangements with any other person or persons for the construction of tramways; it being agreed, however, that these conditions of contract are subject to the sanction of Government, and that, in the event of their being executed prior to such sanction being given, the said 12 months shall date from the day on which notice of such sanction is given to the said Grantee: provided also that any delay in commencing the work beyond 12 months shall not have been due to any cause beyond the control of the said Grantee.

25. If any doubt, difference or dispute shall arise between the said Grantee and the said Committee touching the construction of these presents or anything herein contained, or touching or concerning any other matter or thing relating to these presents, then and in every such case such doubt, difference or dispute shall be referred to the arbitration of two persons, one to be chosen by the said Grantee and the other by the said Committee within one calendar month after either of them shall have made to the other a requisition to that effect, and should the arbitrators fail to agree they shall refer the question or questions at issue to the decision of an umpire to be chosen by the said arbitrators, and the decision of such arbitrators if they agree, or of such umpire if they disagree, shall be final; and in case either party shall neglect or refuse to appoint an arbitrator within the specified time, the arbitrator appointed by the other party shall make a decision alone, and the decision of such arbitrators, umpire or arbitrator, as the case may be, shall be effectual and binding upon both parties.

26. The said Grantee is to be at liberty to form a Company or Limited Liability Company for the purpose of constructing, maintaining and working the tramways authorized by or hereafter to be authorized under the terms of this agreement. The words "the said Grantee" used in this agreement shall include such Company or Limited Liability Company so formed as aforesaid.

27. The words "the said Committee" used in this agreement shall include the present Committee and their successors, and also persons empowered by the said Committee or their successors or by other duly constituted authority to do any act or thing or exercise any powers or authorities which the said Committee are hereinbefore authorized or empowered to do or exercise.

D. FITZPATRICK,

Secretary to the Government of India.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 22, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th December, 1883:—

No. 24 OF 1883.

A Bill to repeal Bengal Regulation XIX of 1810 within the territories administered by the Lieutenant-Governor of the North-Western Provinces.

WHEREAS the provisions of Bengal Regulation XIX of 1810 (*for the due appropriation of the rents and produce of lands granted for the support of mosques, Hindu temples, colleges and other purposes; for the maintenance and repair of bridges, serdis, kattras and other public buildings; and for the custody and disposal of nazúl property or escheats,*) are, in so far as they are still in force within the territories administered by the Lieutenant-Governor of the North-Western Provinces, either obsolete or unnecessary, and it is therefore expedient entirely to repeal the Regulation within those territories; It is hereby enacted as follows:—

Repeal of Bengal Regulation XIX of 1810 in the North-Western Provinces.

1. Bengal Regulation XIX of 1810 is hereby repealed within the territories administered by the Lieutenant-Governor of the North-Western Provinces.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill, which has been prepared on the recommendation of the Local Government, is to repeal Bengal Regulation XIX of 1810 (*for the due appropriation of the rents and produce of lands granted for the support of mosques, Hindu temples, colleges, and other purposes; for the maintenance and repair of bridges, serdis, kattras, and other public buildings; and for the custody and disposal of nazúl property or escheats*) within the territories administered by the Lieutenant-Governor of the North-Western Provinces. So far as the Regulation vests the superintendence of serdis in the Board of Revenue, it is at variance with the existing practice, as serdis are now managed in the North-Western Provinces entirely by the executive authorities under the immediate orders of the Government, and the Local Government reports that the other provisions of the Regulation, which provide for the management of lands granted as charitable and educational endowments and the superintendence of escheats, are not required for the territories under its administration.

Though the Regulation, in so far as it relates to serdis, is obsolete also in the Lower Provinces, it is still in active operation in those Provinces with regard to a few trusts and small endowments administered by the Board of Revenue, and still governs the procedure there with regard to escheats. Under these circumstances it has been considered best to confine the Bill to the North-Western Provinces and leave it to the Bengal Legislature to legislate for the Lower Provinces if it thinks necessary.

C. P. ILBERT.

The 7th December, 1883.

D. FITZPATRICK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th December, 1883, and was referred to a Select Committee:—

No. 25 OF 1883.

A Bill to amend the Burma Courts Act, 1875.

WHEREAS it is expedient to amend the Burma Courts Act, 1875; It is hereby enacted as follows:— I of 1875.

Short title. Commencement.

1. (*1*) This Act may be called the Burma Courts Act, 1883; and

(*2*) It shall come into force at once.

Definition of "section."

2. In this Act, unless there is something repugnant in the subject or context, "section" means a section of the Burma Courts Act, 1875. II of 1875.

Alteration of names of certain Courts.

3. (*1*) In section 6, in clause (*a*), for the words "Extra Assistant Commissioner of the third class" the word "Myo-ôk" shall be substituted, and in clause (*b*) the words "of the second class, the Extra Assistant Commissioner of the first class" shall be omitted.

(*2*) In the table subjoined to section 12, in clause (*a*), for the words "Extra Assistant Commissioner of the third class" the word "Myo-ôk" shall be substituted, and in clause (*b*), the words "of the second class, the Court of the Extra Assistant Commissioner of the first class" shall be omitted.

(*3*) In section 13, the words "of the first or second class" shall be omitted.

(*4*) The substitutions and omissions made by this section shall be deemed to have been made from the thirty-first day of March, 1882.

Substitution of new section for section 8.

4. For section 8 the following section shall be substituted:—

"8. The Governor General in Council and the Chief Commissioner may, respectively, from time to time, vary the number of Courts mentioned in section six, in clauses (*c*), (*d*), (*e*) and (*f*), and in clauses (*a*) and (*b*)."

Substitution of new section for section 9.

5. For section 9 the following section shall be substituted:—

"9. The Chief Commissioner may, from time to time, vary the local limits of the jurisdiction of any Court mentioned in section six, clauses (*a*) and (*b*), and, with the previous sanction of the Governor General in Council, of any Court mentioned in section six, clauses (*c*), (*d*), (*e*) and (*f*)."

Insertion of section after section 9.

6. After section 9 the following section shall be inserted, namely:—

Validation of certain proceedings already taken.

"9A. Any order heretofore passed, or decree made or proceeding taken by any Civil Court in British Burma acting as if it had the jurisdiction of a Court mentioned in section six, clause (*a*) or clause (*b*), shall not be invalid merely because the Court was established by the Chief Commissioner instead of by the Governor General in Council or because the local limits of its jurisdiction were varied by the Chief Commissioner without the previous sanction of the Governor General in Council."

Amendment of section 23.

7. In section 23 the following amendments shall be made, namely:—

(*a*) after the word "Commissioner" each time it occurs, the words "or Deputy Commissioner,"

(*b*) after the words "Judicial Commissioner" the first time they occur, the words "or Commissioner respectively," and

(*c*) after the words "Judicial Commissioner," the second time they occur, the words "or Commissioner,"

shall be respectively inserted.

Insertion of section after section 23.

8. After section 23 the following section shall be inserted, namely:—

Power for Chief Commissioner to invest Assistant Commissioners with appellate powers.

"23A. The Chief Commissioner may invest any Assistant Commissioner with power to hear appeals from decrees and orders in original suits and proceedings of any Court mentioned in section six, clause (*a*) or (*b*).

"The Chief Commissioner may withdraw the power with which any Assistant Commissioner has been invested under this section."

Substitution of new section for section 38.

9. For section 38 the following section shall be substituted, namely:—

Appointment of officers.

"38. The presiding officer of the Court of the Judicial Commissioner shall be appointed by the Governor General in Council.

"The presiding officers of all the other Courts mentioned in section six may be appointed and may be removed by the Chief Commissioner."

STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to make certain amendments in the Burma Courts Act, 1875 (XVII of 1875), which experience has shown to be required.

2. In the Act as it at present stands the presiding officers of the Courts of the lowest grades are termed Extra Assistant Commissioners of the 1st, 2nd and 3rd class respectively. In 1882 the Subordinate Executive and Judicial Service in British Burma was reorganized, and the designations of the service were changed. The term Extra Assistant Commissioner was restricted to Extra Assistant Commissioners of the 1st and 2nd classes under the old system; and Extra Assistant Commissioners of the 3rd class were styled Myo-ôks. The result is that the present designations of the Subordinate Judicial Officers do not correspond with the designations given to the Subordinate Civil Courts by the Act. This difficulty has hitherto been ignored. Now, however, the Judicial Commissioner, Mr. Jardine, is of opinion that, as the law stands, the nomenclature used in the Courts Act should be adhered to as regards all officers of the Subordinate Judicial Service appointed to preside in Civil Courts. He advises the Chief Commissioner that questions of jurisdiction may arise and may cause inconvenience and loss to suitors; and he reports that a case of the kind has already occurred. This being the view taken by the Judge of the highest Appellate Court, the Chief Commissioner has addressed the Government of India on the subject. He wishes that all doubt on the point should be removed by substituting the words "Extra Assistant Commissioner" for the words "Extra Assistant Commissioner of the 1st and 2nd class," and the word "Myo-ôk" for the words "Extra Assistant Commissioner of the 3rd class" wherever they occur in the Courts Act. With this view section 3 of the Bill has been drafted. It gives the amendments made by the section retrospective effect from the 1st April, 1882, the date of the re-organization of the Subordinate Service.

3. Further difficulties have also arisen from the provisions of sections 8 and 9 of the Act. Under recent orders the Chief Commissioner has power to create additional Myo-ôkships; but in consequence of the provisions of section 8 of the Act additional Myo-ôks appointed by the Chief Commissioner can do no civil work unless the sanction of the Government of India is first obtained to the creation of an additional Civil Court. Again, the duties performed by Extra Assistant Commissioners and those performed by Myo-ôks are practically of the same description. The exigencies of the public service often render necessary the appointment of a Myo-ôk to succeed an Extra Assistant Commissioner or of an Extra Assistant Commissioner to succeed a Myo-ôk in the charge of a township; and the result is that an officer who should preside in a Court of grade (*a*) is appointed to preside in a Court which has hitherto been a Court of grade (*b*), or *vice versâ*. Such changes have from time to time been made by the Chief Commissioner. The Judicial Commissioner is of opinion that, having regard to the provisions of sections 8 and 9 of the Act, such an interchange cannot legally be effected except by, or with the previous sanction of, the Governor General in Council. The inconvenience which would arise if it were held to be necessary to submit a reference to the Government of India on every occasion such as those described is apparent. The administration of the province, and particularly the administration of civil justice, would be seriously hampered. Sections 4 and 5 of the Bill therefore re-enact sections 8 and 9 of the Act in such a form that the Local Government is empowered to vary the number of Courts of grades (*a*) and (*b*), and to vary the local limits of the jurisdiction of these Courts without the previous sanction of the Government of India, and section 6 legalizes the variations in the numbers, and limits of the local jurisdictions, of these Courts, which have heretofore from time to time been made by the Chief Commissioner instead of by the Governor General in Council or by the Chief Commissioner without the previous sanction of the Governor General in Council.

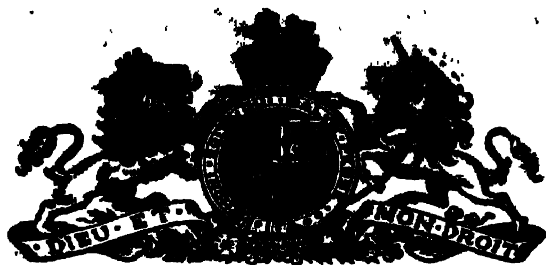
4. The Chief Commissioner states that the Deputy Commissioners in certain districts are overburdened by the pressure of civil appellate duties to the detriment of their executive work, and that, in order to increase their efficiency as executive officers, it is necessary to relieve them of some portion of their appellate jurisdiction. With this object sections 7 and 8 of the Bill have been prepared. The latter section, which is based on the recommendation of the Chief Commissioner, gives him authority to invest an Assistant Commissioner with power to hear certain civil appeals which would ordinarily be heard by the Deputy Commissioner. The former section empowers the Chief Commissioner to transfer to Commissioners of Divisions all or any part of the appellate jurisdiction exercisable under the Act by Deputy Commissioners. It seems desirable to provide this second and additional mode of affording the proposed relief to Deputy Commissioners, as it is possible that the result of transferring civil appellate work from the Deputy Commissioner to the Assistant Commissioner may not always prove satisfactory.

Lastly, under section 38 of the Act, the Chief Commissioner is only empowered to appoint and remove the presiding officers of the Court of the Extra Assistant Commissioner of the 3rd class (now styled the Myo-ôk). The presiding officers of all the other Courts under the Act must be appointed by the Governor General in Council. These provisions have been found to cause practical inconvenience, and the Government of India see no reason why the Chief Commissioner should not have, in regard to civil jurisdiction, like powers to those which the Criminal Procedure Code gives him in regard to criminal jurisdiction. Accordingly, section 9 of the Bill amends section 38 of the Act, and confers power on the Chief Commissioner to appoint and remove the presiding officers of all the Courts mentioned in section 6 of the Act with the exception of the Court of the Judicial Commissioner; the power to appoint the presiding officer of that Court being reserved to the Governor General in Council.

C. P. ILBERT.

The 7th December, 1883.

D. FITZPATRICK,
Secretary to the Government of India.



SUPPLEMENT TO

The Gazette of India.

No. 51.] CALCUTTA, SATURDAY, DECEMBER 22, 1883.

OFFICIAL PAPERS.

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GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

PRICE LIST OF CAST-IRON GOODS MANUFACTURED AT THE BURRAKUR IRON WORKS.

[The prices are given in rupees per ton delivered into wagons at Sitarampore Railway Station.]

Number of item.	DESCRIPTION.	Rate per ton.	REMARKS.
		R	
1	Cast-iron sleeper plates with jaws, Denham Olphert's patent, for broad gauge railways	66	The material used is of such quality that a test bar of 2″ × 1″ section, by 3 feet bearing, carries in the centre a weight of 28½ cwt., with ⅜th inch deflection before fracture.
2	Cast-iron sleeper plates with jaws, Denham Olphert's patent, for metre gauge railways	68	
3	Cast-iron sleeper plates with jaws, for small gauge railways, Denham Olphert's patent, with Molesworth's wedge (for curves).	70	
4	Cast-iron railway chairs	66	
5	Cast-iron socket pipes, ordinary dimensions, tested, with turned spigots and fossets	95	
6	Cast-iron socket pipes, tested, but not faced	90	
7	Flange pipes, ordinary dimensions, tested, with faced joints	120	
8	Bends, tee and cross pieces for pipings of ordinary dimensions	120 to 150	
9	Plain columns with moveable capital and bottom plate	110	
10	Cast-iron floor plates, 4′ × 2′ × ⅝″ to ¾″ thick	90	
	Any other dimension	90 to 110	
11	Fire bars	120 to 130	
12	Castings for the Telegraph Department—		
	1. Sockets for telegraph posts—		
	a.—No. 244S	90	
	b.— „ 245S	90	
	c.— „ 246S	90	
	d.— „ 243S	95	
	e.— „ 250BS	125	
	f.— „ 250CS	125	
	g.— „ 250DS	135	
	h.— „ 250ES	115	
	2.		
	a.—No. 250BD	110	
	b.— „ 250CD	100	
	c.— „ 250DD	95	
	d.— „ 250ED	110	
	3. Cross feet	100 to 120	
	4. Anchors or stays	125	

No. XLVI OF 1883.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Latest Return received.	Railways.	Total mean length open.	Receipts for week ending 25th November 1882. Total.	Per mile open.	Total mean length open.	Receipts for week ending 24th November 1883. Total.	Per mile open.	Total Receipts from 1st April to 25th November 1882. Total.	Per mile open per week.	Total Receipts from 1st April to 24th November 1883. Total.	Per mile open per week.	Total Increase in 1883-84.	Total Decrease in 1883-84.
			R	R		R	R	R	R	R	R	R	R
	Guaranteed.												
1st Dec. 1883	Eastern Bengal (a)	172	1,61,040	936	172	90,906	529	89,24,375	668	80,85,688	528	...	8,38,687
24th Nov. 1883	Oudh and Rohilkhand	547	1,20,944	221	547	1,09,265	200	32,24,845	173	36,66,783	197	4,41,938	...
24th ditto	Sind, Punjab and Delhi	676	2,32,083	343	735	2,12,795	289	62,67,733	271	73,55,776	293	10,88,043	...
1st Dec. 1883	Madras	861	1,08,305	126	861	1,25,149	145	45,54,199	155	43,06,756	147	...	2,47,443
1st ditto	South Indian	655	60,537	92	655	70,698	108	25,18,158	113	26,15,760	117	97,602	...
24th Nov. 1883	Great Indian Peninsula	1,458	7,10,681	487	1,458	7,28,694	500	2,05,56,544	414	2,06,18,529	417	61,985	...
24th ditto	Bombay, Baroda and Central India	461	2,08,688	453	461	2,05,782	446	61,50,067	391	70,26,707	448	8,76,640	...
	TOTAL	4,830	16,02,278	332	4,889	15,43,289	316	4,71,95,921	286	4,86,75,999	293	14,80,078	...
	State.												
1st Dec. 1883	East Indian	1,507	9,96,474	661	1,509	9,46,261	627	2,86,80,768	557	3,21,06,195	626	34,25,427	...
1st ditto	Calcutta and South-Eastern	33	10,279	311	56	6,240	111	1,40,138	128	1,90,673	104	50,535	...
24th Nov. 1883	Nalhati	27	1,349	49	27	1,104	41	44,775	48	51,722	56	6,949	...
1st Dec. 1883	Northern Bengal	230	54,123	235	239	51,260	214	13,25,553	168	13,89,370	173	63,817	...
1st ditto	Tirhoot	85	14,595	172	193	17,857	93	4,16,474	153	5,58,145	99	1,41,671	...
10th Nov. 1883	Patna-Gya	57	11,987	210	...	(b)	...	(c)3,07,306	168	(d)2,76,458	152	...	30,848
1st Dec. 1883	Cawnpore-Achnera	138	9,492	69	138	11,173	81	3,44,108	73	3,54,896	75	10,788	...
1st ditto	Dildarnagar-Ghazipur	12	710	59	12	787	66	29,047	71	29,194	72	147	...
1st ditto	Rajputana-Malwa	1,116	2,31,577	208	1,117	2,89,550	259	65,07,406	171	77,53,559	204	12,46,153	...
1st ditto	Wardha Coal	45	12,117	269	45	23,333	519	3,46,397	225	4,48,412	293	1,02,015	...
1st ditto	Nagpore and Chhattisgarh	98	8,250	84	149	17,843	120	3,14,371	94	7,36,340	145	4,21,969	...
24th Nov. 1883	Rangoon and Irrawaddy Valley	161	33,993	211	161	30,026	186	9,22,822	168	8,87,712	162	...	35,110
1st Dec. 1883	Sindia	75	5,938	79	75	7,926	106	2,01,178	78	2,10,302	82	9,124	...
24th Nov. 1883	Punjab Northern	419	60,633	145	421	54,107	128	19,15,172	139	20,09,830	104	94,658	...
24th ditto	Indus Valley and Kandahar	660	1,51,999	230	660	1,06,502	161	31,23,504	141	45,39,448	202	14,15,944	...
1st Dec. 1883	Kaunia-Dharla	32	2,683	84	32	2,558	80	54,262	50	70,999	65	16,737	...
1st ditto	Rewari-Ferozepore	...	...		89	5,320	60	...	...	2,47,346	82	2,47,346	...
	TOTAL	3,188	6,02,725	191	(e) 3,414	6,25,586	183	1,59,92,513	148	1,97,54,406	169	37,61,893	...
	Assisted Company.												
1st Dec. 1883	Bengal Central	21	1,366	46	35	2,138	61	(f)5,143	42	73,134	61	67,991	...
	Native States.												
24th Nov. 1883	Bhavnagar-Gondal	193	12,610	65	193	16,466	85	5,41,530	82	5,95,247	91	53,717	...
24th ditto	Nizam's	121	14,192	117	121	18,794	155	5,49,175	133	5,23,652	127	...	25,523
24th ditto	Mysore	86	4,444	52	86	4,642	54	2,03,116	69	2,03,912	70	796	...
1st Dec. 1883	Jodhpur	19	549	29	19	740	39	(g)11,967	29	24,788	88	12,821	...
	TOTAL	419	31,795	76	419	40,642	97	13,05,788	93	13,47,599	95	41,811	...
	GRAND TOTAL	9,965	32,41,638	325	(e) 10,266	31,57,916	308	9,31,80,150	275	10,19,57,333	291	87,77,200	...
	GROSS ESTIMATED EXPENSES	...	...	...	...	...	...	4,81,17,150	142	5,18,07,388	148	...	...
	NET RECEIPTS	...	...	...	...	...	...	4,50,62,983	133	5,01,49,945	143	50,86,962	...

(a) Exclusive of the Co.'s share of the earnings of the Bengal Central Railway.
(b) Return not received.
(c) Total receipts from 1st April to 11th November 1882.
(d) Total receipts from 1st April to 10th November 1883.
(e) Excludes mileage of Patna-Gya State Railway (57).
(f) Total receipts from 16th October to 25th November 1882.
(g) Total receipts from 24th June to 25th November 1882.

R. A. SARGEAUNT, *Major, R.E.,*
Offg. Under-Secretary.

FORT WILLIAM,
The 21st December 1883.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

ABSTRACT SHOWING THE RESULT OF EMIGRATION FROM THE PORT OF CALCUTTA DURING THE MONTH OF SEPTEMBER 1883.

No. 1.—As to Age and Sex.

	Demerara.				Trinidad.				TOTAL.		GRAND TOTAL.
	Males.	Females.	Total	Proportion of women to men.	Males.	Females.	Total.	Proportion of women to men.	Males.	Females.	
Under 2 years . .	6	10	16	35·54 women to every 100 men.	10	11	21	40·90 women to every 100 men.	16	21	37
From 2 to 10 years	19	12	31		20	18	38		39	30	69
„ 10 to 20 „ .	93	27	120		114	45	159		207	72	279
„ 20 to 30 „ .	260	96	356		219	87	306		479	183	662
„ 30 to 40 „ .	22	9	31		16	12	28		38	21	59
„ 40 to 50 „ .	2	2	4		3	.	3		5	2	7
Above 50 „ .	.	.	.		.	.	.		. .	.	. .
GRAND TOTAL .	402	156	558	. .	382	173	555	. .	784	329	1,113

No. 2.—As to Places whence Emigrants come to Calcutta for embarkation.

	Demerara Males	Females	Total	Proportion	Trinidad Males	Females	Total	Proportion	Total Males	Females	Grand Total
Orissa . . .	.	.	.	. .	1	.	1	. .	1	.	1
Western Bengal .	4	2	6	. .	.	2	2	. .	4	4	8
Central ditto . .	3	.	3	. .	1	1	2	. .	4	1	5
Eastern ditto . .	.	.	.	. .	.	.	.	. .	. .	.	. .
Behar . . .	74	32	106	. .	85	35	120	. .	159	67	226
N.-W. Provinces .	214	90	304	. .	126	68	194	. .	340	158	498
Oudh . . .	67	25	92	. .	73	32	105	. .	140	57	197
Central India . .	4	4	8	. .	13	6	19	. .	17	10	27
Punjab . . .	12	1	13	. .	38	9	47	. .	50	10	60
Nepal . . .	.	.	.	. .	4	.	4	. .	4	.	4
Mixed, Madras and Bombay, &c.	24	2	26	. .	41	20	61	. .	65	22	87
GRAND TOTAL .	402	156	558	. .	382	173	555	. .	784	329	1,113

No. 3.—As to Caste and Religion.

	Demerara Males	Females	Total	Proportion	Trinidad Males	Females	Total	Proportion	Total Males	Females	Grand Total
Brahmins, high caste	67	27	94	. .	92	36	128	. .	159	63	222
Hindus { Agriculturists .	111	20	131	. .	104	29	133	. .	215	49	264
Hindus { Artisans . .	20	12	32	. .	14	6	20	. .	34	18	52
Hindus { Low castes . .	140	47	187	. .	113	71	184	. .	253	118	371
Musulmans . .	64	50	114	. .	59	31	90	. .	123	81	204
Christians . .	.	.	.	. .	.	.	.	. .	. .	.	. .
GRAND TOTAL .	402	156	558	. .	382	173	555	. .	784	329	1,113

MEMO.	M.	F.	TOTAL.
1. Hindus .	661	248	909
2. Musulmans .	123	81	204
3. Christians .	. .	. .	. .
TOTAL .	784	329	1,113

T. W. HOLDERNESS,

Under-Secretary to the Government of India.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASONS AND PROSPECTS OF THE CROPS FOR THE WEEK ENDING THE 18th DECEMBER 1883.

GENERAL REMARKS.—Rain has fallen generally over the Madras Presidency, Mysore, and Coorg. Slight falls have also occurred in two districts of Assam, but none elsewhere. Harvesting continues in Madras, and the standing crops promise well. In Coorg the ripe paddy has suffered slightly from the unusual rain, which has however done good to backward crops. In Bombay cotton is attacked by blight in two districts, but *rabi* prospects are generally favourable. In the Berars, Hyderabad, Central India, and Rajputana the prospects are also favourable, but rain is needed for the *rabi* in Jaipur and Ulwar. *Rabi* sowings have been completed in the Punjab, and the crops are looking well, though rain is required. In the North-Western Provinces and Oudh prospects are fair, but the *rabi* crops on unirrigated lands stand in need of rain. In the Central Provinces the weather is favourable, and prospects good.

Last week's rain in Bengal, while benefiting the *rabi* crops, has been unfavourable to rice, which, except in Eastern Bengal and Orissa, will yield much below the average. The *rabi* in Behar is reported to be suffering much from want of rain.

In Burma the rice harvest is well advanced, and promises a good yield, though rain and floods have caused some loss in several districts.

Late heavy rains have also much injured the crops in the Sylhet district of Assam.

The public health is generally fair, but cholera is prevalent in parts of Madras.

Prices are high in Bengal, and normal elsewhere.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Madras (Dec. 19th)—		
Bellary	. . . . .	Standing crops generally good; harvest paddy, and *ragi*, yield average, other dry grains, pulse, and oil seeds below average.
Kurnool	·65 (average of 5 stations).	Standing crops good; harvest paddy, yield above average.
Ganjam	. . . . .	Standing crops good; harvest paddy progressing; fever and small-pox slight in one taluk.
Kistna	. . . . .	Standing crops generally good; harvest black paddy progressing; fever and small-pox prevalent; cattle-disease in parts.
Chingleput (Madras)	7·56 (average of 11 stations).	Standing crops generally good; harvest *kar* paddy, yield below average; 35 deaths from cholera.
Coimbatore	1·62 (average of 14 stations).	Harvest paddy, *ragi*, *cumbu* and *cholum*, yield average; 194 deaths from cholera, fever, small-pox and cattle-disease in parts.
Tanjore	1·5 (average of 13 stations).	Standing crops generally good; harvest paddy, yield below average; 275 deaths from cholera.
Madura	·95 (average of 5 stations).	Standing crops fair; harvest dry crops, yield about average; cholera decreasing in Madura town, elsewhere slight.
Malabar	1·02 (average of 4 stations).	Second crop generally in good condition; small-pox, fever, and cattle-disease slight; four deaths from cholera.
Travancore	0·46	Standing crops good; cholera slight. *General Remarks.*—General prospects good
Bombay—(Dec. 19th)—		
Kurrachee	. . . . .	River at Kotri on 13th 4 feet 9 inches against 4 feet 8 inches on same date last year; two fresh cases of small-pox in Karachi on 12th among Mekranis, in Bagdadi lines total 5, 1 death; disease in 9 villages, in district 53 fresh cases, 2 deaths, 49 remaining sick; cattle-disease in five talukas; some loss in Sujawal and Mirpur Batoro; *kharif* harvest completed; *rabi* sowing progressing; prices—wheat, red rice, and *bajri* in Karachi 24, 28, and 32, in Dadu 30 and 40. in Sakro 16, 29, and 42, and in Shahbandar 20, 32, and 40 pounds per rupee, respectively.
Hyderabad	. . . . .	Small-pox in 7 and cattle-disease in 5 talukas; prices of grain steady.
Ahmedabad	. . . . .	Young crops healthy; fever in Sanand; *bajri* 30 and wheat 26 pounds per rupee.
Baroda	. . . . .	Fever continues in some parts of Naosari division; cotton and *rabi* crops in good condition; pressing of sugarcane going on in Naosari division; prices—*bajri* 31 to 31½ and rice 24½ to 25½ pounds per rupee.
Surat	. . . . .	*Rabi* crops healthy; fever in many talukas; cholera in Chikli, 14 cases, 12 deaths; *juari* 38 and *nagli* 48 pounds per rupee.
Nasik	. . . . .	*Kharif* crops mostly harvested; *rabi* crops in good condition; public health good, except in 3 villages in which small-pox and fever exist; wheat 31, *bajri* 28, and rice 24 pounds per rupee.
Colaba (Bombay)	. . . . .	Abnormal temperature 2° to 6° cool; vapour in air defective; wind normal.
Poona	. . . . .	*Rabi* crops thriving; prices—*bajri* 40 and *juari* 50; in Poona *bajri* 35 and *juari* 48 pounds per rupee.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay—*contd.*		
Ahmednagar	. . . . .	*Bajri* threshing commenced; *rabi* sowing finished in parts; locusts in Shrigonda, *bajri* maximum 54 pounds in Jamkhed, minimum 39 in Sangamner, *juari* maximum 72 in Jamkhed, minimum 48 in Kopargaon.
Sholapore	. . . . .	Cholera disappeared from Malsiras Taluk; *juari* 56 and *bajri* 54 pounds per rupee.
Dharwar	. . . . .	Slight rain in 6 talukas; rice being harvested; reaping of other early crops nearly completed; cotton suffering from blight in Karajgi and Ron; other late crops good cholera disappeared; disease in one taluka; rice 25 to 41 and *juari* 52 to 88 pounds per rupee.
Kanara	. . . . .	Fever continues in Hallyal and Mandgod, small-pox in Kumpta and Hanawar; cattle-disease in Karwar and Hanawar; rice common Karwar 12, in district average 15½ seers per rupee.
Rajkot	. . . . .	General health good; weather cold; *bajri* 31 and *juari* 36 pounds per rupee.
		General Remarks.—River still low in Sind; slight rain in parts of Dharwar and Belgaon; *rabi* prospects generally favourable; cotton suffering from blight in parts of Dharwar and Kaladgi; fever in most districts; slight cholera in four, and cattle-disease and small-pox in eight districts.
Bengal—(Dec. 19th)		
Chittagong	*Nil*	Weather seasonable; *amun* is being harvested, outturn indifferent; prices stationary; general health good.
Dacca	*Nil*	Paddy being cut; prospects of winter crops good; safflower being sown.
24-Pergunnahs	*Nil*	Paddy is being harvested; the late rain has done some injury to the crop lying cut, but not stored; yield of paddy estimated at from 8 to 10 annas; prospects of *rabi* crops fair; price of common rice from 14 to 17½ seers per rupee; public health generally good, though cases of cholera and fever continue to be reported from some parts of the district.
Moorshedabad	*Nil*	Weather warmer than last week; harvesting of *amun* proceeding; outturn will be rather more than half an average crop; *rabi* looking well; the rainfall of last week has allowed of large additional areas being sown; indigo very fine indeed; prices easier; public health good.
Rajshahye	*Nil*	Weather cold; reaping of *amun* still going on; prospects of winter crops improving; public health fair.
Burdwan	*Nil*	Weather fine and cool; harvesting of *amun* continues, outturn expected to be bad; *rabi* crops slightly improved; public health fair.
Rungpore	*Nil*	Weather seasonable; harvesting of *amun* in progress, outturn short; prospects of cold-weather crops fair; sugarcane promises well; prices stationary; fever prevalent.
Bhagulpore	*Nil*	Rice crop is being harvested, outturn poor; rain much wanted for *rabi*; prospects not good; new rice selling at 15 seers per rupee; public health good.
Purneah	*Nil*	Paddy is being cut, outturn expected to be about 6 annas; *rabi* crops growing only on low-lying lands; price of coarse rice from 14 to 18 seers per rupee; public health improving.
Patna	*Nil*	Harvesting of paddy continues; rain much wanted for *rabi* crops; poppy growing splendidly; public health good.
Durbhanga	*Nil*	Harvesting of paddy proceeding, outturn poor; rain much wanted for *rabi*; prices rising slightly; fever decreasing.
Hazareebagh	*Nil*	Weather very cold; rice harvest nearly over; *rabi* crops not promising owing to want of rain; small-pox still prevalent in the sudder station; public health generally good.
Cuttack	*Nil*	Weather cold; cutting of rice on high lands continues; on low lands it has commenced; lands being prepared for *dalua* rice; winter crops doing well; coarse rice selling at from 18 to 24 seers per rupee; public health good.
		General Remarks.—No rain fell in any part of the province during the week; the rain of the previous week was very beneficial to the *rabi* crops, but was somewhat injurious to the rice in places in Eastern Bengal; in Behar the *rabi* crops are suffering much from want of rain; rain is also still required for these crops in a few other parts of the province; the harvesting of rice is in full progress, and the crop is generally expected to yield from four to eight annas, and in certain localities even less than four annas; in Orissa and Eastern Bengal alone the outturn, as was previously reported, will be a fair one; high prices continue to prevail throughout the province in spite of the new rice coming into the market; fever is still prevalent in several districts, but in some it is said to be decreasing.
N.-W. Provinces and Oudh—		
Benares (Dec. 18th)	No rain	Weather cold and seasonable; peas, mustard, and gram have flowered, and general prospects of the *rabi* crops are favourable; rain required somewhat in places where irrigation is impracticable; no sickness; bazars well supplied; prices fluctuating slightly.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
N.-W. P. & Oudh—*contd.*		
Allahabad .(Dec. 19th)	. . . .	Crops doing well on the whole, though rain much needed in unirrigated tracts; health generally good; prices stationary.
Gorakhpur .(„ 18th)	No rain	Irrigation actively carried on; a good deal of fever in the north, also small-pox; prices slightly rising.
Jhansi .(„ 17th)	No rain	Harvesting of *kharif* continues; *rabi* crops prospering, but rain is much wanted; prices of food grains almost stationary; health of people and cattle good.
Agra .(„ 18th)	No rain	Irrigation going on; health good; prices steady.
Bareilly .(„ „)	No rain	Irrigated crops doing well; prices steady; slight fever reported from 4 tahsils.
Meerut .(„ „)	. . . .	Rain much needed; health good; supplies sufficient; prices slightly fallen.
Kumaun .(„ „)	No rain	Sky cloudy on Sunday, and snow fell on some high hill ranges; general health good; cattle-disease continues; prices unchanged.
Lucknow .(„ „)	No rain	Weather clear; prospects good; rain very much wanted for the high land *rabi* crops; condition of people and cattle good; markets well supplied; prices steady.
Partabgarh .(„ „)	No rain	Irrigation of *rabi* crops going on; small-pox and fever in Kunda tahsil, otherwise public health good; prices almost unchanged.
Sitapur .(„ „)	No rain	Weather cloudy; wind variable; prospects fair; markets well supplied;
Fyzabad .(„ „)	No rain	*Rabi* and poppy crops are being watered; peas and mustard have flowered; prospects fair; general health good; condition of cattle fair.
Farukabad .(„ „)	. . . .	Weather seasonable, clouds now and again; cattle-disease in one pargana which has produced some mortality.
Rae Bareilly („ 17th)	No rain	Weather seasonable; *rabi* crops doing well on irrigated lands; rain much wanted; general health good; supplies abundant; prices almost steady.
Cawnpore .(„ 18th)	. . . .	Weather cold and occasionally cloudy; irrigation going on, and the *rabi* crops on irrigated land promising; general health of people good; small-pox decreasing; markets steady.
		General Remarks.—No rain has fallen; the *rabi* prospects are fair, but rain is generally required where irrigation is impracticable; small-pox and fever continue in a few districts, otherwise the public health is good; there is some cattle-disease in Farukabad and Kumaon; the markets are well supplied, and prices on the whole steady.
Punjab—(Dec. 19th)—		
Delhi	. . . .	Health good; prices fluctuating.
Hissar	. . . .	Health good; prices steady.
Umballa	. . . .	Health and *rabi* prospects good; prices stationary.
Jullundur	. . . .	Health good; sugarcane being pressed; prices falling.
Lahore	. . . .	Health and harvest prospects good; prices steady.
Ferozepur	. . . .	Health good; prices almost stationary.
Sialkot	. . . .	Health and harvest prospects good; prices stationary.
Rawalpindi	. . . .	Health good; *rabi* prospects good in four, and average in three tahsils; prices fluctuating.
Peshawar	. . . .	Small-pox prevalent; prices falling.
Mooltan	. . . .	Health good; prices stationary.
Dera Ismail Khan .	. . . .	Health and crop prospects good; prices falling.
Amritsar	. . . .	Health good; prices steady.
		General Remarks.—No rain during the week, but it is wanted; health good, except in the Peshawar district; *rabi* sowings completed.
Central Provinces (Dec. 19th)—		
Nagpur	. . . .	Weather clear and cold; prospects favourable; *kharif* crops being gathered; public health good; prices of wheat falling.
Jubbulpore	. . . .	Weather clear and cold; reaping of *kharif* crops approaching completion; cotton gathering continues; *rabi* sowings completed; prices stationary; health good.
Saugor . (Dec. 18th)	. . . .	Weather very cold; *kharif* harvesting continues; *rabi* prospects favourable; health good; prices stationary.
Seoni	. . . .	Weather very cold and frosty; threshing in progress; fever very prevalent; prices stationary.
Hoshangabad . . .	. . . .	Weather very cold; prospects fair; cotton picking in progress; fever prevalent; wheat 18, *juari* 24, and rice 11 seers per rupee.
Khandwa	. . . .	Weather clear and cold; prospects good; fever prevalent; prices steady; *juari* 18¾ seers per rupee.
Raipur	. . . .	Weather cold and pleasant; threshing of rice commenced; *rabi* prospects favourable; public health good; prices rising; common rice 25 seers, and wheat 25¼ seers per rupee.
Sambalpur . (Dec. 18th)	. . . .	Weather very cold and clear; rice threshing continues; prospects good; fever prevalent; common rice 31½ seers per rupee.
		General Remarks.—Weather clear and cold, and favourable to *rabi* crops; threshing continues; fever in some districts.
British Burma—(Dec. 15th)		
Akyab . . .	. . . .	Report not received.
Rangoon . . .	*Nil*	Total rainfall 84·23; four deaths from small-pox, otherwise public health good; paddy no supplies; prices nominal.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
British Burmah—*contd.*		
Bassein	*Nil*	Total rainfall 106·32; public health good; 44 deaths of cattle; reaping progressing; price of paddy Rs. 85 to 110 per 100 baskets.
Prome	*Nil*	Total rainfall 53·48; public health good; cattle healthy; crops reported in good condition everywhere except in Padoung township where 250 acres have been destroyed by floods, and in Mahathaman where 251 acres have been destroyed by drought; harvest going on well and most satisfactorily on the whole; price of paddy Rs. 85 per 100 baskets.
Thayetmyo	*Nil*	Total rainfall 48·65; public health good; great scarcity prevails in some places; reaping progressing; price of paddy Rs. 110 per 100 baskets.
Shweygyin	*Nil*	Total rainfall 139·68; public health and health of cattle good; harvesting progressing; price of paddy Rs. 100 per 100 baskets.
Kyoukphyu (Dec. 8th)	2·97	Total rainfall 163·82; public health and health of cattle good; reaping already commenced; paddy has suffered considerably from cyclone and heavy rain; price of paddy Rs. 25 per 100 baskets.
„ („ 15th)	*Nil*	Total rainfall 163·82; public health good; 74 deaths of cattle.
Sandoway	*Nil*	Total rainfall 222·86; public health good; agricultural prospects favourable; reaping later sowings continuing; no transactions in paddy at present.
Hanthawaddy	. . . .	Public health and health of cattle good; some of the crop in the Sumanaing township destroyed by inundation of salt water; price of paddy Rs. 75 to 100 per 100 baskets.
Pegu	. . . .	Report not received.
Tharrawaddy	*Nil*	Total rainfall 100·27; public health good; cattle healthy; about 180 acres in Gyobingouk township reported destroyed by drought and flood; main portion of crop unripe yet; condition of reaping crop good; about 15,844 acres reaped; reaping wages 8 annas per man daily.
Thonegwa	*Nil*	Total rainfall 94·64; public health good; slight cattle-disease in Pyapon and Thonegwa townships; considerable damage to crops in Pyapon by recent rain; price of paddy Rs. 85 to 100 per 100 baskets.
Henzada	*Nil*	Total rainfall 86·83; public health and health of cattle good; crops promise well where not destroyed by floods; reaping progressing.
Amherst (Moulmein)	*Nil*	Total rainfall 166·28; public health and health of cattle good; reaping about half finished; quality of grain good; prices nominal; in Moulmein public health and health of cattle good; about 400 acres reaped; price of paddy Rs. 90 per 100 baskets.
Toungoo	*Nil*	Total rainfall 79·88; public health and health of cattle good; prospect of crops good.
Tavoy	*Nil*	Total rainfall 195·44; public health and health of cattle good; reaping progressing
Mergui . (Dec. 1st)	0·10	Total rainfall 175·94; public health good; cattle healthy; one-third of crop reaped; price of paddy Rs. 80 per 100 baskets.
Do . („ 8th)	*Nil*	Total rainfall 175·94. *General Remarks.*—Public health good; health of cattle good, except in Kyoukphyu, Bassein and Thonegwa; harvest well advanced and prospect generally favorable, but crops damaged by rain and floods in Kyoukphyu, Hanthawaddy, Tharrawaddy, Prome, Thonegwa, and Henzada.
Assam—**(Dec. 19th)**		
Gauhati	0·75	Weather cloudy; mornings and nights foggy; reaping of *sali* crop in progress; public health fair.
Sylhet	*Nil*	Prospects of crops much injured by the late rains; small-pox reported from Karimganj and Sunamganj, and cattle-disease from South Sylhet.
Cachar	*Nil*	Weather cold; reaping of *sali* crops continues; common rice 13 3/16 seers per rupee; general health good.
Dibrugarh	0·32	Prospects of all crops good; public health fair.
Mysore and Coorg—		
Bangalore . (Dec. 19th)	2·0	Standing crops in good condition; prospects of season favourable and public health generally good; prices—rice from 14 to 20, *ragi* 37 to 60, horse gram 33 to 50 seers per rupee.
Mysore	2·96 Kolar 4·79 and general all over the Province.	(as above)
Mercara . (Dec. 19th)	2·80	Rain most unusual at this season of the year, has brought on backward rice crops, but has proved slightly injurious to paddy ripe for the sickle, and to the drying of coffee; it has caused also ripe berries to drop; paddy harvest has commenced in the Yelsavershime Taluk.
Berar & Hyderabad—		
Amraoti . (Dec. 19th)	. . . .	Weather clear and cold; cotton picking and *kharif* harvesting in progress; *rabi* prospects generally good; wheat 16 and *jowari* 26 seers per rupee.
Akola	. . . .	*Kharif* crops being harvested; *rabi* crops in excellent condition.
Hyderabad . (Dec. 19th)	*Nil*	Sowing of *rabi* and reaping of *abi* crops continue; public health generally good, but cholera prevails in one taluka; prices—wheat 15¼, coarse rice 9¾, pure wheat 22, yellow *juar* 27¼, and *tur* 33 seers per current sicca rupee.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Central India States—		
Indore . (Dec. 19th)	*Nil*	Health good; report same as last week.
Morar (Gwalior) . .	*Nil*	Health good; weather seasonable.
Neemuch . . .	. . . . .	Public health good; agricultural prospects fair; weather cold.
Goona . . .	. . . . .	Health and prospects good.
Sehore . . .	*Nil* .	Weather clear; crops and health good.
Agar	*Nil*	Agricultural prospects satisfactory; health good; 7 fatal cases of cholera occurred in Sailana district on 9th instant.
Nowgong . . .	*Nil*	*Kharif* prospects fair; health good; weather seasonable; prices steady.
Rajputana—		
Abu . (Dec. 19th)	. . . . .	Weather seasonable.
Sirohee . („ 16th)	. . . . .	Tanks and wells fair; health and crop prospects good; weather seasonable; mornings and nights cold.
Marwar . („ 14th)	. . . . .	Only two months' water in Jodhpur city; tanks and wells almost full; health good; crops good; cold sometimes intense and sometimes mild; prices stationary.
Meywar . („ 9th)	. . . . .	Tanks, wells, health, and crop prospects good; weather seasonable; slight clouds.
Harowtee . („ 15th)	. . . . .	Crops fair; weather colder; health good, some small-pox.
Jhallawar („ 14th)	. . . . .	Weather seasonable; health and prospects good.
Ajmere . („ 18th)	*Nil*	Health good; no increase of cattle-disease in Marwar.
Jeypore . („ „)	*Nil*	Prospects fair, but rain wanted; prices stationary; health good.
Ulwur . („ „)	. . . . .	*Rabi* sowing continues; rain wanted; health good.

E. C. BUCK,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

ABSTRACT OF THE PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA, ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS UNDER THE PROVISIONS OF THE ACT OF PARLIAMENT 24 & 25 VIC., CAP. 67.

The Council met at Government House on Friday, the 14th December, 1883.

PRESENT:

His Excellency the Viceroy and Governor General of India, K.G., G.M.S.I., G.M.I.E., *presiding*.
His Excellency the Commander-in-Chief, G.C.B., C.I.E.
The Hon'ble J. Gibbs, C.S.I., C.I.E.
Lieutenant-General the Hon'ble T. F. Wilson, C.B., C.I.E.
The Hon'ble C. P. Ilbert, C.I.E.
The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.
The Hon'ble T. C. Hope, C.S.I., C.I.E.
The Hon'ble Sir A. Colvin, K.C.M.G.
The Hon'ble W. W. Hunter, LL.D., C.I.E.
The Hon'ble Durgá Charan Láhá.
The Hon'ble H. J. Reynolds.
The Hon'ble H. S. Thomas.
The Hon'ble Kristodás Pál, Raí Bahádur, C.I.E.
The Hon'ble Mahárájá Luchmessur Singh, Bahádur, of Darbhangá.
The Hon'ble J. W. Quinton.
The Hon'ble T. M. Gibbon, C.I.E.
The Hon'ble R. Miller.
The Hon'ble Amír Alí.

BENGAL REGULATION XIX OF 1810 REPEAL BILL.

The Hon'ble MR. ILBERT introduced the Bill to repeal Bengal Regulation XIX of 1810 within the territories administered by the Lieutenant-Governor of the North-Western Provinces, and moved that it be circulated for the purpose of eliciting opinion thereon.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill and Statement of Objects and Reasons be published in the *North-Western Provinces and Oudh Government Gazette* in English and in such other languages as the Local Government might think fit.

The Motion was put and agreed to.

BURMA COURTS BILL.

The Hon'ble MR. ILBERT also introduced the Bill to amend the Burma Courts Act, 1875, and moved that it be referred to a Select Committee consisting of the Hon'ble Messrs. Gibbs and Quinton and the Mover.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill and Statement of Objects and Reasons be published in the *British Burma Gazette* in English and in such other languages as the Local Government might think fit.

The Motion was put and agreed to.

INDIAN EMIGRATION BILL.

The Hon'ble MR. ILBERT also moved that the Report of the Select Committee on the Bill to amend the law relating to the Emigration of Natives of India be taken into consideration. He said:—

"This Bill proposes to re-enact, with numerous amendments, the existing Foreign Emigration Act (VII of 1871). It does not apply to the emigration which takes place from one part of British India to another, whether by sea, as from Madras to British Burma, or by land, as from Bengal and the North-Western Provinces to Assam. Emigration by sea to British Burma was until recently governed by a special Act, but that Act has been repealed by an Act of the present year, and that form of emigration is now entirely free. Emigration to Assam and the adjoining districts is, as the Council are aware, governed by Act I of 1882. With this form of emigration we are not concerned at all to-day. Accordingly, we are not called upon to consider the difficult, interesting and important questions which arise in connection with inland emigration, such as the conditions and restrictions which it may be necessary to impose on the emigration of labourers to, or on their employment in, such regions as Assam, or the mode and extent to which it may be practicable or desirable to regulate, to facilitate or promote that great movement of population from one part of the Empire to another which has, for centuries, been operating, and still operates, to fill up and bring under cultivation the waste places of India. The present measure deals only with emigration to places outside the limits of British India, and the term 'emigration' is defined by the Bill as meaning, for the purposes of the Act, the departure by sea out of British India of a Native of India under an agreement to labour for hire in some country beyond the limits of India other than the Island of Ceylon or the Straits Settlements. It will be observed that the measure does not affect emigration to Ceylon or to the Straits Settlements. Ceylon may, for emigration purposes, be dealt with as if it were part of British India, and it is not necessary to place any special restrictions on emigration to that island. The Straits Settlements are in a very similar position. The Indian emigration to that colony takes place, I believe, exclusively from the Madras Presidency, and is at present regulated by a special Act (V of 1877) which applies only to that Presidency. We are now engaged in negotiations with the Government of the Straits Settlements, which will, I hope, before long enable us to repeal this Act, and to make emigration to that colony entirely free. But in the meantime, and as a temporary measure, we have thought it expedient to take power to extend the Act to other parts of British India in case it should be found necessary to regulate emigration from Calcutta to the Straits. I do not in the least anticipate that the Act will be found necessary, because I believe that no such emigration takes place, or is likely to take place.

"What we are concerned with, then, to-day, is the emigration which goes on from India to certain British and Foreign colonies in the West Indies and elsewhere, and which is, as I have said, at present regulated by an Act of 1871. Proposals for amending this Act have for many years been before the Government of India, and at last resulted in the preparation of the present Bill, which was introduced into this Council in the year 1881, was circulated for opinion in the ordinary way, and was sent to England for consideration both by the India Office and by the Colonial Office. A number of objections were raised by the Agents and other representatives of the colonies to various provisions of the Bill; and the Government of India was asked by Her Majesty's Government to suspend legislation until the opinions of the Colonial Governments, to whom the Bill had been sent, should be received. I mention this circumstance in order to explain the delay which has taken place between the introduction of the Bill and the presentation of the Committee's report. The delay has not been unfruitful of good results. The Government of India thought that it afforded an excellent opportunity for ascertaining by local inquiry the way in which the system of recruiting emigrants is actually carried on in India, the respects in which the present system is capable of improvement, the attitude of the people towards emigration, and

the possibility of making it more popular. Accordingly, with the consent of the Government of the North-Western Provinces, Major Pitcher was directed to make an inquiry in those Provinces into the points to which I have referred; and a similar inquiry was subsequently made by Mr. Grierson in Bihár, at the wish of His Honour the Lieutenant-Governor of Bengal. To both those gentlemen—Major Pitcher and Mr. Grierson—we are deeply indebted for the admirable reports which they have sent in. Nothing is easier in this country than to collect opinions; nothing is more difficult than to get at facts; and it is as pictures of actual facts that these reports are so valuable. To quote the language of a Resolution which has been issued on the subject in the Revenue and Agricultural Department—

'They show in the clearest light the obstacles in the way of emigration, the difficulties with which even the most honest recruiter has to contend, and the extent to which popular prejudice can be allayed, or is unconsciously fostered by District-officers. Of such information there was much need. On the one hand, the Magistracy has been repeatedly charged with being hostile to emigration; on the other, grave accusations have been often brought against recruiters. Proposals, on the one hand, have been made to surround emigration with additional precautions, and have been objected to on the other as unnecessary and ruinously expensive. To arrive at the real condition of things was extremely difficult. Major Pitcher's and Mr. Grierson's reports have at least facilitated a decision. They show that the recruiter, though occasionally guilty of malpractices in the exercise of what is looked upon by a large number of people as a not very reputable calling, has to contend with many unnecessary difficulties; that he is frequently impeded in most objectionable ways by the police and the underlings of the Courts; that the registration of recruits is not unseldom perfunctorily performed; that unnecessary restrictions are sometimes imposed; and that generally a more friendly attitude on the part of the Government as represented by its local officers would lead to better results.'

"In addition to the inquiries made by these two officers, meetings were held in Calcutta in February, 1882, and in March last to consider the various suggestions which had been made for amending the emigration law. Mr. Buck, the Secretary of the Revenue and Agricultural Department, presided at these meetings, and they were attended by the local Agents for the different colonies. I believe I am right in saying that the proposals which we are now laying before the Council have, after careful examination, obtained the full approval of these gentlemen, as well as of the officers of the Indian Government who are charged with the care of emigrants. In fact, I may fairly say that few measures which have been laid before this Council have been made the subject of more minute and careful enquiries than the present Bill It is essentially a measure of details, and we have every reason for hoping that the machinery will work smoothly and well.

"I have said that this is essentially a measure of details. There is, however, one important question of principle, which is discussed in the two reports to which I have referred, and about which, although it is not necessarily raised by the Bill, it may be as well to say a few words. It is this. What should be the attitude of the Government of India towards emigration to foreign countries? Should they encourage it, discourage it, or remain neutral? Both Mr. Grierson and Major Pitcher urge in forcible language the expediency of the State taking a more active part than it has hitherto taken in the promotion of emigration. They consider that the people in the more closely populated districts should be encouraged to emigrate; that information about the colonies should be disseminated by Government officers; and that the advantages of emigration should be taught in village-schools. But Sir A. Lyall, the Lieutenant-Governor of the North-Western Provinces, whose opinion is entitled to the greatest weight, not only on personal grounds but because he is responsible for the government of the provinces from which the greatest flow of emigration takes place, is not prepared to go as far as this. He considers that measures such as have been suggested by Major Pitcher and Mr. Grierson might be misinterpreted, and he is doubtful whether emigration would benefit India as largely as is implied by their recommendations. He would, therefore, limit action for the present to removing all obstacles to emigration, to giving the people every facility to emigrate, and to strictly repressing the prejudiced opposition of the police and other Native subordinate officials. The question whether the one policy or the other should be adopted is not

definitely raised by the present Bill, because it depends much less on the way in which the measure is framed than on the way in which it is worked; and this is a matter which the Government of India are disposed to leave very much to the discretion of the Local Government. My own opinion, I must confess, coincides rather with that of Sir A. Lyall than with that of the advocates of a more active policy. I think our attitude towards emigration should be an attitude of benevolent and watchful neutrality, and that our great object should be to secure fair play to both parties,—the employers on the one side, and the emigrants and their friends on the other,—to take care that the former are not hampered by unnecessary and vexatious restrictions, or impeded by unreasonable prejudices, and to protect the latter, so far as we can, against being entrapped or deluded into unfair bargains or carelessly or oppressively dealt with after they have left their homes. This appears, I may add, to have been the view taken by the Famine Commissioners. The present measure has been framed, if not in affirmation of, at least in complete accordance with, this policy; and, whilst carefully providing for the protection of the emigrant, we have been equally careful not to throw any needless obstacles in the way of his employer.

"In order to explain the purpose and object of the several provisions which we have introduced into the Bill with this view, I must say something about the parties to the contract which is entered into by the person who emigrates within the meaning of this Act, that is to say, who departs by sea from British India under an agreement to labour for hire, and about the several stages in his progress from his home to his place of destination. The parties to the agreement are, of course, the employer on the one hand, and the emigrant or intending labourer on the other. But from the nature of the case, these two parties are not brought into immediate contact with each other at the stage with which alone our legislation is capable of dealing. The employer is represented by the Emigration Agent for the colonies and by the recruiters acting under him; the emigrant is assisted, and to some extent represented, by the officers of the Indian Government, who are specially charged with his protection against fraud, negligence or oppression. As to the employer's representative, it must, in the first place, be remembered that it is not every colony or foreign country that is permitted to receive emigrants from this country. Emigration within the meaning of the Bill is only allowed to certain countries, of which a list will be found specified in a schedule to the Bill, and to such other countries as the Government of India may choose to add to the list. The Government may not make any such addition unless it is satisfied that the Government of the country has made such laws and other provisions as the Governor General in Council thinks sufficient for the protection of emigrants to the colony during their residence there. Assuming that a colony is authorised to receive emigrants, it acts in this country through its Emigration Agent, who is appointed by the Government of the colony, but whose appointment is made subject to the approval of the Local Indian Government. Under the Bill as introduced, the Local Government was expressly empowered to revoke the approval; but this provision was strongly objected to by the Colonial Agents as derogatory to their position, and we have accordingly omitted it. Its insertion was perhaps due to excess of caution, for there is no reason to fear that any difficulty will arise from a Colonial Government insisting on the employment of an Agent whom our Government consider manifestly unfit to perform his duties.

"The Emigration Agent, then, is the principal official on the one side. The principal officials on the other are the Protector of Emigrants and the Medical Inspector of Emigrants, who are appointed by the Local Government and are stationed at the principal emigration-ports. The North-Western Provinces Government proposed that, with the view of securing uniformity of procedure in the various registering offices which are to be maintained under the Act, and of exercising a general supervision over recruiters, the Director General of Agriculture and Commerce and his assistants in these provinces should be appointed Sub-Protectors of Emigrants. We entirely concur in these proposals, but at the same time we do not think it is necessary to

make a special provision in the Bill for such appointments. We think that uniformity of procedure in the registering offices can be secured by executive order. We believe that the Director of Agriculture and Commerce and his assistants will be able to exercise the necessary supervision over the conduct of recruiters if they are invested—as a provision of the Bill enables them to be invested—with the powers of a Magistrate under the Act.

"Returning to the Emigration Agent. He conducts his local operations by means of persons called recruiters, who must on his application be licensed by the Protector of Emigrants. The license is good for a year, and, under the Bill as introduced, it restricted the operations of the recruiter to a particular specified area. This restriction has, however, been objected to by the Emigration Agents (whose objections are supported by the Secretary of State for the Colonies) as unnecessary, and as tending to increase seriously the cost of emigration. We admit the force of these objections, and, accordingly, under the Bill as it now stands, the recruiter's license extends to the whole area over which the Protector of Emigrants has authority, but it is not valid for any particular district until it has been countersigned by the Magistrate of the district. The Magistrate is empowered to refuse his countersignature if he has reason for believing that the recruiter is an unfit person, or that he has failed to perform any of the duties imposed on him under the Act. At the time when the Bill was prepared great complaints had been made of the malpractices of a class of persons who were described as sub-agents. We were informed that between the Emigration Agent and the recruiter there is almost always a third party, the sub-agent, who supervises the recruiter's operations, keeps his license, supplies him with funds, and generally keeps the depôt in the recruiting centre where the emigrants are collected together before being sent down to Calcutta. This person, we were told, was unknown to and unregulated by the law, and was sometimes of very doubtful character. Accordingly, in the first draft of the Bill, clauses were introduced specially providing for the appointment and remuneration of this sub-agent. However, when we went more closely into the matter, it appeared that these provisions were not really applicable to the facts as explained by Major Pitcher and Mr. Grierson. It turns out that the so-called sub-agent is not a recruiter of any distinct class at all, but is merely a head recruiter who sometimes recruits himself, and sometimes acts as an intermediate contractor between the Emigration Agent and the ordinary recruiters, and whose remuneration naturally takes the form of a commission. And the conclusion to which we came was that it would be impracticable to draw a legal distinction between these sub-agents and other recruiters, and that it would be preferable to continue treating them as recruiters, and to make them take out a recruiter's license. But we have added to the Bill a definition of 'recruiter' which makes it clear that the term includes head recruiters and others who collect emigrants, as well as those who personally engage in recruiting.

"Such being the recruiter, we have to take great care that he does not enlist his emigrants on false pretences. Accordingly, we provide that he must get from the Emigration Agent on whose application he is licensed a written or printed statement, signed by the Agent and countersigned by the Protector of Emigrants, and stating the terms of agreement which the recruiter is authorized to offer on behalf of the Agent to intending emigrants. This statement must be both in English and in the Vernacular, and the recruiter is bound to show it to any person whom he invites to emigrate, and also to a Magistrate or officer in charge of a police-station, if called upon to do so.

"Having provisionally enlisted his recruits, the first thing that the recruiter does with them is to house them temporarily in a place which I referred to just now as a depôt, but which does not go by that name in the Bill. The fact is that the term 'depôt' is confined by the existing law to the depôts which are established at the port of departure; and, as we considered it inadvisable to disturb the existing nomenclature, we thought it better not to give any specific name to these up-country depôts, if I may so call them. You will find them referred to in section 27 of the Bill as places for the accommodation of emigrants pending their registration or removal to the port of embarkation. Many complaints had been made about the way in which some of these places are kept and managed; and accordingly we have armed District Magis-

trates and other officers with extensive powers for their supervision and inspection.

"The mention of registration brings me to the next stage in the emigrant's career. Up to this point he is not under any contract binding him to emigrate. In order to become so bound, he must appear before a registering officer, have his name and certain particulars about him entered in a register, and then, and not till then, is he allowed to execute an agreement to emigrate. Until these formalities have been complied with, the recruiter is not allowed to carry him off to the port from which he is to emigrate. In the provisions relating to this branch of the subject, we have departed both from the existing law and from the proposals of the original Bill. Under the Bill as introduced, the work of registering had to be done by a Magistrate of a district or sub-division. The evidence collected by Major Pitcher and Mr. Grierson tends to show that these officers have not time to do the work thoroughly, and Major Pitcher has proposed Civil Surgeons, and Mr. Grierson the officers of the Registration Department, as appropriate registering officers. The Government of Bengal have accepted Mr. Grierson's proposals, and the Government of the North-Western Provinces is willing to give Major Pitcher's suggestion a trial whenever the Civil Surgeon is competent to do the work. The Bill does not decide the question either way, but merely gives the Local Government a general power to appoint persons to be registering officers, and places them under the control of the District Magistrate, or of such other officer as the Local Government may appoint on their behalf. I may explain that the reference to this 'other officer' is intended to cover the officials whom the North-West Government wished to appoint Sub-Protectors of Emigrants. I understand that there will be no difficulty in adjusting, by means of executive arrangements, their relation to the District Magistrate.

"So much as to the officers who are to do the work. Next, as to the way in which the work is to be done. Mr. Grierson has told us in his report a great deal about the way in which the present system of registering emigrants works, or rather fails to work, and he has drawn up a statement showing, in two parallel columns, the difference between what may be called the theory and the practice of registration. This statement is so instructive and so illustrative of the kind of way in which administrative provisions are apt to break down, that I will take the liberty of reading it to the Council. The present system of registration, and the practice, are here given in parallel columns:—

The system as ordained by law and by the Bengal Rules.	*The practice.*
1. The intending emigrant shall appear before a Magistrate, as defined in sections 3 and 85 of the Act.	The registering officer is rarely empowered under section 85.
2. The Magistrate shall examine the emigrant, and satisfy himself on three points, and on no more— (1) that he is of age; (2) that he understands the nature of his contract; (3) that he is willing to fulfil it.	The registering officer frequently rejects recruits for other reasons, such as, for instance, that he has not been medically examined, or that he is telling lies about his address.
3. The Magistrate shall enter certain particulars in a *book* kept for the purpose.	The Magistrate rarely, if ever, does so. The recruiter brings him an illegible, misspelt form, continually full of mistakes, which is kept in a bundle in the office. When, in rare instances, a book is kept, it is not kept "for that purpose," but inland and colonial registrations are kept mixed up together.
4. A copy of every registration, written on substantial paper, shall be furnished by the Magistrate to the emigrant registered.	A copy(?) is furnished, but it is not certified or compared. It is brought ready written by the recruiter, being frequently illegible, misspelt and full of mistakes. It is almost invariably on paper of the flimsiest description—the kind of paper used for cheap overland letters. In some cases the copy is not given to the coolie, but to the recruiter!!

5. *Authentic* copies of every such registration shall be *forthwith* forwarded by the Magistrate to the Emigration Agent.	This is hardly ever done. The recruiter brings another copy (?) similar to the above, which is signed by the Magistrate, but never compared. It is then usually returned to the recruiter.
6. And to the Protector of Emigrants.	Often not done. When it is, the copy (?) is another incorrect form filed by the recruiter.
7. A certain form of register is prescribed by the rules.	This form is sometimes not followed, and important columns, such as that for next-of-kin, are omitted.
8. Under the rules, monthly returns of emigration should be sent to the Protector.	In some cases these are not sent.
9. These returns should be correctly and intelligently filled up, as from them the figures for the Protector's annual report are drawn.	They are never correct. People are counted as emigrants who should not be counted, and *vice versâ*: hence the Protector's and the district figures never agree, *e.g.*, in Alipore, the district figures, quoted (I believe) in the Annual Administration Report, gave in one case 1,500 when the Protector's were only 700. The Protector's figures were correct.

"Now, I do not mean to say that our proposed system is certain to work quite smoothly and perfectly, nor can I feel sure that these, or indeed any other, legislative provisions will work precisely in the way in which we intend them to work. But at least we have done our best to take warning by what has been told us, and to devise a remedy for some of the most obvious defects in the existing system. In the first place, we propose to reverse the existing order of proceedings, and to make the registration come first and the execution of the emigrant's agreement afterwards We think that there is a better chance of the agreement being accurate and satisfactory in form and substance if it is drawn out in the office of the Magistrate or other registering officer after the intending emigrant has been passed and registered, than if it is drawn up, as it is under the present practice, by some illiterate person beforehand. The course of proceeding will be this. The recruiter will take his recruits before the registering officer, who in the Mufassal may or may not be the Magistrate of the district, and in the emigration-ports will be the Protector of Emigrants himself. The registering officer is to examine the recruit, apart from the recruiter, with reference to the agreement into which he proposes to enter, and is to satisfy himself that the recruit is competent and willing to enter into the agreement, that he understands its nature, that he has not been induced to enter by any coercion, undue influence, fraud, misrepresentation or mistake, that its terms are in conformity with law, that is to say, contain all the particulars which, as I shall presently explain, it is required by the Act or rules to embrace, and that it is in conformity with the statement which, as I have already explained, the recruiter is required to show the recruit. If he is satisfied on these points, he is to enter in a register-book the name of the recruit, and various particulars concerning him, including the name, sex, name of father, caste, occupation and age of the intending emigrant, and the name of the village or place of which he is a resident. It may be asked, what is the use of entering all these minute details? I will let Mr. Grierson answer.

'The objects,' he says, 'of a system of registration, I take it, are two-fold. One is to keep a record of the transaction, just as the record of any other contract is kept. This is a minor consideration. The other and more important object is to afford a connecting link between the coolie in the colony and his relations at home. A coolie communicates with his relations at home by means of letters and by means of remittances. His relations communicate with him by letter. Under a perfect system of registration a coolie ought to be able to send a remittance home to his friends, through the Emigration Agent and the Magistrate of his district, with the certainty of its reaching its destination; and a relation should be able to go to the Magistrate of a district and say, "My son emigrated in such-and-such a year; how can I send a letter to him?"'

"That is what we are anxious to do, to devise some means by which a coolie may be enabled to emigrate without being cut off completely from his relations and his home. And to this end we are endeavouring to supplement the improved system of registration, by giving effect to various suggestions which have been made for promoting a greater interchange of letters between the emigrants in the colonies and their friends at home, suggestions to which, I

need hardly say, full effect cannot be given without the co-operation of the Colonial Governments.

"When the intending emigrant has been duly registered, the next step is to execute the agreement, which is prepared in the office and executed both by the emigrant and the recruiter in the presence of the registering officer. It must contain on one side all necessary particulars as to the nature, duration and term of the emigrant's service, and, on the other, the particulars which have been already entered in the register. These will enable him to prove his identity if necessary. Three copies of the agreement are to be taken: one goes to the emigrant himself, the other to the recruiter, and the third is kept by the Protector of Emigrants. I need not follow in minute detail the subsequent movements of the emigrant. Suffice it to say that he is conducted to the emigration-depôt at the port of departure, which is supposed to be under the constant supervision and inspection of the Protector of Emigrants and Medical Inspector, and after a short stay there is duly shipped off in an emigrant-vessel. Every emigrant-vessel must be licensed, and the license must not be granted until the vessel has been surveyed and it has been ascertained that she is seaworthy, has proper and sufficient accommodation, is properly ventilated, has all the tackle, apparel and furniture requisite for her intended voyage, is properly manned and officered, and is, in fact, in all respects suitable for the carriage of emigrants. There is ample power to make rules as to the provisions, clothing, fuel and water which are to be supplied for the emigrants' use, and as to the staff of surgeons and attendants who are to be on board the vessel. And the Protector of Emigrants and the Medical Inspector are bound by the Act to see personally that these rules are complied with. The emigrant goes on board under their personal supervision, and the master of the vessel is required to execute a bond for the due performance during the voyage of the duties imposed on him by the Act. Thus every reasonable precaution is taken which our law can enforce that the emigrant shall be properly treated from the time when he leaves the place where he is recruited to the time when he lands in the colony for which he is bound. Further than this our law cannot follow him, and after this point we can only provide indirectly for his welfare by such influence as we can bring to bear on the Government of the country in which he has established himself. That influence is, however, of a very substantial kind, and may be enforced in extreme cases by the prohibition of emigration. There is a provision enabling the Governor General in Council to prohibit emigration to any particular country on certain grounds which are specified in the Bill and which are as follows:—

'(a) that the plague or any other epidemic disease dangerous to human life has broken out in the country;

'(b) that the mortality among emigrants in the country is excessive;

'(c) that proper measures have not been taken for the protection of emigrants immediately on their arrival in the country or during their residence therein;

'(d) that the agreements made with emigrants, as such, before their departure from India are not duly enforced by the Government of the country; and

'(e) that the Governor General in Council, having, either directly or through the Secretary of State for India in Council, addressed the Government of the country with a view to obtain information regarding the condition or treatment of emigrants therein, has not within a reasonable time received the information asked for.'

"Such are the general provisions of this measure. The differences between the first draft of the Bill and that which is now before the Council are very fully and minutely explained in the Report of the Select Committee, and I need not dwell on them further. It will be observed that the original draft of the Bill conferred on the Government extensive powers to make rules, and that we have in the present draft carried this power still further, by eliminating certain matters of detail from the Bill, and leaving them to be provided for by rule. I am sure that a measure of this kind, if it is to work well, must be made elastic, and that any attempt to fix and stereotype minute administrative details will probably produce either inconvenience or absurdities. Let me illustrate this from the English Emigration Law, of the working of which I happen to have some knowledge. The English Emigration Acts, or Passenger Acts as they are called, regulate with minute particularity the diet of the emigrant on board-

ship, even condescending to prescribe the precise amount of pepper which is to be served out to each emigrant every day. They were framed in the days of sailing-ships, when a voyage across the Atlantic was a long business, for which a considerable supply of salt-meat and other like provisions had to be laid in. A few years ago it was accidentally discovered that the steamers of one of the principal Atlantic lines, the *Cunard*, I think, were in the habit of complying with the requirements of the law by taking so many junks of salt-beef on each voyage from Liverpool to New York—and back again. Of course, nobody wanted it, nobody ate it, but there it was to satisfy the law. It is matters of this kind that we wish to leave to be regulated by rules which can be easily changed on being found to be unnecessary or unsuitable. The new Act will not be brought into operation until the rules are ready, but I believe that this will not involve very long delay. I understand that Mr. Grierson, to whom I have so often referred, is now engaged, under the instructions of the Bengal Government, in the preparation of an Emigration Manual, which will contain, not only the revised rules and forms, but also such information as may be requisite for explaining the emigration-system to those who have to work it and those who are to be brought under it."

The Motion was put and agreed to.

The Hon'ble KRISTODÁS PÁL said that the very full report of the Select Committee on this Bill, and the lucid statement made by the hon'ble member in charge of it, showed that it had received a careful revision at the hands of the Select Committee. It also evinced a benevolent solicitude on their part for the protection and welfare of the poor Native emigrant. The question of the policy of emigration was not before the Council, and he would not, therefore, touch upon it. But it might be well asked whether, when large tracts of land lay unreclaimed and uncultivated in many parts of the country, undue encouragement should be given to emigration to foreign countries; but, as far as he understood the Bill, it would not give undue encouragement to such emigration. If he had understood his hon'ble friend correctly, he understood him to say that the Government occupied a position of neutrality, giving fair play to all parties who would come under the operation of the Bill. That, he thought, was a fair position, but all that he, as a Native of the country, wished to see was that the labourer who hired himself to go to foreign parts should on the one hand be treated as a free agent, and on the other should be protected from fraud, misrepresentation and oppression; and, if the Bill should attain that object, he thought the Council would have no reason to complain. Following the principle of the Bill, he ventured to propose, with His Excellency's permission, a few small amendments. Care had been taken in the Bill to provide for the proper explanation to the intending emigrant of the nature of the agreement which he would be called upon to execute. He thought it was highly desirable that, in the initial stage of the engagement, the emigrant should have a clear idea of the nature of the life he was about to enter upon. As far as he could judge from the detailed provisions of the Bill, great precautions had been taken to explain fully to the intending emigrant the nature of the engagement. But at the most important moment, when he had to make up his mind, he was left almost in the dark. Section 26 of the Bill provided—

"The recruiter shall produce the statement for the information of every person whom he invites to emigrate, or when called upon to do so by any Magistrate or officer in charge of a police-station."

Now, it was well known to hon'ble members that the emigrant was often an ignorant, illiterate person, unable to read the statement produced before him, and, if he asked the recruiter to read it, that man, if he was inclined to deceive him, might read a version not contained in the statement itself. So that, at the most important moment, when an illiterate emigrant was called on to make up his mind, he would be almost entirely in the dark as to what the contents of the statement might be, as to the character of the agreement, and as to the nature of the life he would be called upon to lead. He thought that at this stage it was of the utmost importance that every facility should be given to him to understand the nature of his engagement; and in that

view he proposed that the recruiter should be required to furnish the intending emigrant with a copy of the statement, so as to enable the emigrant to take it home to show to his friends and relatives, or the village-headmen, and consult them about it before making up his mind. He would be then in a position to know what he should do, and to understand the nature of the service required of him. He (Raí Kristódás Pál) had heard some objections taken to his proposal. In the first place, it had been said that it would impose extra cost on the Emigration Agent. He believed that the statement would be a printed paper and the additional cost would be a trifle: if a hundred copies of the statement were struck off, it would entail only the cost of the paper and printing. Then he was told that the recruiter would have to carry a heavy bag of paper. Now, he did not know the exact number of emigrants recruited in each district, or in each sub-division, nor had he any idea of the exact number of recruiters employed in each district; but he could not believe that a recruiter on the average engaged more than 100 recruits; and, supposing that he did engage 200, his bag would not be at all heavy if he had to carry some 200 papers of this kind. But, even if the recruiter was put to some slight inconvenience, he thought it a question for grave consideration whether the emigrant should not have a fair opportunity of considering the nature of the connection he was about to form at the very outset of his new career—and surely this was of far more importance than the question of a little heavier bag on the back of a recruiter. Then he was told that this provision was not necessary and would impose an obstacle in the way of emigration. He, for one, did not see how this would prove an obstacle in the way of emigration. The more intelligently and knowingly the emigrant acted, the better would it be for the cause of emigration. He was aware that in section 37 there was a provision that a copy of the agreement when executed should be furnished to the emigrant. Now, this was an after stage. After the agreement had been executed it would be too late for the emigrant to recede, supposing that he wanted to change his mind, and supposing that he came to know what he did not know before. He humbly conceived that the proposal which he had submitted to the Council was calculated to give the intending emigrant an opportunity to understand his real position before he made up his mind, and it was therefore of great practical importance. Upon these grounds, he would move that for sub-section (3) of section 26 the following sub-section be substituted:—

"(3) The recruiter shall give a true copy of the statement to every person whom he invites to emigrate, and shall produce the statement for the information of any Magistrate or officer in charge of a police-station when called upon to do so by the Magistrate or officer."

The Hon'ble Mr. Quinton said: "While altogether sympathising in the anxiety of my hon'ble friend Raí Kristodás Pál Bahádúr that the intending emigrant should have full information as to the offers which the recruiter is authorised to make, and should not be led blindly into binding himself by a contract of such serious importance, I am unable to support the amendment.

"It appears to me that the provisions of the Bill are amply sufficient to secure the object we both have in view, and that the proposals of my hon'ble friend go far beyond what is reasonably required for that purpose.

"My hon'ble and learned friend Mr. Ilbert in his opening speech has pointed out that the recruiter under the Bill must be furnished with a written or printed statement, signed by the Emigration Agent and countersigned by the Protector of Emigrants, in English and in the Vernacular language of the local area to which the recruiter's license extends, of the terms which the recruiter is authorised to offer on behalf of the Agent to intending emigrants, and is also bound to produce the statement for the information of every person whom he invites to emigrate, or when called upon to do so by any Magistrate or officer in charge of a police-station.

"My hon'ble friend Raí Kristodás Pál is not satisfied with the production so enjoined, but would compel the recruiter to give to each person invited to emigrate a copy of the statement. Now, considering that probably not one per cent. of the persons likely to be so invited can read, this seems a very un-

necessary precaution. The intending emigrant can procure full information as to the recruiter's offers, by having the statement read and explained to him when he reaches the depôt; and section 31, as we have heard, strictly enjoins on the Registering Officer the duty of examining the intending emigrant, apart from the recruiter, as to his competence and willingness to make the agreement, as to his comprehension of the nature of such agreement and as to his not having been induced to enter into it by unfair means. The Registering Officer must further draw up the agreement containing the particulars specified in the Bill, and furnish the emigrant with a copy of it. My hon'ble friend says that this will be too late; but, considering that the Registering Officer must ascertain from the emigrant that he understands and consents to the particulars contained in the agreement before it is drawn up, I do not see how this objection applies. He further urges that, if the man invited to emigrate gets a copy of the statement, he can take it home with him and consult the headman of his village; to which I would answer that so long as their present attitude towards emigration is maintained by zamíndárs, they are the last persons whom an intending emigrant would wish to consult.

"The story told by my hon'ble and learned friend of the salt beef carried from Liverpool to New York, and back again from New York to Liverpool, in order to comply with the English Passenger Acts, furnishes a warning against overloading our Bill with minute regulations. In my time I have registered, I suppose, several hundred emigrants, and the cases in which I have had to tell one to stand aside, because he did not know where he was going or what he was to get, were quite exceptional.

"When reading and writing become more widely diffused, and broad sides and hand-bills are likely to prove effective, the agencies will no doubt in their own interests readily adopt the latter; but, as things are at present, it appears to me unfair to impose on Agents and recruiters an obligation attended with considerable trouble and expense and enforceable by legal penalties, which is of no practical use.

"I may add that I have consulted my friend Major Pitcher, whose thorough acquaintance with the working of the recruiting system renders his opinion of great value, and that he fully concurs in the views I have expressed."

The Hon'ble MR. ILBERT said that, when the Hon'ble Raí Kristodás Pál first gave him private notice of this amendment, he expressed his entire sympathy with the object the hon'ble member had in view, namely, to give the fullest possible information to the intending emigrant of the kind of bargain he was about to enter into; and said that he would be willing to accept the amendment, unless it appeared that there was any objection to it on administrative grounds. On a question of this kind the opinions of a gentleman like Mr. Quinton, who had taken a practical part in the work of registering emigrants, and of Major Pitcher, were entitled to considerable weight; and he was bound to say, after having heard what his hon'ble friend Mr. Quinton had said, and after taking into consideration Major Pitcher's opinion, that his own view was that the amendment which had been proposed was on the whole likely to cause greater inconvenience than would be justified by any good which was likely to follow from it, and that the best way of giving an intending emigrant full information of the bargain he was about to make was to be found in that provision of the Bill which imposed on the registering officer the duty of ascertaining whether he really knew where he was going, and what was the kind of undertaking upon which he was about to enter. For these reasons only, MR. ILBERT personally should vote against the amendment.

The Motion being put, the Council divided:—

Ayes.

The Hon'ble Amír Alí.
The Hon'ble Mahárájá Luchmessur Singh, Bahádúr, of Darbhangá.
The Hon'ble Kristodás Pál.
The Hon'ble H. S. Thomas.
The Hon'ble Durgá Charan Láhá.
The Hon'ble W. W. Hunter.
The Hon'ble T. C. Hope.
The Hon'ble Sir S. C. Bayley.
His Excellency the President.

Noes.

The Hon'ble R. Miller.
The Hon'ble T. M. Gibbon.
The Hon'ble J. W. Quinton.
The Hon'ble H J. Reynolds.
The Hon'ble Sir A. Colvin.
The Hon'ble C. P. Ilbert.
Lieutenant-General the Hon'ble T. F. Wilson.
The Hon'ble J. Gibbs.
His Excellency the Commander-in-Chief.

The numbers being equal, the President gave his casting vote with the ayes.

So the Motion was carried.

The Hon'ble Raí Kristodás Pál moved that in section 36, after the words "and term of service" the words "and the remuneration" be inserted. He said that his object in moving the amendment was this. When a man expatriated himself from his country for service in another country, he ought to know what he would earn there. The Bill gave him no information on that subject. It was true that the Bill provided for the passing of rules by Government, which, amongst other particulars, might include information as to the amount of wages; but he thought it was of the utmost importance that the Bill should specifically provide that the emigrant should be informed, even if approximately, of the wages he was to receive before he executed the agreement.

The Hon'ble Mr. Ilbert said he was quite willing to accept this amendment. The Bill as originally drawn provided that the agreement should specify the daily or monthly wages the emigrant was to receive. But when the Select Committee came to consider how the form provided for the purpose should be filled up, they found great difficulty in cases in which the labourer was paid by the piece or the job, and accordingly they omitted the reference to wages, and merely provided that the agreement should provide the nature and terms of the service to be performed, and they intended that the information on this point should include, as far as possible, the remuneration he was to receive.

The Motion was put and agreed to.

The Hon'ble Mr. Ilbert said that, with the permission of the Council, he would ask leave to move a small amendment in section 71 of the Bill. As he had not given notice of the amendment, he was entirely in the hands of the Council as to whether or not he should move it. The amendment was this, that in section 71, for the word "proceeding" the words "embarking at that port" be substituted. The Bill was framed on the assumption that all the emigrants who were to go by a particular emigrant-vessel would be shipped at the same port; but it had been brought to the notice of the Government that it might be convenient in some cases for a vessel proceeding from Calcutta to stop at Madras and ship emigrants there. So far as he could judge, none of the provisions of the Bill would prevent this being done. The only difficulty which he thought might arise was in connection with some of the terms of the certificate to be given under the Act. Section 71 required a certificate from the Protector of Emigrants and the Emigration Agent for the country to which the emigrants were to be conveyed, to the effect that they had, in respect of all the emigrants proceeding in the vessel, done all that was required by the provisions of the Act, or by the rules made under the Act, to be done by the Protector and Agent respectively; and a technical difficulty might arise as to compliance with this requirement of the law. Therefore, he proposed that the certificate should not be in respect of all the emigrants "proceeding in the vessel," but only in respect of the emigrants embarking at the port to which the Protector and Agent belonged.

The Motion was put and agreed to.

The Hon'ble Raí Kristodás Pál moved that for clause (*b*) of section 83 the following clause shall be substituted :—

"(*b*) fails to give a true copy of the statement with which he is provided under section twenty-six to any person whom he invites to emigrate".

He said that, as the first amendment imposed an obligation on the recruiter, it was necessary that there should be a penalty attached if the obligation was not fulfilled.

The Hon'ble Mr. Ilbert observed that he thought this amendment was a necessary consequence of the amendment which had already been carried, and he had, therefore, no objection to offer.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT moved that the Bill as amended be passed.

The Hon'ble MR. AMÍR ALÍ expressed the satisfaction which was felt among all classes of the Indian community with this measure. The hardships to which emigrants were subjected, and the false representations of which they were very frequently victims, made some such measure absolutely necessary; and he had no doubt that, when this measure was passed, it would be regarded as a great boon by the classes which it would affect. There was, however, one point regarding which he entertained considerable doubts, and these doubts, he should also add, were to some extent shared by some of the leading members of the Native community. The point to which he referred was as to the limit of age contained in section 39 of the Bill. He mentioned his views to the hon'ble and learned member in charge of the Bill, and he learned from him that the matter had received careful consideration in the Select Committee, and therefore he was constrained to come to the conclusion that he would not be justified in raising a discussion on it at the present stage of the Bill.

The Motion was put and agreed to.

RANGOON TRAMWAYS BILL.

The Hon'ble MR. ILBERT also moved that the Report of the Select Committee on the Bill to authorize the making, and to regulate the working, of Street Tramways in Rangoon be taken into consideration. He said that this Bill was prepared for the purpose of giving effect to an agreement entered into between the municipality of Rangoon and Mr. Darwood, for the purpose of making street tramways in the town of Rangoon, on the understanding that all the roads were situated within municipal limits. But the Government had since been informed that part of one of these roads lay not within municipal limits but within the military cantonment. The simplest way to meet the difficulty, the Committee considered, was to add a section to the Bill providing that all the roads specified as roads over which tramways were to be constructed should, for the purposes of the Act and of the agreement, be deemed to be situate within the municipality, and they had accordingly added a section to that effect. The other amendments made by the Committee in the Bill were of a very trifling nature, and he need not allude to them.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that, in section 16, for clauses (*b*) and (*c*), the following be substituted, namely:—

"(*b*) does anything in such a manner as to obstruct any carriage using any such tramway; or

"(*c*) abets, within the meaning of the Indian Penal Code, the doing of anything mentioned in clause (*a*) or clause (*b*)".

He explained that the amendment was of a merely formal character.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill as amended be passed.

The Motion was put and agreed to.

SUNDRY BILLS.

The Hon'ble MR. ILBERT also moved that the Hon'ble Mr. Gibbs' name be substituted for Sir S. Bayley's as a member of the Select Committees on the following Bills:—

To amend the law relating to Local Self-government in British Burma.

To amend the Legal Practitioners' Act, 1879, and the Indian Stamp Act, 1879.

The Motion was put and agreed to.

SUCCESSION CERTIFICATES BILL.

The Hon'ble SIR A. COLVIN moved that the Hon'ble Mr. Gibbs' name be substituted for Sir S. Bayley's as a member of the Select Committee on the Bill to amend the law relating to certificates granted under Act XXVII of 1860 (*an Act for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*).

The Motion was put and agreed to.

The Council adjourned to Friday, the 21st December, 1883.

D. FITZPATRICK,
Secretary to the Government of India,
Legislative Department.

FORT WILLIAM;
The 21st December, 1883.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

ABSTRACT OF THE PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA, ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS UNDER THE PROVISIONS OF THE ACT OF PARLIAMENT 24 & 25 VIC., CAP. 67.

The Council met at Government House on Friday, the 21st December, 1883.

PRESENT:

His Excellency the Viceroy and Governor General of India, K.G., G.M.S.I., G.M.I.E., *presiding*.
His Excellency the Commander-in-Chief, G.C.B., C.I.E.
The Hon'ble J. Gibbs, C.S.I., C.I.E.
Lieutenant-General the Hon'ble T. F. Wilson, C.B., C.I.E.
The Hon'ble C. P. Ilbert, C.I.E.
The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.
The Hon'ble T. C. Hope, C.S.I., C.I.E.
The Hon'ble Sir A. Colvin, K.C.M.G.
The Hon'ble W. W. Hunter, LL.D., C.I.E.
The Hon'ble Durgá Charan Láhá.
The Hon'ble H. J. Reynolds.
The Hon'ble H. S. Thomas.
The Hon'ble G. H. P. Evans.
The Hon'ble Kristodás Pál, Raí Bahádur, C.I.E.
The Hon'ble J. W. Quinton.
The Hon'ble T. M. Gibbon, C.I.E.
The Hon'ble R. Miller.
The Hon'ble Amír Alí.

QUIETING OF TITLES (PANJÁB) BILL.

The Hon'ble MR. ILBERT moved for leave to introduce a Bill for the Quieting of Titles depending on Decisions passed on appeal by certain Settlement-officers in the Panjáb. He said that the object of the Bill was to remove doubts, which had been raised by a recent decision of the Panjáb Chief Court, as to whether certain Settlement-officers had been duly empowered to exercise appellate jurisdiction in suits and other proceedings relating to land-revenue.

The Motion was put and agreed to.

UNIVERSITIES HONORARY DEGREES BILL.

The Hon'ble MR. GIBBS presented the Report of the Select Committee on the Bill to authorize the Universities of Calcutta, Madras and Bombay to grant certain honorary degrees.

The Council adjourned to Friday, the 4th January, 1884.

D. FITZPATRICK,
Secretary to the Government of India,
Legislative Department.

FORT WILLIAM;
The 21st December, 1883.

Printed & published for the GOVT. OF INDIA *at the Office of* SUPDT. GOVT. PRINTING. *166, Dhurrumtollah Street, Calcutta.*




The Gazette of India.

PUBLISHED BY AUTHORITY.

Nº 52.} CALCUTTA, SATURDAY, DECEMBER 29, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

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Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Calcutta, the 22nd December 1883.

No. 270.—The services of Mr. O. G. R. McWilliam, C.S., Deputy Commissioner of the 2nd Grade, Assam, at present on furlough, are replaced at the disposal of the Government of Bengal.

FORESTS.

The 28th December 1883.

No. 963 F.—Mr. J. L. Pigot, who has been appointed by Her Majesty's Secretary of State to the Forest Department of India, is appointed an Assistant Conservator of Forests of the 3rd grade.

Mr. Pigot is posted to the Punjab, and his appointment will have effect from the 14th December 1883.

A. MACKENZIE,
Secretary to the Government of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Calcutta, the 28th December 1883.

No. 864 G.—Mr. E. C. Buck, Secretary to the Government of India in the Revenue and Agricultural Department, is granted privilege leave of absence for 2 months and 19 days, from the 2nd January 1884.

Mr. T. W. Holderness, Under-Secretary to the Government of India in the Revenue and Agricultural Department, is appointed to officiate as Secretary during the absence of Mr. Buck.

Mr. H. M. Kisch, Under-Secretary to the Government of Bengal, is appointed to officiate as Under-Secretary to the Government of India in the Revenue and Agricultural Department, *vice* Mr. Holderness.

T. W. HOLDERNESS,
Under-Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Fort William, the 24th December, 1883.

No. 2833 I.—In exercise of the power conferred by Section 5 of Act XIV of 1874 (The Scheduled Districts Act), the Honorable the Lieutenant-Governor of the Punjab is pleased, with the previous sanction of the Governor-General in Council, to extend Act XII of 1850 to the Scheduled Districts of the Punjab.

POLITICAL.

The 22nd December, 1883.

No. 2845 G.—Subject to the confirmation of Her Majesty's Government, the Governor-General

in Council is pleased to recognize the appointment of Mohammad Hassan Khan as Vice-Consul for Persia, at Bombay, during the absence of Mirza Suleiman Khan.

The 26th December, 1883.

No. 2855 G.—With reference to Foreign Department Notification, No. 2523G., dated the 30th October, 1883, it is notified that Mr. Victor Bienenfeld, Vice-Consul for Italy, at Aden, resumed charge of his office on the 2nd November, 1883.

H. M. DURAND,
Offg. Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 28th December, 1883.

APPOINTMENTS.

No. 672.—MILITARY SECRETARIAT—

Major and Brevet Lieutenant-Colonel A. C. Toker, Bengal S.C., Wing Commander, 18th Native Infantry, to officiate as Third Assistant Secretary to the Government of India, Military Department, *vice* Captain W. J. B. Bird, appointed to officiate as Second Assistant Secretary. Dated 20th December, 1883.

No. 673.—ORDNANCE DEPARTMENT—

Colonel T. E. Hughes, R.A., Deputy Adjutant-General, Royal Artillery in India, to be Inspector-General of Ordnance, Bengal, *vice* Lieutenant-General N. G. Campbell, R.A., whose tenure of service in that appointment is about to expire. Dated 1st January, 1884.

No. 674.—MEDICAL DEPARTMENT—

Surgeon-Major J. E. T. Aitchison, M.D., C.I.E., Indian Medical Service, to be Secretary to the Surgeon-General, Her Majesty's Forces, Bengal, *vice* Brigade Surgeon A. Eteson, M.D., who vacates the appointment on promotion.

No. 675.—PUNJAB FRONTIER FORCE—

3rd Sikh Infantry.

Lieutenant E. J. N. Fasken, Wing Officer and Quartermaster, to be Adjutant, *vice* Captain C. H. M. Smith, who vacates the appointment on promotion.

Lieutenant W. Cook, Wing Officer (on furlough), to be Quartermaster, *vice* Lieutenant E. J. N. Fasken.

Lieutenant W. D. Gordon, Wing Officer, to continue to officiate as Quartermaster until the return from furlough of Lieutenant W. Cook.

4th Punjab Infantry.

Lieutenant G. W. C. Bruce, Wing Officer, to be Adjutant, *vice* Captain O. C. Radford, who vacates the appointment on promotion.

Lieutenant W. du G. Gray, Wing Officer, to be Quartermaster, *vice* Captain A. Daniell, who vacates the appointment on promotion.

5th Punjab Infantry.

Lieutenant F. B. Mein, Wing Officer, to be Adjutant, *vice* Captain R. F. Jameson, who vacates the appointment on promotion.

FURLOUGH AND LEAVE.

No. 676.—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India :—

Lieutenant-Colonel (Brevet Colonel) T. W. Rutherfurd, S.C., (m.c.) for sixty-two days.

Captain H. N. M'Rae, S.C., (m.c.) for six months.

Surgeon-Major J. C. Morice, (m.c.) for six months.

Conductor T. Carr, Ordnance Department, (m.c.) for three months.

LONDON GAZETTE.

No. 677.—The following extract is published for general information :—

"London Gazette," dated the 27th November, 1883, pages 5858-9.

War Office, Pall Mall, 27th November, 1883.

INDIAN STAFF CORPS.

Colonel Charles Frederick Hicks, Bengal, has been transferred to the Unemployed Supernumerary List. Dated 24th October, 1883.

INDIAN LOCAL SERVICE.

Colonel Sidney Chalmers, Bengal Infantry, to be Major-General. Dated 24th October, 1883.

India Office, 27th November, 1883.

The Queen has approved of the Admission of the undermentioned Surgeons to Her Majesty's Indian Medical Service.

To be Surgeons. Dated 31st March, 1883 :—

BENGAL.

John More Young.

Granville Jameson.

* * * *

PROMOTIONS.

No. 678.—PUNJAB FRONTIER FORCE—

5th Punjab Cavalry.

Ressaidar Abdoolla Khan, to be Ressaldar, *vice* Jimaiyat Singh, deceased; Jemadar Kesur Singh, to be Ressaidar, *vice* Abdoolla Khan, promoted; Kote Duffadar Amur Singh, to be Jemadar, *vice* Kesur Singh, promoted,—5th November, 1883.

RETIREMENTS.

No. 679.—The undermentioned officers have been permitted to retire from the service, subject to Her Majesty's approval :—

Major and Brevet Lieutenant-Colonel John Chalmers, Unattached List, with effect from the 20th November, 1883.

Major William Atkins, General List, Infantry, with effect from the 12th January, 1884.

MILITARY WORKS DEPARTMENT.

PROMOTIONS.

No. 680.—The following reversions are made in the Engineering Establishment:—

Lieutenant G. M. Porter, R.E., from temporary Executive Engineer, 4th grade, to Assistant Engineer, 1st grade, with effect from the 13th October, 1883.

Lieutenant A. L. Mein, R.E., from temporary Executive Engineer, 4th grade, to Assistant Engineer, 1st grade, with effect from the 8th November, 1883.

O. R. NEWMARCH, *Lieut.-Colonel,*
Officiating Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Fort William, the 21st December 1883.

No. 303.—Mr. C. Pratt, Apprentice Engineer, Railway Branch, is promoted to Assistant Engineer, 3rd Grade, with effect from the 14th November 1883.

W. S. TREVOR, *Colonel, R.E.,*
Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 29, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 27th October 1883.

From the 24th of November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 17th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurrumtollah Street, Calcutta.

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts is R5 per annum, payable in advance. When sent by post, R2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

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Subscription for *Gazette* and Supplement per annum	15	0	0
Postage	5	8	0
Subscription for Supplement only	6	0	0
Postage	3	0	0
For a single copy of the *Gazette*	0	8	0
For a single copy of the Supplement	0	4	0

Postage on single copies varies according to weight.

E. J. DEAN,

Publisher, Gazette of India.

SURVEY OF INDIA.

NOTIFICATION.

Calcutta, the 22nd December 1883.

No. 413.—With reference to the Department of Finance and Commerce Notification No. 1920, dated the 17th December 1883, and in continuation of this Office Notification No. 401, dated the 6th idem, the following promotions are made, with effect from the date on which Major R. V. Riddell, R.E., Deputy Superintendent, 2nd Grade, may vacate his appointment in the Survey of India Department:—

Major C. Strahan, R.E., Deputy Superintendent, 3rd Grade, is confirmed in the 2nd Grade of Deputy Superintendents, in which he is at present officiating.

Major J. Waterhouse, Deputy Superintendent, 4th Grade, is confirmed in the 3rd Grade of Deputy Superintendents, in which he is at present officiating.

Major E. H. Steel, Assistant Superintendent, 1st Grade, is confirmed in the 4th Grade of Deputy Superintendents, in which he is at present officiating.

Lieutenant F. B. Longe, R.E., Assistant Superintendent, 2nd Grade, is confirmed in the 1st Grade of Assistant Superintendents, in which he is at present officiating.

G. C. DEPRÉE, *Colonel,*

Offg. Surveyor General of India.

SURVEY OF INDIA—TRIGONOMETRICAL BRANCH.

NOTIFICATION.

Dehra Dun, the 19th December 1883.

No. 5.—Mr. H. E. T. Keelan, Surveyor, 1st Grade, is granted privilege leave for one month

under Section 136, Chapter X of the Civil Leave Code, with effect from 1st December 1883.

J. B. N. HENNESSEY,
Offg. Depy. Surveyor General, in charge Trigonometrical Surveys.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATIONS.

Calcutta, the 30th November 1883.

No. 33.—Third Grade Assistant Surgeon Hari Mohan Sen, of the supernumerary list, is granted leave of absence on medical certificate from 29th October to 30th November 1883.

The 4th December 1883.

No. 35.—Third Grade Assistant Surgeon Jogendra Nath Mitra, of the supernumerary list, is permitted to resign the service, with effect from 1st December 1883.

The 20th December 1883.

No. 36.—Third Grade Assistant Surgeon Manohur Lall, of the North-Western Provinces provincial establishment, is permitted to resign the service.

No. 37.—The services of Third Class Hospital Assistant, No. 388, Hurnauth, of the military establishment, are permanently placed at the disposal of the Government of the North-Western Provinces and Oudh, for civil employment, with effect from the 23rd November 1883.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

CHIEF COMMISSIONER, AJMER-MERWARA.

NOTIFICATIONS.

Mount Abu, the 21st December 1883.

No. 1101.—Assistant Surgeon Bunka Vehari Mittra, Beawar, availed himself of the three months' privilege leave granted him in this Office Notification No. 958, dated the 9th November 1883, on the forenoon of the 3rd December 1883.

Second Class Hospital Assistant Mohomed Abdool Wahid will officiate at Beawar during the absence on leave of the Assistant Surgeon.

No. 1103.—Second Class Hospital Assistant Mahomed Abdool Wahid, of the Todgurh Dispensary, is transferred to the Beawar Dispensary, of which he took charge, on the afternoon of the 2nd November 1883, from 2nd Class Hospital Assistant Sobha Ram, transferred to the Todgurh Dispensary. The latter assumed charge of the Dispensary on the forenoon of the 8th November 1883.

Third Class Hospital Assistant Nazeer Khan, attached to the Ramsar Dispensary, is granted privilege leave for two months from 2nd November 1883, and Passed Medical Pupil (No. 500) Futteh Mahamed is appointed to act during his absence. The latter took charge from the former on the afternoon of the 1st November 1883.

No. 1105.—Munshi Ajodhya Pershad, Extra Assistant Commissioner, Ajmere, held charge of the Office of Superintendent of Jail, Ajmere, in addition to his own duties, from the forenoon of the 8th to the forenoon of the 23rd October 1883, during the absence on privilege leave of Surgeon-Major J. H. Newman.

By Order,
E. A. FRASER,
1st Asst. to the Chief Commr.

MILITARY WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 20th December 1883.

No. 40.—Captain W. L. Greenstreet, R.E., Superintending Engineer, Rawalpindi Command, Military Works, is granted leave from 1st January to 7th February 1884, inclusive, under the provisions of Government of India Military Department Notification No. 249 of 1873.

G. DEPALEZIEUX-FALCONNET, *Colonel, R.E.,*
Offg. Inspr. Genl. of Military Works.

GOVERNMENT ENGINEERING COLLEGE HOWRAH.

NOTICE.

Candidates for admission to the Engineer Classes should apply to the Principal before the 31st January 1884. The Session begins on Monday, the 4th February 1884. Candidates for this class must furnish proof that they have passed the Calcutta University Entrance Examination.

An examination for admission to the Mechanical Apprentice Classes will be held at this College on Wednesday and Thursday, the 30th and 31st January. The subjects for examination are—

Arithmetic (the whole).

Algebra (to Simple Equations, inclusive).

Euclid (Books I and II).

English (Grammar and Composition).

Applications for permission to appear at the examination should reach the Principal not later than the 25th January 1884.

Ten scholarships will be awarded to students entering the Engineer Class not being already holders of junior scholarships. The scholarships will be awarded with general reference to the place taken by candidates at the Entrance Examination.

Applications for scholarships will be received by the Principal up to the 30th January.

Every applicant, before admission to the College, will be examined by the College Surgeon as to his physical strength, fitness for manual labour, and eye-sight.

Further particulars will be supplied on application to the Principal.

G. BELLETT,
Officiating Director of Public Instruction.

ORDNANCE DEPARTMENT.

NOTICE.

Calcutta, the 19th December 1883.

With reference to Ordnance Department notice, dated 8th November 1883, it is notified that the twelve lads required for employment as apprentices, eight in the Foundry and Shell Factory, Cossipore, and four in the Harness and Saddlery Factory, Cawnpore, have been entertained. There are no vacancies now.

NAPIER CAMPBELL, *Lieut.-Genl.,*
Inspector-General of Ordnance.

Report of a Deserter from the 1st Battalion, Royal Welsh Fusiliers, dated at Dum-Dum, this 27th day of December 1883.

Number, Rank, and Name,—No. 710, Private Stephen Graham.
Age,—21 years 10 months.
Size,—5 feet 4 inches.
Colour of—
Complexion, fresh; Hair, brown; Eyes, blue.
Date of Desertion,—19th December 1883.
Place of Desertion,—Fort William, Calcutta.
Date of Enlistment,—19th February 1877.

Place of Enlistment,—Dublin.
Parish and County in which Born,—Manchester, Lancashire.
Marks,—Tattoo marks on both arms and hands.
Trade,—None.
Coat or Jacket,— } Regimental.
Waistcoat,— }
Breeches or Trowsers,— }
REMARKS,—
Under 7 years' service.

C. ELGEE, *Colonel,*
Comdg. 1st Battn., Royal Welsh Fusiliers.

Report of a Deserter from the 2nd Battalion, East York Regiment of Foot, dated at Colaba, Bombay, this 22nd day of December 1883.

Number, Rank, and Name,—No. E. Y.—408, Private James Andrews.
Age,—25 years.
Size,—5 feet 6¼ inches.
Colour of—
Complexion, dark; Hair, dark brown; Eyes, grey.
Date of Desertion,—18th December 1883.
Place of Desertion,—Colaba, Bombay, E. I.
Date of Enlistment,—7th December 1882.

At what Place Enlisted,—Poona, E. I.
Parish and County in which Born,—Plymouth, Devonshire.
Marks,—A scar on top of the head
Trade,—Sailor.
Coat or Jacket,—Regimental.
Waistcoat,—*Nil.*
Breeches or Trowsers,—Regimental.
REMARKS,—
Under 2 years' service.

H. J. HALLOWES, *Lieut.-Colonel,*
Comdg. 2nd Battn., East York Regt.

Report of a Deserter from the 2nd Battalion, East York Regiment of Foot, dated at Colaba, Bombay, this 22nd day of December 1883.

Number, Rank, and Name,—No. 5B—2534, Private Harry Timmins.
Age,—21 years 11 months.
Size,—5 feet 6 inches.
Colour of—
Complexion, fresh; Hair, brown; Eyes, hazel.
Date of Desertion,—18th December 1883.
Place of Desertion,—Colaba, Bombay, E. I.
Date of Enlistment,—8th June 1880.

At what Place Enlisted,—Westminster, London.
Parish and County in which Born,—Woolwich, Kent.
Marks,—Scars, back of head and right buttock, 3 vaccination marks, left arm.
Trade,—Labourer.
Coat or Jacket,—Regimental.
Waistcoat,—*Nil.*
Breeches or Trowsers,—Regimental.
REMARKS,—
Under 4 years' service.

H. J. HALLOWES, *Lieut.-Colonel,*
Comdg. 2nd Battn., East York Regt.

Report of a Deserter from the 2nd Battalion, East York Regiment of Foot, dated at Colaba, Bombay, this 22nd day of December 1883.

Number, Rank, and Name,—No. 5—2744, Private Richard Watson.
Age,—21 years 1 month.
Size,—5 feet 5¾ inches.
Colour of—
Complexion, fresh; Hair, brown; Eyes, brown.
Date of Desertion,—18th December 1883.
Place of Desertion,—Colaba, Bombay, E. I.
Date of Enlistment,—15th November 1880.

At what Place Enlisted,—Kingston-upon-Hull.
Parish and County in which Born,—Sculcoates, Hull, Yorkshire.
Marks,—Vaccinated on right arm, 2 marks.
Trade,—Bricklayer.
Coat or Jacket,—Regimental.
Waistcoat,—*Nil.*
Breeches or Trowsers,—Regimental.
REMARKS,—
Under 4 years' service.

H. J. HALLOWES, *Lieut.-Colonel,*
Comdg. 2nd Battn., East York Regt.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
1883.		R	
W56	M 74—59509	50	Himutram Bulchand, Egatpuri.

BOMBAY,
The 22nd December 1883.

C. E. CRAWLEY,
Asst. Acctt. Genl., Paper Currency Department, for Commissioner of Issue.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		R	
270	P 43—04901	100	Babu Nil Rutton Bose.
	P 44—16462	100	
	P 9—74589	50	
271	P 10—24389	100	Babu Grish Chandra Datta.
272	P 39—20132	50	Babu Gopal Chandra Bhattacharjee.
273	P 9—85290	50	Babu Benode Behari Ghose.

CALCUTTA,
The 28th December 1883.

J. TAYLOR,
Asstt. Comptr. Genl., in charge, Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		R	
18	E 20—62156	100	Mohamed Deen, son of Aminud Deen, Assistant Goods Clerk, S. P. & D. Railway, Lahore.
	„ —62157	100	
19	E 2—68670	500	Kallyan Singh, 3rd Bengal Cavalry, Meean Meer.
	„ —68671	500	
20	E 20—56722	100	Urfan-ul-Huk, Proprietor and Manager of Nagma-i-Ahbad Press, Delhi.

LAHORE,
The 24th December 1883.

W. H. EGERTON,
for Depy. Commr. of Paper Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		R	
33	B 62—13030	100	Ray Lulta Purshad, Assistant Secretary to H. H. the Nizam's Revenue Board, Hyderabad.
34	B 65—97816	50	Poloor Narayana Row, Deputy Tahsildar of Addanki, Nellore District.

FORT SAINT GEORGE,
The 17th December 1883.

H. S. GROVES,
Offg. Assistant Accountant General,
in charge of Paper Currency Dept.,
for Commissioner.

POST OFFICE.

NOTIFICATIONS.

Unclaimed Letters held in the Calcutta General Post Office on 27th December 1883

Alder, C. A.
Ashburner & Co.
Bonaur, T. H.
Cass, T. B.
Dalmann & Co.
Durrant, Norman.
Duzooltz, Cleomenes.
Fishbourne, Mrs.
Fleet, J. F.
Holy, W.
Howell, A.
Ingram, Lieut. E. T. W.
Irving, Wm.
Jackson, Miss Lucy.
Kennedy, John.
Miloy, Mrs. Captain.
Rogers, R. C.
Stuart, Mrs. G. M.
Tate, W. J.
Ward, J.
Wilson, W.
Zastrow, Carl.

Letters marked "Care of Post Office"

A. M.
Alpin, E. B.
Allanby, Thomas.
Allen, J H.
Antram, Mrs. C. H.
Ashton, Thomas.
Auld, Robert J.
Bailey, Mrs C.
Barber, R. J.
Barley, E., Mrs.
Barlow, Harold.
Bayas, J. W.
Bergman, Moritz.
Berrini, Givoanni.
Berry, J
Bowden, J.
Bradley, Walter.
Brown, John.
Burns, W. H.
Burton, Miss L.
C. S.
Cameron, E. H.
Colvin, Cecil.
Conway, Moncure D.
Davidson, Harry.
Dean, William Edward
DeCruz, Mr.
DeSilva, S. A.
DeSouza, J F.
Douglas, G. P. Home.
Durrant, G F. N.
Dyett, W. H. R.
Edden, Sergeant J.
Engel, Israil.
Erler, Albert.
"European"
Fane, Mr.
Filker, Jebb
Fontimayne, D.
Forrest, Francis
Fowler, James William.
Fraser, Mrs. F.
Gaitely, Mrs. E
Goodfellow, Mrs A. T.
Grainyer, C.
Green, William
Gregson, Rev J. Gelson.
Guicciardi, Emile.
Hackett, C. A.
Hallett, W. O.
Hankuwiz, C.
Harland, W.
Haywood, Miss
Huddlerton, J. G. L.
Hughes, Pringle.
Hunt, Henry.
Hunter, F.
Innes, Major.
Johnston, R T.
Jordan, Miss A. J.
Keeap, L.
Kennedy, A.
Kennedy, W. B. R.
Kerr, E.
Kimmins, W. J.
King, Edward.
Lane, William.
Lee, Frederick
Leonard, Nicolas.
Lockhart, G.
Long, Mrs J.
Lowe, Mrs. Hubert.
M. J. L. S.
Match, J.
McLean, John.
Medem, B. A.
Mills, G.
Morley, F. G. A. C.
Muir, John C.
O'Farrell, Surgeon-Major.
O'Hanlon, J.
Oakly, Miss.
Parker, G. F.
Paterson, Mrs. Mary.
Pearson, H. J. T. G.
Phillips, F. D.
Potter, John.
Quick, Frank.
Rachel.
Read, E.
Reece, Mrs. W
Richards, Albert.
Rutterfurd, R. C.
Ryan, J H.
Ryckman, E. H.
Sanghlen, M. C.
Santamaria, Angelo.
Schaeffler, F B.
Schmidt, Otto.
Scott, J W.
Seillier, Madame.
Shiphau, Rev A.
Simpson, H.
Smith, Miss L.
Spencer, J.
Stevenson, Mrs.
Steuart, Mrs. G
Swanson, Mrs. George.
Teape, Richard.
Toutmagne, Duraud de
Tshag, H.
Tuck, Serjeant J.
Walterkamp, William.
White, A. J.
Williamson, W. F.

Registered Letters

Greenblott, S.
Geyer, Alfred.
Harwood, H. L.
Knudsen, T. E O.
Kuller, Marie.
Martin, C. P E.
Moratti, Allessandro.
Schwartz, Mrs. Jacob.
Stevenson, Col. T. R.
Wakefield, G. E.

Calcutta, the 29th December 1883.

It is hereby notified for general information that the following mail despatches to Ceylon will be made from the Calcutta General Post Office during January 1884:—

DATE OF CLOSING.	ROUTE.
4th January 1884	By French Steamer.
4th January 1884*	By Star Line private vessel.
6th January 1884*	By B I. S. N Co.'s private vessel.
8th January 1884	By P. & O. Steamer from Bombay.
12th January 1884	By P. & O. Steamer from Calcutta.
18th January 1884*	By B I. S. N. Co.'s private vessel.
22nd January 1884	By P. & O. Steamer from Bombay.
26th January 1884	By P. & O Steamer from Calcutta.

* These dates are subject to alteration in the event of departure of the vessels being delayed.

N.B—The letter-box will close at 7 P.M. precisely, after which hour letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

The rate of postage on letters conveyed by private vessels is two (2) annas per ½ oz. (prepayment compulsory).

The postage on letters conveyed by the P. & O. and the French steamers is three (3) annas per ½ oz. (prepayment optional).

SEA AND FOREIGN MAILS.

Foreign Mails for	Date.	Per Steamer.
Madras, Ceylon, and Intermediate Ports	1884. 4th Jan.	Str. *Nerbudda.*
Madras and Ceylon	1883. 29th Dec.	P. & O. Str. *Australia.*
Foreign Mails *viâ* Bombay	1884. 1st Jan.	From Bombay.*
Do. Book Post and Pattern Packets	1883. 31st Dec.	From Bombay.
Rangoon and Moulmein	1884. 3rd Jan.	Str. *Baghdad.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	3rd ,,	Str. *Calcutta.*
Madras, Ceylon, Batavia, Singapore, and China	4th ,,	French Str. *Tibre.*

* Also for South Africa *viâ* England can be forwarded.

N.B.—The letter-box will close at 7 P.M. precisely; after which hour, foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin *R4-8*; per eight ounce tin, *R8-8*; per pound tin, *R16-8*. The general public can be supplied by the Superintendent, Botanical Gardens, *for cash only*, at the under-noted rates:—per four ounce tin *R5-8*; per eight ounce tin *R10-8*; per pound tin, *R20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنت سنکونا فبري فيوج

يهه دوا کونينائين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے اونکے جو کوئي ايک مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه; يک پونڈ کے ٹين کا سوله روپيه آٹهه آنه،

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Offg. Under-Secy. to the Govt. of Bengal.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 29, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

NOTICE.

The Forty-sixth Annual General Meeting of Subscribers of the above institution will be held in the Town Hall, on Saturday, the 26th January 1884, at 3 P.M., to receive the report of the Directors and to consider such matters as may then be submitted.

By order of the Directors,

W. H. RYLAND,
Secretary.

CALCUTTA,
The 22nd December 1883.

PROMISSORY NOTES.

Lost

The Government Promissory Note No. 021728, of the 4 per cent. of 1879, for R700, originally standing in the name of the Oriental Bank Corporation, and last endorsed by the Deputy Commissioner, Kolar, to the Dewan of Mysore, by whom it was never endorsed to any other person, but bears an unsigned form of receipt for renewal. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favor of the proprietor.

D. SREENIVASSIENGAR,
Under-Secretary.

The 3rd December 1883.

Destroyed by White-ants.

The Government Promissory Note No. B139141, of the 4 per cent. Transfer Loan of 1st May 1865, for R1,000, standing in the names of Luckmidas Amerchand and Hurrukhbaie, widow, and Notes Nos. 039004, 039005, and 039094, of the 4½ per cent. Transfer Loan of 1879, for R100 each, standing in the names of Luckmidas Amerchand and Hurcooverbaie, the proprietors, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, and application is about to be made to Government for the issue of duplicate notes in favor of the proprietors.

LUCKMIDAS AMERCHAND,
57, Mody Street, Fort, Bombay.

BOMBAY,
The 3rd December 1883.

Stolen

The following 4 per cent. Government Promissory Notes standing in the name of——, and last endorsed to Mohima Chundra Mozoomdar of Narendrapur, the proprietor :—

New No.	Old No.	Date.	Amount. R
063502	002008	16-1-72	1,000
014514	12717	31-3-36	1,000
104234	26061	ditto	1,000
104201	26963	1-5-65	500
011439	502049	15-7-70	500
011450	002053	ditto	2,500
009706	002051	ditto	3,500
78500	020148	1-2-43	2,000
011458	002050	15-7-70	500
			12,500

W. F. GILLANDERS.



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PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 18th December 1883, and is hereby promulgated for general information:—

ACT No. XXI OF 1883.

THE INDIAN EMIGRATION ACT, 1883.

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Indian Emigration Act, 1883.
(Chapter II.—Ports from which, and Countries to which, Emigration is lawful.)

An Act to amend the law relating to the Emigration of Natives of India.

WHEREAS it is expedient to amend the law relating to the emigration of Natives of India; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title and extent.

1. (1) This Act may be called the Indian Emigration Act, 1883.

(2) It extends to the whole of British India.

Exemption of Government vessels.

2. Nothing in this Act or in any rule made under this Act shall apply to any vessel belonging to, or in the service of, Her Majesty or of the Government of India.

Commencement.

3. Except as to the power to make rules, this Act shall come into force on such day as the Governor General in Council, by notification in the *Gazette of India*, appoints.

Repeal of enactments.

4. On and from the day on which this Act comes into force, the Indian Emigration Act, 1871, and Act No. XIV of 1872 (*to exempt the Straits Settlements from the Indian Emigration Act, 1871*) shall be repealed.

Saving for proceedings under repealed enactments.

5. All notifications issued, contracts entered into, rules and appointments made, and licenses granted under any enactment hereby repealed, and in force on the day on which this Act comes into force, shall (so far as they are consistent with this Act) be deemed to have been respectively issued, entered into, made and granted under this Act.

Definitions.

6. In this Act, unless there is something repugnant in the subject or context,—

(1) "Emigrate" and "emigration" denote the departure by sea out of British India of a Native of India under an agreement to labour for hire in some country beyond the limits of India other than the island of Ceylon or the Straits Settlements:

Provided that a domestic servant when accompanying his employer shall not be deemed to emigrate within the meaning of the above definition:

(2) "Emigrant" means any Native of India who emigrates, or has emigrated, within the meaning of the above definition, or who has been registered under this Act as an emigrant, and includes any dependent of an emigrant:

(3) "Dependent" means any of the following persons accompanying any emigrant, namely:—

(a) any woman who has not entered into an agreement to emigrate under this Act;

(b) any child in whose name and on whose behalf any such agreement has not been entered into; and

(c) any aged or incapacitated relative or friend:

(4) "Magistrate" means, in the Presidency-towns, a Presidency Magistrate, and elsewhere a District Magistrate or a Sub-divisional Magistrate, and includes also any person appointed by the Local Government, by name or by virtue of his office, to perform in any local area the functions of a Magistrate under this Act:

(5) "Registering Officer" means any person appointed by the Local Government, by name or by virtue of his office, to perform in any local area the functions of a Registering Officer under this Act:

(6) "Recruiter" includes a head recruiter or other person who collects or receives emigrants recruited by other persons:

(7) "Vessel" includes anything made for the conveyance by water of human beings or property:

(8) "Emigrant-vessel" means a vessel the master of which is licensed under this Act to carry emigrants therein: and

(9) "Master" means any person (except a pilot or harbour-master) having for the time being control or charge of a vessel.

CHAPTER II.

PORTS FROM WHICH, AND COUNTRIES TO WHICH, EMIGRATION IS LAWFUL.

Ports from which emigration is lawful.

7. (1) Emigration shall not be lawful except from the ports of Calcutta, Madras and Bombay, and from such other ports as the Governor General in Council, from time to time, by notification in the *Gazette of India*, declares to be ports from which emigration is lawful.

(2) The Governor General in Council may at any time, by a like notification, revoke any notification issued under this section.

(3) The Local Government may, from time to time, by notification in the official Gazette, fix for the purposes of this Act the limits of any port from which emigration is lawful.

Countries to which emigration is lawful.

8. (1) Emigration shall not be lawful except to the countries specified in the first schedule hereto annexed, and to such other countries

Indian Emigration Act, 1883.
(Chapter IV.—Protectors of Emigrants and Medical Inspectors.)

as the Governor General in Council, from time to time, by notification in the *Gazette of India*, declares to be countries to which emigration is lawful.

(2) Every notification under this section must contain a declaration that the Governor General in Council has been duly certified that the Government of the country to which the notification refers has made such laws and other provisions as the Governor General in Council thinks sufficient for the protection of emigrants to that country during their residence therein.

Power for Governor General in Council to prohibit emigration to any country.

9. (1) Whenever the Governor General in Council has reason to believe that any of the grounds, hereinafter mentioned, for prohibiting emigration to any country to which emigration is lawful, exists, he may, by notification in the *Gazette of India*, declare that emigration to that country shall cease to be lawful from a day specified in the notification; and from that day emigration to that country shall accordingly cease to be lawful.

(2) The grounds referred to in sub-section (1) of this section are—

(a) that the plague or any other epidemic disease dangerous to human life has broken out in the country;

(b) that the mortality among emigrants in the country is excessive;

(c) that proper measures have not been taken for the protection of emigrants immediately on their arrival in the country or during their residence therein;

(d) that the agreements made with emigrants, as such, before their departure from India are not duly enforced by the Government of the country; and

(e) that the Governor General in Council, having, either directly or through the Secretary of State for India in Council, addressed the Government of the country with a view to obtain information regarding the condition or treatment of emigrants therein, has not within a reasonable time received the information asked for.

Power for Local Government to suspend emigration pending reference to Governor General in Council.

10. (1) Whenever the Local Government has reason to believe that, in any country to which emigration is lawful, the plague or other epidemic disease dangerous to human life has broken out, and that emigrants, if allowed to emigrate to that country, would be exposed to serious risk of life on arrival there, it may, by notification in the official Gazette, declare that emigration to that country from any port in the territories administered by it shall cease to be lawful pending a reference to the Governor General in Council.

(2) The Local Government shall at once report the publication of a notification under this section, with the reasons for it, to the Governor General in Council, who shall thereupon publish a notification in the *Gazette of India* confirming or cancelling the notification published by the Local Government.

Revocation of prohibition.

11. Whenever the Governor General in Council is satisfied that the ground on which a notification has been published by him under either of the two last foregoing sections with respect to any country has ceased to exist, he may, by notification in the *Gazette of India*, declare that emigration to that country shall again be lawful from a day to be specified in the notification.

Power for Local Government to prohibit emigration to specified country from the whole or any specified part of its territories.

12. (1) The Local Government may, with the previous sanction of the Governor General in Council, by notification in the official Gazette, prohibit, from a day specified in the notification, all Natives of India or any specified class of Natives, from emigrating from the whole or any specified part of the territories under its administration to any specified country.

(2) The Local Government may, with the like sanction, in like manner, vary or cancel any notification published under this section.

Saving for acts done before publication of notification.

13. The publication of a notification under any of the four last foregoing sections shall not affect any act done, offence committed or proceedings commenced before the publication.

CHAPTER III.

EMIGRATION AGENTS.

Appointment of Emigration Agents.

14. (1) The Government of every country to which emigration is lawful may, from time to time, appoint a person to be Emigration Agent in any port from which emigration is lawful, and may suspend or remove any person so appointed.

(2) An appointment under this section shall not take effect until the Local Government, by notification in the official Gazette, has declared its approval of the appointment.

Remuneration of Agents.

15. The remuneration to be given to an Emigration Agent shall not depend on, or be regulated by, the number of emigrants sent by him, but shall be in the nature of a fixed salary:

Provided that the Governor General in Council may, from time to time, authorize the payment to specified Emigration Agents of special fees for occasional work.

CHAPTER IV.

PROTECTORS OF EMIGRANTS AND MEDICAL INSPECTORS.

Appointment of Protectors of Emigrants.

16. (1) The Local Government may, from time to time, appoint a proper person to be the Protector of

Indian Emigration Act, 1883.
(Chapter V.—Recruiters.)

Emigrants for any port within the territories administered by it from which emigration is lawful.

(2) The Governor General in Council may, from time to time, define the local area to which the authority of any Protector of Emigrants so appointed shall extend.

(3) Every Protector of Emigrants may be suspended or removed by the Local Government which appointed him.

(4) Every Protector of Emigrants shall be a public servant within the meaning of the Indian Penal Code. XLV of 1860.

General duties of Protector.

17. Every Protector of Emigrants, in addition to the special duties assigned to him by this Act or the rules made under this Act, shall—

(*a*) protect and aid with his advice all emigrants;

(*b*) cause, so far as he can, all the provisions of this Act, and of the rules made under this Act, to be complied with;

(*c*) inspect, on arrival, all vessels bringing return-emigrants to the port for which he is Protector;

(*d*) enquire into the treatment received by the return-emigrants both during the period of their service in the country to which they emigrated, and also during the return voyage, and report thereon to the Local Government; and

(*e*) aid and advise the return-emigrants so far as he reasonably can.

Appointment of Medical Inspector.

18. (*1*) The Local Government may, from time to time, appoint a Medical Inspector of Emigrants at each port from which emigration is lawful, and may suspend or remove him.

(2) Every Medical Inspector of Emigrants shall be a public servant within the meaning of the Indian Penal Code. XLV of 1860.

Protector and Medical Inspector to have facilities for inspection.

19. Every Emigration Agent, and all persons in charge of, or employed in, any depôt established under this Act, or in charge of, or employed in, any emigrant-vessel, shall give the Protector of Emigrants and the Medical Inspector of Emigrants every facility for making such inspections, examinations and surveys as are required by this Act, or by the rules made under this Act, or as those officers may deem necessary or proper, and shall afford them all such information as they may reasonably require.

CHAPTER V.

RECRUITERS.

Protector of Emigrants to recruiters.

20. (*1*) The Protector of Emigrants at each of the ports from which emigration is lawful shall, on the application of the Emigration Agent for any country to which emigration is lawful, grant licenses to so many fit persons as the Protector seems necessary to be recruiters of emigrants within the local area to which the authority of the Protector extends.

(2) A person shall not, unless he holds a license granted under this chapter,—

(*a*) enter into, or attempt to enter into, any agreement with any person purporting to bind him to emigrate, or

(*b*) in consideration of any hire or reward, induce, or attempt to induce, any person to leave any place for the purpose of emigrating, or

(*c*) act or be employed in any other respect as a recruiter of emigrants.

(3) Every recruiter shall produce his license when called upon to do so by any Magistrate or officer in charge of a police-station.

Form of license.

21. Every license granted under this chapter shall specify the particular country for which, and the local area within which, the holder is licensed to recruit, and may be in the form set forth in the second schedule hereto annexed.

Duration of license.

22. (*1*) A license granted under this chapter shall not be in force for a longer period than one year from the day on which it comes into force.

(2) The Protector of Emigrants may, on the ground of misconduct, cancel any license granted by him under this chapter before the expiration of the period for which it is in force.

Countersignature of license.

23. (*1*) A recruiter shall not, in any place beyond the limits of a port from which emigration is lawful, enter, or attempt to enter, into any agreement with any person purporting to bind him to emigrate, or induce or assist, or attempt to induce or assist, any person to leave any place for the purpose of emigrating, or act or be employed in any other respect as a recruiter of emigrants, unless his license bears the countersignature of the District Magistrate.

(2) If a District Magistrate has satisfied himself, after such enquiry as he thinks necessary, that the licensee is, by character or from any other cause, unfitted to be a recruiter under this Act, he may refuse to countersign a recruiter's license.

(3) If a District Magistrate has satisfied himself, after such enquiry as aforesaid, that sufficient and proper accommodation has not been provided in a suitable place, or is not available, for such intending emigrants or emigrants as may be collected by the recruiter pending their registration or removal to the depôt at the port of embarkation, he may refuse to countersign a recruiter's license or to decide whether he will countersign his license until after the expiration of such time as may in his opinion be reasonable.

(4) Before a Magistrate refuses to countersign, or defers his countersignature of, a recruiter's license, he shall record in writing his reasons for so doing.

Indian Emigration Act, 1883.
(Chapter VI.—Registration of Emigrants and Execution of Agreements to emigrate.)

24. If any Magistrate, having countersigned a recruiter's license, afterwards finds reason to think that the licensee is, by character or from any other cause, unfitted to be a recruiter under this Act, or that the accommodation provided for intending emigrants or emigrants collected by him has become unsuitable or has ceased to be available, he may require the licensee to produce his license, and may cancel the countersignature on it, or may impound the license and send it for cancellation to the Protector of Emigrants who granted it.

Power for Magistrate to cancel countersignature in certain cases.

25. When a Magistrate countersigns, or refuses to countersign, a recruiter's license, or cancels the countersignature on it, he shall at once report the countersignature, or the refusal or cancellation, and the grounds of the refusal or cancellation, to the Protector of Emigrants who granted the license.

Notice to Protector of Emigrants of countersignature, refusal to countersign or cancellation of countersignature.

26. (*1*) The Emigration Agent on whose application any recruiter is licensed shall supply the recruiter with a written or printed statement, signed by the Agent, and countersigned by the Protector of Emigrants, of the terms of agreement which the recruiter is authorized to offer on behalf of the Agent to intending emigrants.

Recruiter to be supplied with statement of terms of agreement he is authorized to offer.

(*2*) The statement shall be both in English and in the Vernacular language or languages of the local area within which the recruiter is licensed to recruit.

(*3*) The recruiter shall give a true copy of the statement to every person whom he invites to emigrate, and shall produce the statement for the information of any Magistrate or officer in charge of a police-station, when called upon to do so by the Magistrate or officer.

27. (*1*) Every recruiter shall provide sufficient and proper accommodation in a suitable place for such intending emigrants or emigrants as may be collected by him pending their registration or removal to the port of embarkation.

Accommodation to be provided by recruiters.

(*2*) The place where the accommodation is provided shall have a board fixed in some conspicuous position specifying the purpose for which the place is used.

(*3*) Every District Magistrate, and any subordinate Magistrate or officer of Police authorised in this behalf by a rule made under this Act, shall have, for the supervision and regulation of the places where accommodation is provided under this section, the same powers as are by this Act conferred on a Protector of Emigrants in respect of depôts at the port of embarkation.

(*4*) All recruiters or other persons in charge of these places shall afford every Magistrate and any officer of Police authorised as aforesaid in this behalf every facility for visiting and inspecting them.

CHAPTER VI.

REGISTRATION OF EMIGRANTS AND EXECUTION OF AGREEMENTS TO EMIGRATE.

28. The Local Government may, from time to time, appoint any person, by name or by virtue of his office, to perform in a specified local area, but subject to the control of the District Magistrate or such other officer as the Local Government appoints, by name or by virtue of his office, in this behalf, the functions of a Registering Officer under this Act.

Power for Local Government to appoint Registering Officers.

29. Every agreement to emigrate entered into by any person must—

Execution of agreements.

(*a*) if executed within the limits of any port from which emigration is lawful, be executed in the presence of the Protector;

(*b*) if executed elsewhere, be executed in the presence of a Registering Officer.

30. Every recruiter who desires to engage any person to emigrate shall appear before a Registering Officer or the Protector of Emigrants (as the case may be) with that person, and with any persons intending to accompany that person as his dependents.

Appearance of intending emigrants before Registering Officer.

31. (*1*) The Registering Officer or Protector shall thereupon examine the person, apart from the recruiter, with reference to his intended agreement; and, if it appears that he is competent and willing to enter into the agreement and understands its nature, that he has not been induced to enter into it by any coercion, undue influence, fraud, misrepresentation or mistake, that its terms are in conformity with law, and are such as, according to the statement furnished to the recruiter under section twenty-six, he was authorized to offer, shall, subject to the provisions of section thirty-three, register in a book to be kept for the purpose, in such form as the Governor General in Council, from time to time, by rules made under this Act, prescribes, the name, sex, name of the father, caste, occupation and age of the intending emigrant, and the name of the village or place of which he is a resident, and such other particulars (if any) concerning him and his dependents (if any) as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

Examination and registration of emigrant.

32. (*1*) Notwithstanding anything contained in the last foregoing section, the Registering Officer or Protector may refuse to register any married woman under that section if he finds that her husband does not consent to her emigrating.

Power to refuse registration in case of married women.

Indian Emigration Act, 1883.
(Chapter VII.—Emigration Depôts.)

(2) The Registering Officer or Protector may also, in the case of any woman whom he believes to be married, refuse to decide whether he will register her until after the expiration of such time, not exceeding ten days, as he thinks fit.

Examination of dependent.

33. (1) When any person appears before a Registering Officer or Protector under section thirty as a dependent of an intending emigrant, the Registering Officer or Protector shall, if the person is able to give intelligent answers to questions, examine him, apart from the recruiter, as to his dependence on the intending emigrant whom he is about to accompany and as to his willingness to emigrate.

(2) Where the Registering Officer or Protector sees reason to doubt the existence of the dependence or willingness, he may, if he thinks fit, refuse to register the intending emigrant unless the name of the dependent is omitted from the register.

Record of reasons for refusal to register.

34. Whenever the Registering Officer or Protector refuses to register any intending emigrant, he shall record his reasons for the refusal.

Execution and attestation of agreement.

35. (1) When the particulars concerning any intending emigrant and his dependents (if any) have been registered, the Registering Officer or Protector shall cause an agreement to be prepared in triplicate, and shall call on the recruiter and the intending emigrant to execute the agreement in triplicate in his presence, and, if they execute it, shall attest the execution with his signature.

(2) An agreement to emigrate shall not be of any effect until the particulars concerning the intending emigrant and his dependents (if any) have been registered, and the agreement has been executed and attested under this Act.

(3) When the particulars concerning any intending emigrant and his dependents (if any) have been registered, and an agreement has been executed and attested under this Act, the intending emigrant shall be deemed to be registered under this Act as an emigrant.

Contents of agreement.

36. Every agreement to emigrate shall contain a copy of the particulars registered concerning the intending emigrant and his dependents (if any) under section thirty-one, and on the reverse such particulars concerning the nature, duration and term of service and the remuneration of the emigrant, and such other matters (if any) as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

Disposal of copies of agreement.

37. When the agreement has been executed and attested, one copy thereof shall be delivered to the recruiter for transmission to the Emigration Agent, another shall be delivered to the emigrant, and the third shall be retained by the Protector or sent by the Registering Officer to him.

Fee for preparation of agreement.

38. For the preparation of every agreement under this chapter the recruiter or Emigration Agent shall pay such fee as the Governor General in Council, from time to time, by notification in the *Gazette of India*, prescribes:

Provided that the Governor General in Council may at any time, by like notification, declare that the fee payable under this section shall be consolidated, either generally or in any specified local area, with the fee payable under section seventy-three.

Power to make agreement if over 16.

39. Notwithstanding anything to the contrary in the Indian Contract Act, 1872, it shall be lawful for any person of the age of sixteen years or upwards to enter in manner in this Act provided into an agreement to emigrate to any place to which emigration is lawful.

IX of 1872.

Power to make agreement on behalf of child or ward.

40. Any person entering into an agreement to emigrate, and being the parent or guardian of a child under the age of sixteen years and above the age of ten years, may, in the name of and on behalf of the child, enter into an agreement in manner in this Act provided binding the child to emigrate with him.

CHAPTER VII.

EMIGRATION DEPÔTS.

Depôts to be established at ports of embarkation.

41. Every Emigration Agent shall establish at the port for which he is appointed a suitable depôt for the reception and lodging of emigrants before embarkation for the country for which he is Emigration Agent, and shall provide all necessary food and clothing for all emigrants during their stay at the depôt.

Licensing of depôts.

42. (1) A depôt established under the last foregoing section shall not be used for the reception and lodging of emigrants until it has been inspected and approved by the Protector of Emigrants and the Medical Inspector of Emigrants, and a license for its use has been granted by the Protector.

(2) A license under this section shall not be granted for a longer period than one year from the day on which it comes into force.

(3) The Protector of Emigrants may at any time cancel a license under this section—

(a) if he considers that the depôt for which it was granted is unhealthy, or has in any respect become unsuitable for the purpose for which it was established, or

Indian Emigration Act, 1883.
(Chapter VIII.—Conveyance of Emigrants to Depôts and Procedure on Arrival).

(b) if the Emigration Agent fails, after reasonable notice, to comply with any of the requirements of this Act or of the rules made under this Act.

Inspection by Protector and Medical Inspector.

43. The Protector of Emigrants and the Medical Inspector shall, from time to time, and at least once in every week during which any emigrants may be kept in any depôt at the port for which they are Protector and Medical Inspector, respectively, inspect the emigrants in that depôt, and examine the state of the depôt, and the manner in which the emigrants therein are lodged, fed, clothed and otherwise provided for and attended to.

Report by Medical Inspector.

44. The Medical Inspector shall report to the Protector of Emigrants any circumstance that may come to his knowledge showing that any depôt is not suitable for its purpose, or that the emigrants lodged therein are treated with any oppression or neglect.

Treatment of emigrant suffering from disease.

45. (1) The Medical Inspector may, if he thinks fit, direct that any emigrant suffering from any disease likely to be dangerous to his neighbours shall be isolated or excluded from the depôt.

(2) The Medical Inspector may, if he thinks fit, order the removal of any emigrant so suffering to a proper hospital for treatment at the expense of the Emigration Agent; and the expense (if any) incurred by the Protector of Emigrants in respect of the removal of the emigrant and his treatment in the hospital shall be recoverable from the Emigration Agent by the Protector of Emigrants, with interest thereon at the rate of six per centum per annum from the date on which the expense was incurred.

CHAPTER VIII.

CONVEYANCE OF EMIGRANTS TO DEPÔTS AND PROCEDURE ON ARRIVAL.

Emigrant not to be removed before registration.

46. A recruiter shall not remove or attempt to remove any intending emigrant to a depôt, or induce or attempt to induce him to go to a depôt, or to leave the local limits of the jurisdiction of the Magistrate by whom the recruiter's license has been countersigned, or aid him in going to a depôt, or in leaving any such local limits, until the intending emigrant has been registered under this Act as an emigrant.

Conveyance of emigrant to depôt.

47. (1) Every emigrant must, after he has been registered under this Act, be conveyed with all convenient despatch, by or under the orders of the recruiter or Emigration Agent, to the depôt established at the port of embarkation by the Emigration Agent on whose application the recruiter has been licensed.

(2) When an emigrant has been registered at a place beyond the limits of the port of embarkation, he must, while proceeding to the depôt, be accompanied throughout the journey either by the recruiter himself, or by a competent person appointed by him with the approval of a Magistrate.

(3) The Magistrate shall give to the person so appointed a certificate signed by him stating that he has been appointed for the journey to the depôt.

(4) The recruiter or the person so appointed shall, throughout the journey, provide the emigrant with proper and sufficient food and lodging.

Report of arrival at depôt.

48. The arrival at a depôt of each emigrant must immediately be reported by the person in charge of the depôt to the Emigration Agent, and by the Agent to the Protector of Emigrants.

Examination by Medical Inspector.

49. (1) The copy of the agreement received by the recruiter from the Registering Officer or Protector must, as soon as conveniently may be after the arrival of the emigrant at the depôt, be shown by the Emigration Agent to the Medical Inspector of Emigrants.

(2) The Medical Inspector shall examine each emigrant entered in the agreement to ascertain whether he is fit, having regard to his age and state of health, to undertake the journey to the country to which he has agreed to emigrate.

(3) The Medical Inspector, if satisfied of his fitness, shall give a certificate to that effect to the Emigration Agent. If not so satisfied, he shall give a certificate to that effect to the Protector of Emigrants.

Power for Protector to order payment of expenses of return of emigrant in certain cases.

50. (1) In any of the following cases, namely:—

(a) if the Medical Inspector of Emigrants finds that an emigrant is, or has become, unfit to undertake the journey to the country to which he has agreed to emigrate, and if the Protector of Emigrants considers that the emigrant has not dishonestly represented himself as fit to undertake the journey, or

(b) if the Protector finds that any such irregularity has occurred in the recruitment or treatment by the recruiter of any emigrant as makes it just to rescind the agreement to emigrate, or

(c) if the Emigration Agent refuses to fulfil the agreement entered into with the emigrant,

the Protector may order the Emigration Agent to pay to the emigrant such sum as the Protector deems reasonable as compensation, and, when the emigrant has been registered at a place beyond the

Indian Emigration Act, 1883.
(Chapter IX.—Emigrant-vessels.)

limits of the port of embarkation, such reasonable sum as is necessary to enable him to return to the place at which he was registered, and may take any steps which he thinks necessary for the conveyance of the emigrant to that place.

(2) Any emigrant who has been registered at any place beyond the limits of the port of embarkation, and who from his state of health is, in the opinion of the Medical Inspector of Emigrants, unfit to undertake at once the return-journey to the place at which he was registered, shall be entitled to be fed, lodged, clothed and attended to at the depôt at the expense of the Emigration Agent until he is reported by the Medical Inspector fit to undertake the return-journey.

Payment of expenses of dependents and relatives.

51. (*1*) When any order is made under the last foregoing section with reference to any emigrant who was registered at any place beyond the limits of the port of embarkation, any emigrant who has been registered as his dependent,

or any emigrant who, not being a dependent, is the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of the emigrant, shall be entitled—

(*a*) to be conveyed at the expense of the Emigration Agent with the emigrant to the place at which he was registered; and

(*b*) if the emigrant is unable to travel, to be lodged, fed and clothed in the depôt at the expense of the Emigration Agent until the emigrant is able to travel.

(*2*) The Protector of Emigrants may include any expenses incurred under this section in an order made under the last foregoing section with respect to the emigrant.

Compensation to emigrant for ill-treatment on journey.

52. If it appears that during the journey to the depôt any emigrant has suffered any ill-treatment, or that, in the case of any emigrant who has been registered at a place beyond the limits of the port of embarkation, the provisions of section forty-seven have not been complied with, the Protector of Emigrants may order the Emigration Agent to pay—

(*a*) to the emigrant a reasonable sum by way of compensation, and

(*b*) if any expenses have been incurred by or under the orders of the Protector on behalf of the emigrant by reason of the neglect to comply with the provisions of section forty-seven, to the Protector the expenses so incurred.

Power for Protector to pay and recover expenses incurred on behalf of emigrant.

53. (*1*) On failure of the Emigration Agent for twenty-four hours to comply with an order of the Protector for the payment of any sum to an emigrant under any of the last three foregoing sections, the Protector may pay the same to the emigrant.

(*2*) Every sum paid by the Protector to an emigrant under sub-section (1), and, on failure of the Emigration Agent for twenty-four hours to comply with an order for payment thereof under the last foregoing section, every sum which the Protector may have ordered the Emigration Agent to pay to him under that section, shall be recoverable from the Emigration Agent with interest thereon at the rate of six per centum per annum from the date of payment.

(*3*) Further proof shall not be required by any Court in any such case than that the Protector gave the Emigration Agent an order to pay the sum, and that the Emigration Agent for twenty-four hours failed to comply with the order.

CHAPTER IX.

EMIGRANT-VESSELS.

Master of emigrant-vessel to be licensed.

54. It shall not be lawful to receive any emigrant on board any vessel unless a license to carry emigrants in the vessel has been obtained from the Local Government.

Application for license.

55. (*1*) When the master or owner of any vessel desires to obtain a license to carry emigrants in his vessel, he shall apply in writing through the Protector of Emigrants to the Local Government for the license.

(*2*) The application must state the number of emigrants which, according to the rules as to space contained in this chapter, the applicant deems the vessel capable of carrying, and the tonnage and such other particulars respecting the vessel as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

Survey and licensing of vessel.

56. (*1*) The Protector of Emigrants shall cause the vessel to be surveyed by a competent person at the cost of the master or owner, with a view to ascertain her seaworthiness, and the extent and nature of her accommodation for emigrants, and to ascertain that she is properly ventilated, and is supplied with all the tackle, apparel and furniture requisite for her intended voyage.

(*2*) If the Local Government is of opinion that the vessel is in all respects suitable for the carrying of emigrants under this Act, and is properly manned and officered, it shall give to the master of the vessel a license to carry emigrants therein specifying the number of emigrants which may be received on board.

Accommodation required on board emigrant-vessel.

57. (*1*) A license shall not be granted under the last foregoing section unless—

(*a*) there is provided for the emigrants, either between-decks or, subject to the approval

Indian Emigration Act, 1883.
(Chapter X.—Embarkation and Departure.)

of the Protector of Emigrants and the Medical Inspector, in cabins on the upper deck, a space devoted to the exclusive use of the emigrants having in every part a height of not less than six feet;

(*b*) a separate place is fitted up for a hospital; and

(*c*) such arrangements are made for the separation of women (married or single) and children from the other emigrants as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

(*2*) The cabins on the upper deck provided under clause (*a*) of this section must be firmly secured and entirely covered in.

Rules as to space on board emigrant-vessel.

58. Every emigrant-vessel must contain within the space referred to in clause (*a*) of the last foregoing section at least twelve superficial feet and seventy-two cubic feet of space for each emigrant:

Provided that two emigrants under the age of ten years shall for the purposes of this section count as one only.

Provisions, clothing, fuel and water.

59. There must be on board every emigrant-vessel, at the time of departure of the vessel from the port at which they embark, provisions, clothing, fuel and water for the emigrants (over and above the supply for the master, officers and crew, and of the cabin and other passengers, if any), in such quantity and of such description and quality as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

Surgeons, attendants, medicines and stores.

60. Every emigrant-vessel must, at the time of departure of the vessel from the port at which the emigrants embark, have on board, and must carry with her, a properly qualified surgeon, and also such compounders, interpreters and attendants subordinate to the surgeon, and such medicines and other stores, in such quantity and of such quality as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

Duty of Protector and Medical Inspector with respect to enforcement of foregoing sections.

61. The Protector of Emigrants and the Medical Inspector of Emigrants shall see personally that all the provisions of the last two foregoing sections are complied with.

Bond to be executed by master of emigrant-vessel.

62. (*1*) Every master licensed under this Act shall, on the requisition of the Protector of Emigrants, and before any emigrant embarks on board his vessel, execute to the Protector, in duplicate, a bond, in such form as the Local Government, from time to time, prescribes, binding himself and the owner of the vessel in a penal sum of ten thousand rupees, to perform the duties imposed by this Act or any rule made under this Act on a master and owner respectively.

(*2*) The Protector of Emigrants shall forward one copy of the bond to such officer as may be appointed in this behalf by the Government of the country to which the emigrants are to be conveyed, or, in the case of a foreign colony, to the British Consular Agent, and the other copy to the Local Government.

CHAPTER X.

EMBARKATION AND DEPARTURE.

Time of embarkation after arrival.

63. An emigrant shall not embark, except with the permission of the Protector of Emigrants, until seven days have elapsed from the date of his arrival at the depôt.

Time at which emigrant-vessels may leave India.

64. (*1*) An emigrant-vessel shall not sail from any port in British India—

(*a*) to any country west of the Cape of Good Hope, except at such seasons as the Governor General in Council, from time to time, by rules made under this Act, prescribes as seasons during which it shall be lawful for emigrant-vessels generally, or of a class to which the vessel belongs, to sail to that country;

(*b*) to any country during any season which the Governor General in Council, from time to time, by notification in the *Gazette of India*, declares to be a season during which the sailing of emigrant-vessels to that country is prohibited.

Procedure if emigrant refuses to embark.

65. If any emigrant without sufficient cause refuses or neglects to embark when called on by the Emigration Agent to do so, it shall not be lawful to compel the emigrant to embark; but nothing in this section shall affect the civil or criminal liabilities which an emigrant incurs by reason or in respect of any such refusal or neglect.

List of, and passes for, emigrants.

66. (*1*) When any emigrants are about to embark on board any vessel, the Emigration Agent shall supply the master of the vessel with four copies of a list, specifying, as accurately as may be, the names, ages and occupations of the emigrants, and the names of their respective fathers.

(*2*) The master shall not receive any emigrant on board unless he is provided with a pass, signed by the Emigration Agent, and countersigned by the Protector, stating the name and age of the emigrant, the name of his father, and the country to which he has agreed to emigrate, and certifying that he is in a fit state of health to undertake the voyage to that country.

Indian Emigration Act, 1883.
(Chapter X.—Embarkation and Departure.)

(3) Every emigrant shall on embarkation deliver the pass to the master.

(4) The master shall compare the emigrants who embark and the passes delivered by them with the list supplied by the Emigration Agent; and, if the list appears to be correct and to correspond with the passes delivered and with the emigrants embarked, the master shall sign the four copies of the list.

(5) The master shall not permit any emigrant to remain on board who has not delivered up his pass to the master, or is not mentioned in the list.

Disposal of the two copies of list to be given by master to Protector.

67. (1) When the copies of the list have been signed, the master shall give two of the copies to the Protector of Emigrants, who shall sign them if he believes them to be correct.

(2) The Protector shall send one of the copies so signed by him by the vessel which carries the emigrants to such officer as may be appointed in this behalf by the Government of the country to which the emigrants have agreed to emigrate, or, in the case of a foreign colony, to the British Consular Agent, and shall file the other copy in his own office.

Disposal of the two copies of list to be given by master to Emigration Agent.

68. (1) The master shall give to the Emigration Agent the two remaining copies of the list.

(2) The Emigration Agent shall thereupon sign the copies, and shall return one of them to the master.

(3) The master shall, on the arrival of the vessel at the country to which the emigrants have agreed to emigrate, and before their disembarkation, deliver the copy so returned to him to such officer as may be appointed in this behalf by the Government of the country, or, in the case of a foreign colony, to the British Consular Agent.

Examination of emigrants by Medical Inspector.

69. (1) The Medical Inspector shall be present at the embarkation of all emigrants, and shall examine each emigrant to ascertain if he is in a fit state of health to undertake the voyage to the country to which he has agreed to emigrate; and, if he finds that he is not fit to undertake the voyage, he shall inform the Protector accordingly.

(2) The Protector may thereupon refuse to permit the emigrant to embark; and any emigrant, registered as a dependent of an emigrant whom the Protector has refused to permit to embark, or any emigrant who, not being a dependent, is the father, mother, wife, husband, son, daughter, brother, sister, guardian, or ward of the emigrant, may, notwithstanding anything in this Act, refuse to embark.

(3) The provisions of sections fifty, fifty-one and fifty-three shall apply to emigrants who under this section are not permitted to embark, and to any emigrants who under this section refuse to embark, and to the recovery of expenses incurred under this Act in respect of them.

Emigration Agent to deliver agreements to emigrate to master.

70. The Emigration Agent shall, after all the emigrants have embarked, deliver to the master all the agreements made by the Emigration Agent or under his authority with the emigrants, and delivered or sent to him under this Act; and the master shall, on arrival at the country to which the emigrants are to be conveyed, deliver these agreements to such officer as may be appointed in this behalf by the Government of the country, or, in the case of a foreign colony, to the British Consular Agent.

Certificates from Protector of Emigrants and Emigration Agent.

71. Before any emigrant-vessel clears out of any port, the master of the vessel shall obtain from the Protector of Emigrants at the port, and from the Emigration Agent for the country to which the emigrants are to be conveyed, certificates, signed by the Protector and Emigration Agent, respectively, to the effect that the Protector and Agent have, in respect of all the emigrants embarking at that part in the vessel, done all that is required by the foregoing provisions of this Act, or by the rules made under this Act, to be done on the part of the Protector and Agent, respectively, and that all the directions for the security, well-being and protection of emigrants which are contained in this Act, or in the rules made under this Act, have in the case of that vessel been complied with.

Copies of Act and rules to be kept on board.

72. The master of every emigrant-vessel shall keep on board the vessel during the whole voyage two copies of this Act and of all rules made under this Act, and two copies of a translation of this Act, and of those rules, in such language or languages as the Local Government directs, and shall, on request made at any reasonable time, produce one of those copies to any emigrant for his perusal.

Fee for each embarked emigrant.

73. For each emigrant who embarks on board an emigrant-vessel the Emigration Agent shall pay to the Protector of Emigrants a fee of such amount as the Governor General in Council, from time to time, by notification in the *Gazette of India*, prescribes:

Provided as follows:—

(a) the fee payable under this section shall not be more than is, in the opinion of the Governor General in Council, sufficient to raise the total income from fees under this Act to an amount which will cover the cost of any establishment or supervision which the Governor General in Council thinks necessary to provide for the control of emigration:

(b) if it appears to the Governor General in Council expedient to provide, in the case of any country, any special establishment or

Indian Emigration Act, 1883.
(Chapter XI.—Rules.)

expenditure for the protection of Indian emigrants to that country, the Governor General in Council may increase the fee payable in the case of emigrants to that country to an amount sufficient, in his opinion, to cover the cost of the special establishment or expenditure.

Duty of master to see to observance of Act and rules on board his vessel.

74. It shall be the duty of every master licensed under this Act to see that all the provisions of this Act and the rules made under this Act are observed on board his vessel during the voyage from British India to the country to which the emigrants are to be conveyed.

Return of pass to emigrant.

75. The master shall return his pass to each emigrant before he disembarks in the country to which he has agreed to emigrate.

Special Provisions as to Vessels sailing from Calcutta.

Emigrant-vessel sailing from Calcutta to depart within 24 hours of embarkation.

76. The master of every vessel carrying emigrants from the port of Calcutta shall proceed on his voyage and depart with his vessel from Garden Reach within twenty-four hours after the embarkation of such of the emigrants as have first embarked.

Emigrant-vessel sailing from Calcutta to be towed to sea.

77. Every sailing-vessel leaving the port of Calcutta with emigrants shall proceed from Garden Reach to sea under tow of a steamer declared to be competent by such officer as the Local Government appoints in this behalf.

Power of surgeon of emigrant-vessel leaving Calcutta to require sick emigrants to be sent to hospital.

78. (*1*) When an emigrant-vessel leaves the port of Calcutta, if during her passage down the river, and while between Garden Reach and Diamond Harbour, the disease of measles, scarlet-fever or small-pox appears on board, the master shall, if so required by the surgeon in charge of the emigrants, send to the hospital at Diamond Harbour all emigrants suffering from the disease, with any emigrants registered as their dependents, and any emigrant who, not being a dependent, is the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of any such emigrant and who wishes to accompany him or her, and shall at once inform the Protector of Emigrants at Calcutta of the number and names of the emigrants so sent to hospital.

(*2*) The provisions of sections fifty, fifty-one and fifty-three shall, so far as may be, apply to emigrants landed under this section, and to the recovery of expenses incurred in respect of them.

Power of surgeon of emigrant-vessel leaving Calcutta to require all emigrants to be landed when cholera appears.

79. (*1*) In the event of cholera in an epidemic form appearing among the emigrants on board any such vessel carrying emigrants from the port of Calcutta, the surgeon in charge of the emigrants may require the master to land all the emigrants on board the vessel at Diamond Harbour.

(*2*) The master shall at once comply with the request of the surgeon, and shall immediately give notice of his having done so to the Protector of Emigrants at Calcutta, who shall take such action thereon as the Governor General in Council, from time to time, by rules made under this Act, prescribes.

CHAPTER XI.

RULES.

Power for Governor General in Council to make rules.

80. (*1*) The Governor General in Council may, from time to time, make rules consistent with this Act—

(*a*) to provide for the supervision and regulation of places of accommodation provided under this Act, and to define the classes of Magistrates and the officers of Police to be authorized to visit and inspect those places;

(*b*) to prescribe the form of the register required under this Act, and the particulars to be entered therein, and to regulate the control to be exercised over Registering Officers by the District Magistrate or officer (if any) appointed in this behalf under this Act;

(*c*) to prescribe the forms of the agreements to be made under this Act, and the particulars to be contained therein and the language or languages in which agreements must be expressed;

(*d*) to prescribe the conditions on which licenses for the establishment of depôts under this Act may be given, to provide for the supervision and regulation of depôts, and for the medical care of the emigrants during their residence there, and the measures to be taken on the outbreak of any epidemic or infectious disease there;

(*e*) to prescribe the forms to be supplied by Emigration Agents and recruiters for the purposes of this Act;

(*f*) to prescribe the particulars which the owner or master of a vessel applying for a license to carry emigrants in his vessel must state;

(*g*) to regulate the proportion of women to be ordinarily carried in any emigrant-vessel with male emigrants, and to prescribe the arrangements to be made for the separation of women (married or single) and children from the other emigrants on board an emigrant-vessel;

(*h*) to prescribe the description, quantity and quality of provisions, fuel and water to be taken by emigrant-vessels, the daily allowance of food and water to be issued, and the nature and amount of clothing to be supplied to each emigrant during the voyage;

(*i*) to fix the number of the compounders, interpreters and attendants subordinate to the surgeon to be carried for the care of the sick or weakly on board each emigrant-vessel;

Indian Emigration Act, 1883.
(Chapter XII.—Offences.)

(*j*) to prescribe the nature, quantity and quality of medicines and other stores to be carried on board emigrant-vessels;

(*k*) to provide for the ventilation and cleanliness of every emigrant-vessel during a voyage, and for its being furnished with a sufficient number of life-buoys, boats, water-buckets and other appliances to be used in case of shipwreck or fire;

(*l*) to prescribe the seasons at which alone emigrant-vessels or specified classes of emigrant-vessels may sail from any port in British India to any country west of the Cape of Good Hope to which emigration is for the time being lawful;

(*m*) to provide for the disposal of emigrants who may be landed under section seventy-nine;

(*n*) to provide for the medical care of the emigrants on the voyage, and to provide for the measures to be taken on the outbreak of any epidemic or infectious disease on a voyage;

(*o*) to provide for a journal being kept by the surgeon of every emigrant-vessel, recording the health of the emigrants, and his treatment of the sick, with full explanation of the causes of every death; and to define the duties and powers of the surgeon in respect of the emigrants committed to his care;

(*p*) to define and regulate the powers and duties of the several officers appointed by the Government under this Act; and

(*q*) generally to provide for the security, well-being and protection of emigrants:

Provided that the Local Government may, in special cases, notwithstanding anything contained in rules made under clause (*g*) of this section, permit an emigrant-vessel to sail though it does not carry the proportion of women required to be carried in ordinary cases.

(*2*) The power to make rules conferred by this section may be exercised at any time after the passing of this Act, but any rule made under this section shall not take effect until the Act comes into force.

Publication of drafts and rules.

81. (*1*) The Governor General in Council shall, before making rules under the last foregoing section, publish a draft of the proposed rules in such manner as may, in his opinion, be sufficient for the information of persons likely to be affected thereby.

(*2*) There shall be published with the draft a notice specifying a date at or after which the draft will be taken into consideration.

(*3*) The Governor General in Council shall receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

(*4*) Every rule made under the last foregoing section shall be published in the *Gazette of India*, and the publication in the *Gazette of India* of a rule purporting to be made under that section shall be conclusive evidence that it has been duly made.

CHAPTER XII.

OFFENCES.

Unlawful recruiting.

82. (*1*) Whoever, except in conformity with the provisions of this Act or of the rules made under this Act,—

(*a*) makes, or attempts to make, any agreement with any Native of India purporting to bind him to emigrate, or

(*b*) in consideration of any hire or reward, induces, or attempts to induce, any Native of India to leave any place for the purpose of emigrating, or otherwise acts or is employed as a recruiter of emigrants, or

(*c*) in consideration of any hire or reward, receives into or detains in any place, or, being a recruiter, in any place other than a place in which accommodation has been provided in accordance with this Act or the rules made under this Act, any person with a view to his being registered as an emigrant, or after his registration as an emigrant and before his departure for the depôt at the port of embarkation,

shall be punished with fine which may extend to five hundred rupees.

(*2*) If any person, other than a recruiter licensed under this Act, commits an offence under this section, any Police-officer may arrest him without warrant.

Recruiters removing unregistered emigrants to depôt.

83. Whoever, being a recruiter licensed under this Act,—

(*a*) removes, or attempts to remove, any intending emigrant to a depôt before he has been registered under this Act as an emigrant, or induces, or attempts to induce, him to leave the local limits of the jurisdiction of the Magistrate by whom the recruiter's license has been countersigned before he has been so registered, or aids, or attempts to aid, him in leaving any such local limits or going to any depôt before he has been so registered, or

(*b*) fails to give a true copy of the statement with which he is provided under section twenty-six to any person whom he invites to emigrate, or

(*c*) fails to provide any emigrant whom he has engaged, and who has been registered at a place beyond the limits of the port of embarkation, with suitable lodging and food, or otherwise ill-treats any emigrant on his journey to the depôt,

shall be punished with fine which may extend to five hundred rupees.

Fraudulently inducing Native to emigrate.

84. (*1*) Whoever, by means of intoxication, coercion or fraud, causes or induces, or attempts to cause or induce, any Native of India

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(Chapter XII.—Offences.)

to emigrate, or to enter into any agreement to emigrate, or to leave any place with a view to emigrating, shall be punished with imprisonment for a term which may extend to one year, or with fine, or with both.

False representation of Government authority.

85. Whoever, without lawful authority, issues any written order to the Police to assist himself or any other person to procure emigrants, or falsely represents that any emigrants are required by the Government or are to be engaged on behalf of the Government, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Receiving emigrants on board vessel in contravention of Act.

86. If any master of a vessel—

(*a*) knowingly receives on board his vessel any emigrant who has not complied with the provisions of this Act, or the rules made under this Act, so far as they are binding on him, or

(*b*) not being licensed under this Act, knowingly receives any emigrant on board his vessel, or

(*c*) being licensed under this Act, knowingly receives on board his vessel any emigrant in excess of the number specified in his license,

he shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees for each emigrant so received, or with both; and the vessel, her tackle, apparel and furniture, may be declared by the Court before which the master is tried to be forfeited to Her Majesty.

Fraudulent acts on part of master.

87. If any master licensed under this Act fraudulently does, or suffers to be done, any act or thing whereby the license becomes inapplicable to the altered state of the vessel or other matter to which the license relates, he shall be punished with fine which may extend to five thousand rupees;

and he may also be sued on any bond which he may have executed under section sixty-two.

Clearance without compliance with Act.

88. If any master of an emigrant-vessel clears, or attempts to clear, his vessel outwards when any of the provisions of section fifty-seven, fifty-nine or sixty have not been complied with in respect of his vessel, he shall be punished with fine which may extend to four thousand rupees.

Failure of master to comply with provisions as to lists and passes.

89. If any master receives on board his vessel any emigrants and fails to comply with the requirements of sections sixty-six, sixty-seven and sixty-eight in respect of those emigrants, he shall be punished with fine which may extend to two hundred rupees for each emigrant so received on board.

Master taking on board, after clearance, emigrants not entered in list.

90. If any master, having cleared his vessel, takes on board any emigrant not entered in the list mentioned in section sixty-six or not furnished with a pass required by that section, he shall be punished with fine which may extend to two hundred rupees for each emigrant so taken.

Master landing emigrant at other than specified country.

91. If any master lands any emigrant in any country other than the country for which he has been shipped by the Emigration Agent, he shall be punished for every emigrant so landed with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both, unless the landing has been caused by stress of weather or unavoidable accident, or has taken place under the provisions of section seventy-eight or seventy-nine.

Failure to comply with provisions as to leaving Calcutta.

92. If any master of a sailing-vessel leaving the port of Calcutta with emigrants on board—

(*a*) does not leave Garden Reach with his vessel within the time prescribed in section seventy-six, or

(*b*) without reasonable excuse, causes or allows his vessel to go below Garden Reach without being in tow of such a steamer as is referred to in section seventy-seven,

he shall be punished with fine which may extend to one thousand rupees.

Emigrant deserting or refusing to proceed to depôt.

93. (*1*) If any emigrant deserts before arrival at depôt, or refuses without reasonable cause to proceed to the depôt, he shall be punished with fine which may extend to twenty rupees, or to the cost incurred in entering into an agreement with, registering and conveying him to the depôt, whichever is greater, and, in default of payment of the fine, with imprisonment which may extend to one month.

(*2*) Any fine levied under this section may, in the discretion of the convicting Magistrate, be paid to the Emigration Agent or recruiter by whom the cost was incurred.

Emigrant deserting from depôt or failing to embark.

94. (*1*) If any emigrant—

(*a*) deserts from the depôt, or

(*b*) without reasonable cause, refuses or neglects to embark when called upon to do so by the Emigration Agent,

he shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to fifty rupees, or to double the amount of the cost incurred in entering into an agreement with, registering and conveying him to the depôt, and maintaining him therein, or with both.

(*2*) Any fine levied under this section may, in the discretion of the convicting Magistrate, be

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(Chapter XIII.—Supplemental.)

paid to the Emigration Agent or recruiter by whom the cost was incurred.

Causing, or permitting, embarkation of emigrant in contravention of section 68.

95. If any person causes, or if any master knowingly permits, any emigrant to embark contrary to the provisions of section sixty-three, he shall be punished with fine which may extend to two hundred rupees for each emigrant so embarked.

Institution of prosecutions.

96. (*1*) Prosecutions under sections eighty-six to ninety-five (both inclusive) shall not be instituted except as follows, namely:—

(*a*) Prosecutions under sections eighty-six to ninety-two, both inclusive, by the Emigration Agent, or by the Protector of Emigrants or by an officer appointed for the purpose by the Local Government.

(*b*) Prosecutions under section ninety-three, by or with the sanction of a Magistrate or Registering Officer or of the Protector of Emigrants at the port of embarkation.

(*c*) Prosecutions under section ninety-four, by the Emigration Agent with the sanction of the Protector.

(*d*) Prosecutions under section ninety-five, by the Protector of Emigrants or by an officer appointed for the purpose by the Local Government.

Defence to charges of desertion.

97. The following shall be good defences to charges under section ninety-three and ninety-four, respectively, namely:—

(*a*) to a charge under section ninety-three, that the accused person or other emigrants accompanying him has or have been ill treated, deceived or defrauded by the recruiter or any person under his control;

(*b*) to a charge under section ninety four, that the emigrant has suffered any ill-treatment or neglect in the depôt or on the journey thither.

Power for Customs-officers to search and detain for purposes of Act.

98. All the powers for the time being conferred by law on officers of sea-customs with regard to the searching and detention of vessels, or otherwise for the prevention of smuggling on board thereof, may be exercised by those officers for the prevention of offences against this Act.

CHAPTER XIII.

SUPPLEMENTAL.

Power for Local Government to appoint Magistrates for purposes of Act.

99. The Local Government may, from time to time, appoint any person, by name or by virtue of his office, to perform within a specified local area the functions of a Magistrate under this Act.

Suits against Emigration Agent for breach of duty.

100. (*1*) Whenever an Emigration Agent is chargeable with a breach of any duty to an emigrant arising from any agreement with the emigrant or imposed by this Act or the rules made under this Act, the Protector of Emigrants may, if he thinks fit, institute a suit on behalf of the emigrant against the Emigration Agent for the recovery of compensation for the breach.

(*2*) In awarding compensation under this section, all sums ordered to be paid under section fifty or section fifty-two shall be taken into consideration.

Power for Governor General in Council to determine probable lengths of voyages for purposes of Act.

101. (*1*) The Governor General in Council may, from time to time, by notification in the *Gazette of India*, determine what shall be held to be, for the purposes of this Act, the probable length of the voyages by sailing-vessels and vessels using steam-power, respectively, from any port from which, to any country to which, emigration is for the time being lawful.

(*2*) Until otherwise determined under this section, the probable length of the voyage by sailing-vessels from the ports mentioned in the third schedule hereto annexed to the countries mentioned in that schedule shall be deemed to be the lengths stated in that schedule.

Emigration to Straits Settlements and adjoining Native States.

102. (*1*) The Governor General in Council may, by notification in the *Gazette of India*, extend the Straits Settlements Emigration Act, 1877, to the whole or any part of British India.

(*2*) The Governor General in Council may also, from time to time, by a like notification, declare that all or any of the protected Native States adjoining the Straits Settlements shall, for the purposes of any law relating to emigration to those settlements, form part of those settlements.

(*3*) On and from the date of any notification published under sub-section (*2*), a Native of India who departs by sea out of British India under an agreement to labour for hire in the Native State or States to which the notification refers shall not be deemed to emigrate within the meaning of this Act.

Application of Act to emigration from British ports to French and Dutch colonies.

103. The provisions of this Act shall apply to emigration from British Indian ports—

(*a*) to the French colonies, under the terms of the Convention executed at Paris on the first day of July, 1861, and ratified at the same place on the 30th day of July, 1861, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the Emperor of the French; and

(*b*) to the Netherlands colony of Dutch Guiana, under the terms of the Convention

executed at the Hague on the 8th day of September, 1870, and ratified at the same place on the 17th day of February, 1872, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the King of the Netherlands:

Provided that, in any case in which there is any conflict between the provisions of this Act and those contained in either of those Conventions, the latter shall prevail.

Application of Act to proceedings in British India connected with emigration from French ports in India to French colonies.

104. The provisions of this Act shall, so far as they relate to proceedings which are to be conducted in British India, apply, in the case of Natives of India who depart by sea from a French port in India under an agreement to labour for hire in a French colony under the Convention between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the Emperor of the French referred to in the last foregoing section, as if such Natives were emigrants within the meaning of this Act:

Provided that, in any case in which there is any conflict between the provisions of this Act and those contained in that Convention, the latter shall prevail.

Prohibition of departure by land of a Native of India under an agreement to labour for hire in some country beyond the sea.

105. (*1*) The departure by land out of British India of a Native of India under a contract to labour for hire in some country beyond the sea other than the Island of Ceylon or the Straits Settlements is prohibited:

Provided that nothing in this section applies to the departure by land—

(*a*) of a domestic servant when accompanying his employer;

(*b*) of a Native of India, for the purpose of departing by sea from a French port in India under an agreement to labour for hire in a French colony in accordance with the Convention referred to in section one hundred and two.

(*2*) Whoever induces, or attempts to induce, any Native of India to depart by land out of British India in contravention of this section shall be deemed to have committed an offence under section eighty-two.

SCHEDULE I.

(*See Section 8.*)

COUNTRIES TO WHICH EMIGRATION IS LAWFUL.

I.—The British Colonies of Mauritius, Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, Natal, St. Kitts, Nevis and Fiji.

II.—The French Colonies of Martinique, Guadeloupe and its dependencies, and Guiana.

III.—The Netherlands Colony of Dutch Guiana.

IV.—The Danish Colony of St. Croix.

SCHEDULE II.

(*See Section 21.*)

FORM OF RECRUITER'S LICENSE.

OFFICE of the Protector of Emigrants at the Port of .

A. B., described in the descriptive roll annexed, is hereby licensed under the Indian Emigration Act, 1883, to be a recruiter of emigrants for [*here state the country for which the recruiter is licensed to recruit*] in [*here specify the local area within which the recruiter is licensed to recruit*].

This license will be in force until the of , unless previously cancelled.

(*Signed*) *C. D.*,
Protector of Emigrants.

Dated the day of

Descriptive Roll.

Name.	Father's name.	Age.		Caste.	Colour.	Height.		Distinguishing marks.	Name of village, local sub-division (tahsil, taluq, &c.) and district to which he belongs.
		Years.	Months.			Feet.	Inches.		

SCHEDULE III.

(*See Section 101.*)

PROBABLE LENGTHS OF VOYAGE UNDER THIS ACT.

FROM CALCUTTA—

To Mauritius . .	From the month of April to the month of October, both inclusive, ten weeks; and from the month of November to the month of March, both inclusive, eight weeks.

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(Schedule III.—Probable Lengths of Voyage under this Act.)

To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Dutch Guiana.	Twenty weeks.
To Natal ...	Twelve weeks.
To Fiji ...	Eighteen weeks.

FROM MADRAS—

To Mauritius ...	From the month of April to the month of October, both inclusive, seven weeks; and from the month of November to the month of March, both inclusive, six weeks.
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Dutch Guiana.	Nineteen weeks.
To Natal ...	Ten weeks.
To Fiji ...	Seventeen weeks.

FROM BOMBAY—

To Mauritius ...	From the month of April to the month of September, both inclusive, five weeks; and from the month of October to the month of March, both inclusive, six weeks.
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Dutch Guiana.	Nineteen weeks.
To Natal ...	Ten weeks.
To Fiji ...	Seventeen weeks.

D. FITZPATRICK,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 18th December, 1883, and is hereby promulgated for general information:—

ACT No. XXII OF 1883.

THE RANGOON TRAMWAYS ACT, 1883.

CONTENTS.

An Act to authorize the making, and to regulate the working, of Street Tramways in Rangoon.

WHEREAS the Municipal Committee of the town of Rangoon, by an agreement dated the 22nd day of June, 1882, a copy whereof is set forth in the schedule annexed to this Act, granted, for the considerations therein expressed, to John William Darwood, his heirs, executors, administrators and assigns, hereinafter called the Grantee, the right to construct, maintain and use a tramway or tramways in Rangoon upon the terms, subject to the conditions and in the manner mentioned in the said agreement, but the said agreement was made subject to the confirmation thereof by the Chief Commissioner of British Burma and to the recognition thereof by an Act of the Governor General in Council;

and whereas the said agreement was, on the 13th day of November, 1882, confirmed by the Chief Commissioner of British Burma; and it is now expedient to recognise it and give effect to it, subject to the provisions and limitations hereinafter contained; It is hereby enacted as follows:—

A.—Preliminary.

Short title.

Commencement.

1. This Act may be called the Rangoon Tramways Act, 1883; and it shall come into force at once.

Definitions.

2. In this Act, unless there is something repugnant in the subject or context,—

"Committee" means the Committee for the town of Rangoon appointed under the British Burma Municipal Act, 1874: VII of 1874.

"tramway" means a tramway, or any part of a tramway, or any siding, turnout, connection, line or track belong to a tramway:

"street" means the way of any street, road, thoroughfare, passage or place along or across which any tramway authorized by this Act is or is intended to be laid, and includes the surface-soil and sub-soil of any such street, and the footway and drains of any such street, and any bridge, culvert or causeway forming part of any such street.

B.—Powers of Grantee generally.

Powers to make, maintain and use tramways.

3. Subject to the provisions of this Act, and to the terms and conditions of the said agreement so far as the same are not inconsistent with this Act, the Grantee may make, maintain and use any of the tramways for the construction, maintenance and use of which provision is made in the said agreement:

Provided that any such tramway shall not be opened for public traffic until it has been inspected and certified by the engineer to the Committee to be fit for such traffic.

C.—Construction and Maintenance of Tramways and of Streets on which they are laid.

Power to Grantee to break up streets and lay rails, &c.

4. Subject to the terms and conditions of the said agreement, the Grantee may, from time to time, for the purpose of constructing, maintaining or renewing any tramway under this Act, open or break up any street, and therein or thereon lay sleepers and rails, and repair, alter or remove the same; and may, for the purposes aforesaid, do in and on any such street all other acts which may, from time to time, be necessary for constructing, maintaining or renewing the tramway:

Provided that he shall not, without the consent of the Committee, open or break up at any one time a greater length than one hundred yards of any street which does not exceed a quarter of a mile in length; and, in the case of any street exceeding a quarter of a mile in length, he shall leave an interval of at least a quarter of a mile between any two places at which he may open or break up the street, and shall not open or break up at any such place a greater length than one hundred yards.

Grantee to keep tramways and adjoining part of street in repair.

5. The Grantee shall, at his own expense, at all times maintain and keep in good condition and repair, in such manner as the Committee from time to time direct, all tramways constructed by him under this Act, and so much of any street as lies between the rails of any such tramway; and, in the case of double lines or turnouts or sidings, the portion of the road between the tramways, and in every case so much of the road as extends eighteen inches beyond the rails of and on each side of any such tramway.

Obligations of Grantee when he has broken up street.

6. When the Grantee has, for the purposes of section 4 or section 5, opened or broken up any portion of a street, he shall be under the following further obligations, namely:—

(a) he shall, with all convenient speed, and in all cases within six weeks at the most, unless the Committee otherwise consent in writing, complete the work for which the street has been opened or broken up, fill in the ground and make good the surface, and, to the satisfaction of the Committee, restore the street to as good a condition as that in which it was before it was opened or broken up, and clear away all surplus materials or rubbish occasioned thereby;

(b) he shall, in the meantime, cause the place where the street is opened or broken up to be fenced and watched, and to be properly lighted at night, and

(c) he shall make good all damage done to drains, sewers, water-pipes and gas-pipes, and to the wires or other materials or things used for any system of lighting, and whether belonging to the Committee, to the Government or to private persons, and shall make compensation for any other damage done in the execution of the powers granted to him.

Reservation of power of Committee and Government over streets.

7. (*1*) Nothing in this Act shall prevent the Committee or any Government officers from opening, breaking up, widening, altering, diverting or improving any street traversed by a tramway for the purposes for which they might otherwise under the law for the time being in force lawfully open, break up, widen, alter, divert or improve such street:

Provided that—

(a) they shall cause as little detriment or inconvenience to the Grantee as circumstances admit, and

(b) before they commence any work whereby the traffic on the tramway will be interrupted, they shall (except in cases of urgency, in which cases no notice shall be necessary) give to the Grantee not less than eighteen hours previous notice of their intention to commence the work, specifying the time at which they will commence it.

(*2*) The Committee or officers aforesaid or the Secretary of State for India in Council shall not be liable to pay to the Grantee any compensation for injury done to the tramway by the execution of any work referred to in sub-section (*1*), or for loss of traffic occasioned by the reasonable use of any power lawfully exercised in connection with the same.

D.—Rights over Tramways and Streets on which they are laid.

Grantee's exclusive right over tramways.

8. The Grantee shall, subject to the provisions of this Act and to the terms and conditions of the said agreement, have the exclusive use of his tramways for carriages with flange wheels or other wheels suitable only to run on a grooved rail:

Provided that nothing in this Act shall affect—

(a) the right of the public to pass along or across any part of any road along or across which any tramway is laid, whether on or off the tramway, with carriages not having flange wheels or wheels suitable to run on a grooved rail, or

(b) the right of the Commissioners for the port of Rangoon, or of any other body or person entitled at the time of the commencement of this Act to work and main-

tain a tramway, to pass across any tramway constructed under this Act with carriages having flange wheels or wheels suitable to run on a grooved rail.

Grantee to have right of user only.

9. Notwithstanding anything in this Act or in the said agreement, the Grantee shall not acquire any right other than that of user over any street along or across which he lays any tramway.

Power of Committee and Government officers to regulate traffic on streets.

10. Nothing in this Act shall affect the powers of the Committee or of any Government officers to regulate the passage of any traffic along or across any street along or across which any tramway is laid down, and the Committee or officers aforesaid may exercise their authority as well on as off the tramway, and with respect as well to the traffic of the Grantee as to the traffic of other persons.

E.—Traffic on Tramways.

Rates of fares and charges.

11. The Grantee may, from time to time, by a notice published in such languages and in such manner as the Chief Commissioner may prescribe, fix the rates of fares and charges for carrying passengers and goods in his carriages:

Provided that the rates of passenger fares shall not exceed one anna per mile for each passenger in the lower class and two annas per mile for each passenger in the higher or first class.

Mode of payment of fares and charges.

12. The fares and charges by this Act authorized shall be paid to such persons, at such places upon or near to the tramways, and in such manner and under such regulations as the Grantee may, by a notice published as aforesaid, from time to time prescribe.

Carriage of dangerous or offensive goods.

13. (*1*) No person shall be entitled to carry or to require to be carried on any tramway constructed under this Act any goods of a dangerous or offensive nature.

(*2*) Every person taking such goods with him on any such tramway shall, before entering the carriage, give notice of their nature to the servant of the Grantee in charge of the carriage.

(*3*) Every person sending such goods by any such tramway shall distinctly mark their nature on the outside of the package containing them, or otherwise give notice thereof in writing to the book-keeper or other servant of the Grantee with whom they are left at the time of such sending.

(*4*) The Grantee may refuse to take any parcel which he may suspect to contain goods of a dangerous or offensive nature, or require it to be opened to ascertain the fact.

F.—Offences and Penalties.

Penalty for failure of Grantee to comply with certain provisions of Act and agreement.

14. If the Grantee—

(*a*) constructs or maintains any tramway, or runs any car or carriage thereon, otherwise than in accordance with the said agreement;

(*b*) opens any tramway for traffic before it has been inspected and certified in manner required by section 3;

(*c*) opens or breaks up any street otherwise than as permitted by this Act, or having opened or broken up a street fails to discharge any of the obligations imposed on him by section 6, clauses (*a*) and (*b*); or

(*d*) fails to keep the rails of any tramway and the portions of the street adjoining the same in repair as required by section 5—

he shall (without prejudice to the enforcement of specific performance of the requirements of this Act or of the said agreement or to any other remedy against him), on complaint of the Committee or of any person injuriously affected thereby, be punished with fine which may extend to two hundred rupees, and in the case of a continuing offence to a further fine which may extend to fifty rupees for each day after the first day during which the offence continues to be committed.

Penalty for obstructing Grantee in the exercise of his powers.

15. Any person who without lawful excuse (the proof whereof shall lie on him) wilfully obstructs any person acting under the authority of the Grantee in the lawful exercise of his powers in constructing, repairing or renewing a tramway, or injures or destroys any mark made for the purpose of setting out the line of the tramway, shall be punished with fine which may extend to fifty rupees.

Penalty for interfering with tramway.

16. Any person who without lawful excuse (the proof whereof shall lie on him) wilfully does any of the following things, namely:—

(*a*) interferes with, removes or alters any part of a tramway constructed under this Act, or of the works connected therewith;

(*b*) does anything in such a manner as to obstruct any carriage using any such tramway; or

(*c*) abets within the meaning of the Indian Penal Code the doing of anything mentioned in clause (*a*) or clause (*b*),—

shall be punished with fine which may extend to one hundred rupees.

Penalty for taking or sending dangerous or offensive goods without giving notice.

17. Any person taking or sending by any tramway any goods of a dangerous or offensive nature without giving the notice required by section 13 shall be punished with fine which may extend to fifty rupees.

Penalty for avoiding payment of proper fare.

18. If any person travelling or having travelled in any carriage of the Grantee avoids or attempts to avoid payment of his fare, or if any person having paid his fare for a certain distance wilfully proceeds in any such carriage beyond that distance and does not pay the additional fare for the additional distance or attempts to avoid payment thereof, or if any person wilfully refuses or neglects on arriving at the point to which he has paid his fare to quit the carriage, he shall be punished with fine which may extend to ten rupees.

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19. Any servant of the Grantee, and any person called in by him for his assistance, may arrest and take to the nearest police-station any person who is discovered either in or after committing or attempting to commit an offence punishable under section 18 and whose name and residence are refused by him and are unknown to such servant or person, and the police-officer in charge of the police-station, on receiving a complaint that such an offence has been committed, shall adopt such legal measures as may be necessary to cause the accused person to be taken before a Magistrate with the least possible delay.

Power of servant of Grantee to arrest persons avoiding payment of fare.

G.—Powers to make Rules.

20. (*1*) The Committee in special meeting may, with the sanction of the Chief Commissioner, from time to time, make such rules consistent with this Act as to the rate of speed, number of passengers and mode of use of the tramways, and as to the licensing and control of drivers, conductors and other persons having charge of the carriages of the Grantee, as the convenience and safety of the public may, in the opinion of the Committee, require.

Powers to make rules.

(*2*) The Grantee may, with the like sanction, from time to time, make rules consistent with this Act for preventing the commission of any nuisance in or upon any carriage, or in or against any premises belonging to him, and

for regulating the travelling in any carriage belonging to him.

(*3*) The authority making any rule under this section may prescribe as a punishment for the breach of it a fine which may extend to twenty rupees.

(*4*) All rules made under this section shall be published in the *British Burma Gazette*.

H.—Miscellaneous

21. For the purpose of clause 15 of the agreement set forth in the schedule annexed to this Act, the want of sufficient funds shall not be deemed to be a circumstance beyond the control of the Grantee.

Construction of clause 15 of agreement.

22. The plant, rolling-stock and other vehicles, yards, workshops, engine-sheds and depôts of the Grantee shall, for a period of five years from the passing of this Act, be exempt from all municipal taxation except such lighting and water-rates as may, from time to time, be payable in respect of the yards, workshops, engine-sheds and depôts.

Exemption from certain municipal taxation.

23. Nothing in this Act shall exempt the Grantee or any tramway constructed by him under this Act from the provisions of any general enactment relating to tramways now in force or which may hereafter be passed.

Provisions as to general Acts.

And whereas the agreement set forth in the schedule annexed to this Act was executed by the parties thereto under a belief that all the streets specified in the first article thereof as streets along which the construction of tramways was authorized were situate within the Municipality of Rangoon, and it now appears that some portion of those streets is not so situate; It is hereby enacted as follows:—

24. All streets specified in the first article of the said agreement as streets along which the construction of tramways is authorized shall, for the purposes of the agreement and of this Act, be deemed to be, and to have been, on and from the date of the agreement, situate within the limits of the Municipality of Rangoon.

Certain streets to be deemed within the Municipality.

SCHEDULE.

ARTICLES OF AGREEMENT made this 22nd day of June, 1882, BETWEEN THE MUNICIPAL COMMITTEE OF THE CITY OF RANGOON appointed under the British Burma Municipal Act, 1874, hereinafter called the said Committee, of the one part, and JOHN WILLAM DARWOOD, of Rangoon, hereinafter called the said Grantee, of the other part. WHEREAS the said Committee have, subject to the confirmation thereof by the Chief Commissioner of British Burma and to the recognition of this agreement by an Act of the Governor General of India in Council, agreed to grant to the said Grantee the right to construct, maintain and use a tramway or tramways in Rangoon upon the terms and conditions hereinafter contained, NOW THESE PRESENTS WITNESS that, in consideration of the covenants and agreements hereinafter contained, and on the part of the said Committee to be performed, the said Grantee for himself, his heirs, executors, administrators and assigns doth covenant with the said Committee, so far as the covenants and conditions hereinafter contained are to be performed by the said Grantee and his heirs, executors, administrators and assigns, and the said Committee, for and in consideration of the convenants and agreements hereinafter contained and on the part of the said Grantee, his heirs, executors, administrators and assigns to be performed, do hereby covenant with the said Grantee, his heirs, executors, administrators and assigns so far as the covenants and agreements hereinafter contained are to be performed by the said Committee in manner following, that is to say:—

VII

1. The said Committee grant to the said Grantee and his heirs, executors, administrators and assigns, all which persons are hereinafter included in the words "the said Grantee," the right to construct, maintain and use a tramway or tramways, with single or double tracks or lines, and with all necessary sidings, turnouts, connections and lines, or tracks of whatever nature which may be required to connect the said tramway or tramways with the depôts of the said Grantee (but in the case of sidings and turnouts, only in such places as the said Committee may sanction), on the following

routes and between such other places and by such other routes as may be hereafter approved of by the said Committee :—

The tramways referred to and now authorized for construction, subject to such confirmation as aforesaid, are :—

(i) A tramway with a double track or line along China Street and Pagoda Road from the Strand Road at its junction with China Street to the Shway Dagone Pagoda.

(ii) A tramway with a double track or line along the Strand Road from East Street to West Street.

(iii) A tramway with a double track or line along Dalhousie Street from East Street to the junction of Dalhousie Street with the Strand Road.

(iv) A tramway with a double track or line along Soolay Pagoda Road from the Strand Road to Montgomery Street and along Montgomery Street to the Phayre Street Railway Station and along Montgomery Road to the iron bridge near the bázár at Poozoondoung.

(v) A tramway with a double track or line from the Strand Road down Barr Street to Shafraz Road round the Public Buildings back into the Strand Road.

2. When approved of and desired by the said Committee, tramways with such tracks or lines as may be approved of by the said Committee from East Street to Monkey Point and along the Upper and Lower Poozoondoung Roads to Monkey Point, and along Merchant Street, Fraser Street and Canal Street, and along Lower Kemmendine Road from the Strand Road, Kemmendine, to the junction of West Street with the Strand Road.

3. The said tramway or tramways to be constructed and maintained in such form and manner and upon such gradient and with such gauge as the said Committee may approve, and the cars and carriages intended to run on the said rails shall be such as are approved of by the said Committee.

4. The cars and carriages of the Grantee on the tracks or lines of the said tramway shall, unless with the consent of the said Committee, be worked with steam power of the most approved engine of the time only, and the said Committee shall have power at all times to make such regulations as to the rate of speed and mode and use of the said tracks or lines as the convenience and safety of the public using the streets may require.

5. The said Grantee shall have power from time to time to fix the rate of fares for carrying persons and goods in the cars or carriages to be run on the said tramway or tramways : provided that the rates of fares shall for any distance not exceed the rate of one anna per mile for the lower class and two annas per mile for the higher or first class for each passenger.

6. The said Grantee may, for the purpose of constructing and maintaining such tramways under such superintendence as is hereinafter specified, open and break up the soil and metalled way of the several streets, roads and bridges in the city and thereon lay sleepers and rails, and from time to time repair, alter or remove the same, and may, for the purposes aforesaid, remove and use all earth and materials in such streets, roads and bridges, and the said Grantee may, in and on such streets, roads and bridges, do all other acts which he shall from time to time deem necessary for constructing and maintaining street tramways in the said city, doing as little damage as may be in the execution of the powers hereby granted, and shall make good all damage done to drains, sewers, water and gas-pipes, or to the wires or other materials or things used for any other system of lighting, and whether belonging to the said municipality or to private individuals, and shall make compensation for any other damage done in the execution of such powers.

7. Before the said Grantee proceeds to open or break up any street, road or bridge other than those referred to in sub-clauses from (i) to (v) in clause 1, he shall obtain the approval in writing of the said Committee to the tracks or lines of the said tramway being laid down on the said streets, roads or bridges, and the said Grantee, before opening or breaking up any street, road or bridge, shall give to the said Committee or their Executive Engineer, or other municipal officer duly appointed for that purpose, notice in writing of his intention to open or break up the same not less than three clear days before beginning such work, except in such cases of emergency arising from defects in any of the rails or other work, and then so soon as is possible after the beginning of the work or the necessity for the same shall have arisen.

8. No street, road or bridge shall, except in cases of emergency as aforesaid, be opened or broken up, except under the superintendence of the said Committee or of their Executive Engineer, or of some other municipal officer duly appointed for that purpose, and according to such plans as shall be approved of by him or them : provided always that, if the said Committee or their Engineer or other such officer as aforesaid fail to attend at the time fixed for the opening of any such street, road or bridge after having had such notice of the said Grantee's intention as aforesaid, or shall not propose any plan for breaking up or opening the same, or shall refuse or neglect to superintend the operation, the said Grantee may perform the work specified in such notice without such superintendence as aforesaid.

9. When the said Grantee opens or breaks up the roadway or pavement of any street, road or bridge, he shall with all convenient speed complete the work for which the same shall be broken up, and fill in the ground and make good the roadway or pavement so opened or broken up as aforesaid, and carry away the rubbish occasioned thereby and deposit the same for the use of the said Committee at such place as the Executive Engineer of the said municipality shall direct, and shall at all

times, whilst any such roadway or pavement shall be so opened or broken up, cause the same to be guarded, and shall cause a light sufficient for the warning of passengers to be set up and maintained against or near such roadway or pavement where the same shall be open or broken up every night during which the same shall continue open or broken up.

10. If the said Grantee opens or breaks up any street, road or bridge without giving such notice as hereinbefore mentioned, or in a manner different from that which shall have been approved of or determined as aforesaid, except in the cases in which the said Grantee is hereby authorized to perform such work without any superintendence or notice, or if the said Grantee shall make any unnecessary delay in completing any such work or in filling in the ground or reinstating and making good, so far as is consistent with the existence of the said tramway, the roadway or pavement so opened or broken up, or in carrying away the rubbish occasioned thereby, or if he neglect to cause the place where such roadway or pavement has been broken up to be guarded and lighted, he shall forfeit to the said Committee a sum not exceeding fifty (50) rupees for every such offence, and he shall forfeit an additional sum not exceeding fifty (50) rupees for each day during which any such delay or neglect as aforesaid shall continue after he shall have received notice thereof.

11. The said Grantee shall maintain and keep in repair such portion of the streets, roads and bridges in the city of Rangoon as shall be occupied by his tracks or lines, including therein, not only the space between his tracks or lines, but a space eighteen inches on either side thereof, and in consideration of the maintenance of such streets, roads and bridges as aforesaid, and of the yearly rent hereinafter mentioned to be paid by the Grantee, the plant, rolling-stock and other vehicles, yards, workshops, engine-sheds and depôts of the said Grantee shall be exempt from municipal taxation for a period of five years, except lighting and water-rates for such yards, workshops, engine-sheds and depôts.

12. The said Grantee shall be liable for any loss, damage or injuries that any person or persons may sustain by reason of any defect or want of repairs in any of the plant, rolling-stock or other properties of the said Grantee, or by reason of any carelessness, neglect or misconduct of his agents or servants in the management, construction or use of the said tramways or any portion thereof, or in the exercise of the power given by clauses 6, 7, 8, and 11; the same shall be made good by the said Grantee, and in the event of any suit being instituted against the said Committee in respect of any of the matters hereinbefore mentioned the said Grantee shall, within fourteen days from the receipt of a notice thereof from the said Committee, settle the same; but if the said Grantee choose to defend such suit he shall be at liberty to do so upon his undertaking to indemnify the said Committee against all losses, damages and expenses in respect thereof: provided always that, if the said Grantee fail to settle such suit or to indemnify the said Committee as is hereinbefore provided, it shall be lawful for the said Committee to settle the same without any consent or concurrence on the part of the said Grantee, and the sums which they shall have to pay in making such settlement, together with interest thereon at the rate of 8 per cent. per annum from the date of payment, and with all expenses which they may be put to, shall be recoverable as a debt from the said Grantee.

13. Nothing in this agreement shall be construed to prevent the said Committee from taking up any of the public streets or roads traversed by the said tramway for the purposes for which the said Committee may lawfully take up the same, and the said Grantee shall have no right to claim cost from the said Committee for obstructing the tramway or causing delay in the traffic so long as the delay shall not be unreasonable for the work to be performed.

14. If the said Committee shall hereafter alter the level of any street, road or bridge along or across which any tramway by this agreement authorized is laid or authorized to be laid, the Grantee shall alter or (as the case may be) lay his rails to suit the altered level of such street, road or bridge: provided always that any such alteration as aforesaid shall be so made as to interfere as little as possible with the safe and convenient working of the said tramways, and in any case so as not to stop or prevent the free use or working thereof.

15. If at any time after the opening of any tramway for traffic the said Grantee shall discontinue the working of such tramway or any part thereof for the space of six calendar months (such discontinuance not being occasioned by circumstances beyond the control of the said Grantee), it shall be lawful for the said Committee, without any previous notice to the said Grantee, to remove the tramway or part of the tramway so discontinued, and the said Grantee shall pay to the said Committee the cost of such removal and of the making good of the street, road or bridge, and the certificate of the said Committee or of their Engineer as to such cost shall be conclusive.

16. The provisions of this agreement shall remain and be in force for a term not less than twenty-one (21) years from the date thereof. The said Committee shall have the right of purchasing the said tramways, with the plant, stores, rolling-stock, sheds, depôts and yards, and everything connected therewith, after the expiration of the said twenty-one (21) years upon declaring its intention so to do within six months after the expiration of the said twenty-one (21) years; the amount to be paid in the event of such purchase shall be the actual *bonâ fide* value at the termination of this agreement, exclusive of any compensation for goodwill, premium on compulsory sale or other consideration whatever of the tramways and of the work and materials connected therewith, and of the lands and buildings and all the other property of the Grantee, such value to be decided by mutual agreement or by arbitration as hereinafter provided.

17. The provisions hereinbefore contained shall, so far as applicable, apply to all tramways to be constructed by the said Grantee by any route or routes to be hereafter sanctioned by the said Committee, and to the works connected with or incidental to such tramways, it being agreed that in the event of the municipality failing to declare its intention as above provided to purchase the property of the said Grantee the terms of this contract shall continue in force during the period of six months from the date of the determination of

these presents and for a further period of six months, and if the said Committee shall not within that time exercise the option of purchase hereby given, the said Committee and the said Grantee shall enter into a fresh agreement.

18. The said Grantee will, if required by the said Committee, before opening up the roadway of any street, road or bridge, deposit with the Bank of Bengal in the name of the said Committee the sum of rupees five thousand (5,000), or, in their option, promissory notes of the Government of India of the nominal value of rupees five thousand (5,000), and the same will remain so deposited until the completion by the said Grantee of the above mentioned lines of tramway herein sanctioned for construction. All interest accruing on the said sum, or the said notes, shall be credited to the said Grantee, and, subject as next hereinafter mentioned, be paid to him as the same accrues due. The said Committee shall be entitled to deduct all fines recoverable by the said Committee and all monies to which they may be entitled under any clause or clauses of these presents out of the sum so deposited, or the interest accruing on the said sum or notes, or out of the proceeds of sale of a portion of the said notes on completion of the tramways herein sanctioned for immediate construction.

19. In consideration of the concession herein granted, the said Grantee undertakes on behalf of himself, his heirs, executors, administrators and assigns that he will pay to the said Committee a yearly rent of rupees three thousand (3,000) per mile of double track or line and rupees two thousand (2,000) per mile of single track or line, payable half-yearly; the date on which such rent on each line of tramway shall begin to accrue shall be the date on which such line of tramways is open for public traffic.

20. It is agreed that the tramway or tramways from the Strand Road along Barr Street and Shafraz Road round the Public Buildings and back to the Strand Road should not be included, and that no sidings, turnouts or tracks necessary to connect the traffic lines with the carriage-sheds engine-sheds, factories, depôts, yards or other property or properties of the said Grantee shall be included in the mileage on which rent is to be paid, the tramway or tramways more particularly described in this paragraph, and such sidings, turnouts and necessary connecting tracks or lines, being free of rent.

21. The sleepers, rails, materials and implements and other erections placed and erected by the said Grantee on the streets, bridges or roads under the powers hereby granted shall be and remain the property of the said Grantee, and the said Grantee shall have the exclusive use of his tramway or tramways for carriages with flanged wheels or other wheels suitable only to run on the prescribed rail.

22. The prescribed rail is that known as the box-rail introduced by Mr. Robinson Souttar, to be made of Bessemer steel of the weight of sixty pounds to the yard, or such other rail of such weight as may be approved by the said Committee.

23. The said Grantee shall have the exclusive right of laying and using tramways within the limit of the Rangoon Municipality on the terms herein stated; but in the event of the said Grantee refusing to lay down any line when the said Committee may consider it necessary, the said Committee shall be at liberty to grant the right of laying and using such line to any other party.

24. Unless the said Grantee shall have commenced the work of laying down the said tramways within twelve months from the date of the execution of these articles of agreement, the said Committee shall be at liberty to cease and determine this contract and to enter into arrangements with any other person or persons for the construction of tramways; it being agreed, however, that these conditions of contract are subject to the sanction of Government, and that, in the event of their being executed prior to such sanction being given, the said 12 months shall date from the day on which notice of such sanction is given to the said Grantee: provided also that any delay in commencing the work beyond 12 months shall not have been due to any cause beyond the control of the said Grantee.

25. If any doubt, difference or dispute shall arise between the said Grantee and the said Committee touching the construction of these presents or anything herein contained, or touching or concerning any other matter or thing relating to these presents, then and in every such case such doubt, difference or dispute shall be referred to the arbitration of two persons, one to be chosen by the said Grantee and the other by the said Committee within one calendar month after either of them shall have made to the other a requisition to that effect, and should the arbitrators fail to agree they shall refer the question or questions at issue to the decision of an umpire to be chosen by the said arbitrators, and the decision of such arbitrators if they agree, or of such umpire if they disagree, shall be final; and in case either party shall neglect or refuse to appoint an arbitrator within the specified time, the arbitrator appointed by the other party shall make a decision alone, and the decision of such arbitrators, umpire or arbitrator, as the case may be, shall be effectual and binding upon both parties.

26. The said Grantee is to be at liberty to form a Company or Limited Liability Company for the purpose of constructing, maintaining and working the tramways authorized by or hereafter to be authorized under the terms of this agreement. The words "the said Grantee" used in this agreement shall include such Company or Limited Liability Company so formed as aforesaid.

27. The words "the said Committee" used in this agreement shall include the present Committee and their successors, and also persons empowered by the said Committee or their successors or by other duly constituted authority to do any act or thing or exercise any powers or authorities which the said Committee are hereinbefore authorized or empowered to do or exercise.

D. FITZPATRICK,
Secretary to the Government of India.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 29, 1883.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th December, 1883:—

No. 24 OF 1883.

A Bill to repeal Bengal Regulation XIX of 1810 within the territories administered by the Lieutenant-Governor of the North-Western Provinces.

WHEREAS the provisions of Bengal Regulation XIX of 1810 (*for the due appropriation of the rents and produce of lands granted for the support of mosques, Hindu temples, colleges, and other purposes; for the maintenance and repair of bridges, serdis, kattras, and other public buildings; and for the custody and disposal of nazúl property or escheats,*) are, in so far as they are still in force within the territories administered by the Lieutenant-Governor of the North-Western Provinces, either obsolete or unnecessary, and it is therefore expedient entirely to repeal the Regulation within those territories; It is hereby enacted as follows:—

Repeal of Bengal Regulation XIX of 1810 in the North-Western Provinces.

1. Bengal Regulation XIX of 1810 is hereby repealed within the territories administered by the Lieutenant-Governor of the North-Western Provinces.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill, which has been prepared on the recommendation of the Local Government, is to repeal Bengal Regulation XIX of 1810 (*for the due appropriation of the rents and produce of lands granted for the support of mosques, Hindu temples, colleges, and other purposes; for the maintenance and repair of bridges, serdis, kattras, and other public buildings; and for the custody and disposal of nazúl property or escheats*) within the territories administered by the Lieutenant-Governor of the North-Western Provinces. So far as the Regulation vests the superintendence of serâis in the Board of Revenue, it is at variance with the existing practice, as serâis are now managed in the North-Western Provinces entirely by the executive authorities under the immediate orders of the Government, and the Local Government reports that the other provisions of the Regulation, which provide for the management of lands granted as charitable and educational endowments and the superintendence of escheats, are not required for the territories under its administration.

Though the Regulation, in so far as it relates to serâis, is obsolete also in the Lower Provinces, it is still in active operation in those Provinces with regard to a few trusts and small endowments administered by the Board of Revenue, and still governs the procedure there with regard to escheats. Under these circumstances it has been considered best to confine the Bill to the North-Western Provinces and leave it to the Bengal Legislature to legislate for the Lower Provinces if it thinks necessary.

C. P. ILBERT.

The 7th December, 1883.

D. FITZPATRICK,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th December, 1883, and was referred to a Select Committee :—

No. 25 OF 1883.

A Bill to amend the Burma Courts Act, 1875.

WHEREAS it is expedient to amend the Burma Courts Act, 1875 ; It is hereby enacted as follows :— [XVII of 1875.]

Short title. Commencement.

1. (*1*) This Act may be called the Burma Courts Act, 1883 ; and

(*2*) It shall come into force at once.

Definition of "section."

2. In this Act, unless there is something repugnant in the subject or context, "section" means a section of the Burma Courts Act, 1875. [XVII of 1875.]

Alteration of names of certain Courts.

3. (*1*) In section 6, in clause (*a*), for the words "Extra Assistant Commissioner of the third class" the word "Myo-ôk" shall be substituted, and in clause (*b*) the words "of the second class, the Extra Assistant Commissioner of the first class" shall be omitted.

(*2*) In the table subjoined to section 12, in clause (*a*), for the words "Extra Assistant Commissioner of the third class" the word "Myo-ôk" shall be substituted, and in clause (*b*) the words "of the second class, the Court of the Extra Assistant Commissioner of the first class" shall be omitted.

(*3*) In section 13, the words "of the first or second class" shall be omitted.

(*4*) The substitutions and omissions made by this section shall be deemed to have been made from the thirty-first day of March, 1882.

Substitution of new section for section 8.

4. For section 8 the following section shall be substituted :—

"8. The Governor General in Council and the Chief Commissioner may, respectively, from time to time, vary the number of Courts mentioned in section six, in clauses (*c*), (*d*), (*e*) and (*f*), and in clauses (*a*) and (*b*)."

Substitution of new section for section 9.

5. For section 9 the following section shall be substituted :—

"9. The Chief Commissioner may, from time to time, vary the local limits of the jurisdiction of any Court mentioned in section six, clauses (*a*) and (*b*), and, with the previous sanction of the Governor General in Council, of any Court mentioned in section six, clauses (*c*), (*d*), (*e*) and (*f*)."

Insertion of section after section 9.

6. After section 9 the following section shall be inserted, namely :—

Validation of certain proceedings already taken.

"9A. Any order heretofore passed, or decree made or proceeding taken by any Civil Court in British Burma acting as if it had the jurisdiction of a Court mentioned in section six, clause (*a*) or clause (*b*), shall not be invalid merely because the Court was established by the Chief Commissioner instead of by the Governor General in Council or because the local limits of its jurisdiction were varied by the Chief Commissioner without the previous sanction of the Governor General in Council."

Amendment of section 23.

7. In section 23 the following amendments shall be made, namely :—

(*a*) after the word "Commissioner" each time it occurs, the words "or Deputy Commissioner,"

(*b*) after the words "Judicial Commissioner" the first time they occur, the words "or Commissioner respectively," and

(*c*) after the words "Judicial Commissioner," the second time they occur, the words "or Commissioner,"

shall be respectively inserted.

Insertion of section after section 23.

8. After section 23 the following section shall be inserted, namely :—

Power for Chief Commissioner to invest Assistant Commissioners with appellate powers.

"23A. The Chief Commissioner may invest any Assistant Commissioner with power to hear appeals from decrees and orders in original suits and proceedings of any Court mentioned in section six, clause (*a*) or (*b*).

"The Chief Commissioner may withdraw the power with which any Assistant Commissioner has been invested under this section."

Substitution of new section for section 38.

9. For section 38 the following section shall be substituted, namely :—

Appointment of officers.

"38. The presiding officer of the Court of the Judicial Commissioner shall be appointed by the Governor General in Council.

"The presiding officers of all the other Courts mentioned in section six may be appointed and may be removed by the Chief Commissioner."

STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to make certain amendments in the Burma Courts Act, 1875 (XVII of 1875), which experience has shown to be required.

2. In the Act as it at present stands the presiding officers of the Courts of the lowest grades are termed Extra Assistant Commissioners of the 1st, 2nd and 3rd class respectively. In 1882 the Subordinate Executive and Judicial Service in British Burma was reorganized, and the designations of the service were changed. The term Extra Assirtant Commissioner was restricted to Extra Assistant Commissioners of the 1st and 2nd classes under the old system; and Extra Assistant Commissioners of the 3rd class were styled Myo-ôks. The result is that the present designations of the Subordinate Judicial Officers do not correspond with the designations given to the Subordinate Civil Courts by the Act. This difficulty has hitherto been ignored. Now, however, the Judicial Commissioner, Mr. Jardine, is of opinion that, as the law stands, the nomenclature used in the Courts Act should be adhered to as regards all officers of the Subordinate Judicial Service appointed to preside in Civil Courts. He advises the Chief Commissioner that questions of jurisdiction may arise and may cause inconvenience and loss to suitors; and he reports that a case of the kind has already occurred. This being the view taken by the Judge of the highest Appellate Court, the Chief Commissioner has addressed the Government of India on the subject. He wishes that all doubt on the point should be removed by substituting the words "Extra Assistant Commissioner" for the words "Extra Assistant Commissioner of the 1st and 2nd class," and the word "Myo-ôk" for the words "Extra Assistant Commissioner of the 3rd class" wherever they occur in the Courts Act. With this view section 3 of the Bill has been drafted. It gives the amendments made by the section retrospective effect from the 1st April, 1882, the date of the reorganization of the Subordinate Service.

3. Further difficulties have also arisen from the provisions of sections 8 and 9 of the Act. Under recent orders the Chief Commissioner has power to create additional Myo-ôkships; but in consequence of the provisions of section 8 of the Act additional Myo-ôks appointed by the Chief Commissioner can do no civil work unless the sanction of the Government of India is first obtained to the creation of an additional Civil Court. Again, the duties performed by Extra Assistant Commissioners and those performed by Myo-ôks are practically of the same description. The exigencies of the public service often render necessary the appointment of a Myo-ôk to succeed an Extra Assistant Commissioner or of an Extra Assistant Commissioner to succeed a Myo-ôk in the charge of a township; and the result is that an officer who should preside in a Court of grade (*a*) is appointed to preside in a Court which has hitherto been a Court of grade (*b*), or *vice versa*. Such changes have from time to time been made by the Chief Commissioner. The Judicial Commissioner is of opinion that, having regard to the provisions of sections 8 and 9 of the Act, such an interchange cannot legally be effected except by, or with the previous sanction of, the Governor General in Council. The inconvenience which would arise if it were held to be necessary to submit a reference to the Government of India on every occasion such as those described is apparent. The administration of the province, and particularly the administration of civil justice, would be seriously hampered. Sections 4 and 5 of the Bill therefore re-enact sections 8 and 9 of the Act in such a form that the Local Government is empowered to vary the number of Courts of grades (*a*) and (*b*), and to vary the local limits of the jurisdiction of these Courts without the previous sanction of the Government of India, and section 6 legalizes the variations in the numbers, and limits of the local jurisdictions, of these Courts, which have heretofore from time to time been made by the Chief Commissioner instead of by the Governor General in Council or by the Chief Commissioner without the previous sanction of the Governor General in Council.

4. The Chief Commissioner states that the Deputy Commissioners in certain districts are overburdened by the pressure of civil appellate duties to the detriment of their executive work, and that, in order to increase their efficiency as executive officers, it is necessary to relieve them of some portion of their appellate jurisdiction. With this object sections 7 and 8 of the Bill have been prepared. The latter section, which is based on the recommendation of the Chief Commissioner, gives him authority to invest an Assistant Commissioner with power to hear certain civil appeals which would ordinarily be heard by the Deputy Commissioner. The former section empowers the Chief Commissioner to transfer to Commissioners of Divisions all or any part of the appellate jurisdiction exercisable under the Act by Deputy Commissioners. It seems desirable to provide this second and additional mode of affording the proposed relief to Deputy Commissioners, as it is possible that the result of transferring civil appellate work from the Deputy Commissioner to the Assistant Commissioner may not always prove satisfactory.

Lastly, under section 38 of the Act, the Chief Commissioner is only empowered to appoint and remove the presiding officers of the Court of the Extra Assistant Commissioner of the 3rd class (now styled the Myo-ôk). The presiding officers of all the other Courts under the Act must be appointed by the Governor General in Council. These provisions have been found to cause practical inconvenience, and the Government of India see no reason why the Chief Commissioner should not have, in regard to civil jurisdiction, like powers to those which the Criminal Procedure Code gives him in regard to criminal jurisdiction. Accordingly, section 9 of the Bill amends section 38 of the Act, and confers power on the Chief Commissioner to appoint and remove the presiding officers of all the Courts mentioned in section 6 of the Act with the exception of the Court of the Judicial Commissioner; the power to appoint the presiding officer of that Court being reserved to the Governor General in Council.

C. P. ILBERT.

The 7th December, 1883.

D. FITZPATRICK,
Secretary to the Government of India.